Eighty-first Legislature

Text of Conference Committee Report
Senate Bill No. 1, Regular Session
(General Appropriations Act)

STATE OF TEXAS
2009

Editor's Note: Senate Bill No. 1 Conference Committee Report (Eighty-first Legislature, Regular Session) appropriation figures have been adjusted in this publication to incorporate certain Article IX (General Provisions) appropriations into relevant agency bill patterns, as well as Governor's vetoes, House Bill No. 4586 (Eighty-first Legislature, Regular Session), and other miscellaneous bills, including those of the First Called Session. Conforming changes to agency riders and informational items have also been made. Complete copies of legislation affecting Senate Bill No. 1 can be found at www.capitol.state.tx.us

Austin Texas
May 26, 2009

Honorable David Dewhurst, Lieutenant Governor
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

Gentlemen:

We, your Conference Committee appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill 1, have met and had the same under consideration and beg to report back with the recommendation that it do pass in the form attached.

Senator Steve Ogden

Representative Jim Pitts

Senator Juan "Chuy" Hinojosa

Representative Richard Raymond

Senator Florence Shapiro

Representative Ruth Jones McClendon

Senator Royce West

Representative John Otto

Senator Tommy Williams

Representative John Zerwas

TABLE OF CONTENTS

RECAPITULATION - ALL ARTICLES xiv

ARTICLE I - GENERAL GOVERNMENT

Arts, Commission on the I-1
Attorney General, Office of the I-4
Bond Review Board I-12
Cancer Prevention and Research Institute of Texas I-13
Comptroller of Public Accounts I-16
Fiscal Programs - Comptroller of Public Accounts I-21
Informational Listing of Funds Appropriated to the Comptroller for Social Security and BRP I-27
Emergency Communications, Commission on State I-28
Employees Retirement System I-30
Ethics Commission, Texas I-34
Facilities Commission I-36
Finance Authority, Public I-42
Fire Fighters= Pension Commissioner I-45
Governor, Office of the I-48
Trusteed Programs within the Office of the Governor I-49
Historical Commission I-58
Information Resources, Department of I-65
Library & Archives Commission I-70
Pension Review Board I-74
Preservation Board I-75
Risk Management, State Office of I-78
Workers= Compensation Payments I-80
Secretary of State I-81
State-Federal Relations, Office of I-84
Veterans Commission I-86
Retirement and Group Insurance I-89
Social Security and Benefit Replacement Pay I-89
Bond Debt Service Payments I-90
Lease Payments I-90
Recapitulation - Article I - General Revenue I-91
Recapitulation - Article I - General Revenue - Dedicated I-92
Recapitulation - Article I - Federal Funds I-93
Recapitulation - Article I - Other Funds I-94
Recapitulation - Article I - All Funds I-95

ARTICLE II - HEALTH AND HUMAN SERVICES

Aging and Disability Services, Department of II-1
Assistive and Rehabilitative Services, Department of II-20
Family and Protective Services, Department of II-33
State Health Services, Department of II-47
Health and Human Services Commission II-79
Retirement and Group Insurance II-102
Social Security and Benefit Replacement Pay II-103
Bond Debt Service Payments II-103
Lease Payments II-104
Special Provisions Relating to All Health and Human Services Agencies II-104
Night Shift and Weekend Differential II-104
Services to Employees II-104
Charges to Employees and Guests II-104
New or Additional Facilities II-105
Revolving Petty Cash Funds II-105
Federal Match Assumptions and Limitations on Use of Available General Revenue Funds II-105
Contracts for Purchase of Client Services II-106
Attorney General Representation II-106
Medicaid Managed Care Contracts II-106
Limitations on Transfer Authority II-106
Payment for Compensatory Time II-107
Access to Health Care Services II-107

TABLE OF CONTENTS
(Continued)

Medicaid Informational Rider II-107
Caseload and Expenditure Reporting Requirements II-108
Rate Limitations and Reporting Requirements II-109
Audit of Medicaid Funds II-110
Mental Health (MH) and Mental Retardation (MR) Collections for Patient Support and Maintenance II-110
General Revenue Funds for Medicaid Mental Health and Mental Retardation Services II-111
Mental Health (MH) and Mental Retardation (MR) Appropriated Receipts II-114
Texas Capital Trust Fund Account No. 543 ..... II-115
Mental Health (MH) and Mental Retardation (MR) Medicare Receipts II-115
Community Mental Health and Mental Retardation Centers II-116
Medicaid and Medicare Collections II-116
Surplus Property II-116
Employee Meals II-117
Maximum Security Salaries II-117
Fire Prevention and Safety II-117
Patient or Client Assistance II-117
Barber and Cosmetology Services II-117
Language Interpreter Services II-117
State-Owned Housing II-117
Collection of Fees from the Copyright of Training Materials and Patent of Technologies Developed II-117
Professional Trainees and Interns II-118
Limit on Spending New Generation Medication Funds II-118
Purchasing of Medication II-119
Donations from Individuals, Community Groups and Volunteer Services Councils II-119
Contracted Medical Services II-119
Efficiencies at Local Mental Health and Mental Retardation Authorities II-119
Equal Opportunity Principles in Contracting for Social Services II-119
Limitation on Unexpended Balances: General Revenue for Medicaid II-119
Appropriation of Receipts: Civil Monetary Damages and Penalties II-120
Financial Monitoring of Community MHMR Centers II-120
Appropriation of Unexpended Balances: Funds Recouped from Local Authorities II-120
Enterprise Support Services II-121
Integrated Model of Care – Aged/Blind/Disabled Population II-122
Maintenance of Certain Program Service Levels II-123
Contingency Appropriation for the Reshaping of the System for Providing Services to Individuals with Developmental Disabilities II-123
Client Abuse, Neglect, and Exploitation Reporting in State Schools and State Hospitals II-125
Advisory Committee Limitation and Reporting Requirement II-125
Rio Grande State Center II-125
Expansion of Community-based Services II-125
Informational Listing of Stimulus Funds in Article II Agencies II-130
Information on Funding Provided for One-time Attendant Wage and Provider Rate Increases II-131
Recapitulation - Article II - General Revenue II-132
Recapitulation - Article II - General Revenue - Dedicated II-133
Recapitulation - Article II - Federal Funds II-134
Recapitulation - Article II - Other Funds II-135
Recapitulation - Article II - All Funds II-136

ARTICLE III - EDUCATION

Education Agency, Texas III-1
Blind and Visually Impaired, School for the III-28
Deaf, School for the III-32
Special Provisions for the Texas School for the Blind and Visually Impaired / Texas School for the Deaf III-35
Services to Employees III-35
Emoluments III-35
Appropriation of Funds III-35
Certification and Appropriation of Medicaid Reimbursement III-35
Payments by School Districts III-35
Consideration for Grants from the Texas Education Agency III-35
Teacher Retirement System III-36
Optional Retirement Program III-39

TABLE OF CONTENTS
(Continued)

Group Insurance Contributions, Higher Education Employees III-41
Higher Education Coordinating Board III-46
Higher Education Fund III-64
The University of Texas System Administration III-64
Available University Fund III-66
The University of Texas at Arlington III-68
The University of Texas at Austin III-70
The University of Texas at Dallas III-73
The University of Texas at El Paso III-75
The University of Texas - Pan American III-79
The University of Texas at Brownsville III-81
The University of Texas of the Permian Basin III-83
The University of Texas at San Antonio III-85
The University of Texas at Tyler III-88
Texas A&M University System Administrative and General Offices III-89
Texas A&M University III-92
Texas A&M University at Galveston III-94
Prairie View A&M University III-96
Tarleton State University III-99
Texas A&M University - Corpus Christi III-101
Texas A&M University - Kingsville III-104
Texas A&M International University III-107
West Texas A&M University III-109
Texas A&M University - Commerce III-111
Texas A&M University - Texarkana III-113
University of Houston System Administration III-115
University of Houston III-117
University of Houston - Clear Lake III-119
University of Houston - Downtown III-120
University of Houston - Victoria III-122
Midwestern State University III-124
University of North Texas System Administration III-126
University of North Texas III-128
Stephen F. Austin State University III-131
Texas Southern University III-133
Texas Tech University System Administration III-136
Texas Tech University III-137
Angelo State University III-139
Texas Woman=s University III-142
Texas State University System III-144
Lamar University III-146
Lamar Institute of Technology III-148
Lamar State College - Orange III-150
Lamar State College - Port Arthur III-151
Sam Houston State University III-153
Texas State University - San Marcos III-156
Sul Ross State University III-158
Sul Ross State University Rio Grande College III-160
The University of Texas Southwestern Medical Center at Dallas III-162
The University of Texas Medical Branch at Galveston III-165
The University of Texas Health Science Center at Houston III-169
The University of Texas Health Science Center at San Antonio III-172
The University of Texas M. D. Anderson Cancer Center III-176
The University of Texas Health Center at Tyler III-179
Texas A&M University System Health Science Center III-182
University of North Texas Health Science Center at Fort Worth III-186
Texas Tech University Health Sciences Center III-189
Public Community/Junior Colleges III-194
Texas State Technical College System Administration III-202
Texas State Technical College - Harlingen III-204
Texas State Technical College - West Texas III-206
Texas State Technical College - Marshall III-208
Texas State Technical College - Waco III-209
Special Provisions Relating Only to Components of Texas State Technical College III-211
    Expenditure of Educational and General Funds III-211
    Financial Records III-211

TABLE OF CONTENTS
(Continued)

Enrollment Records and Reports III-211
Certification of Compliance III-212
Approved Geographic Locations III-212
Temporary Special Courses III-212
Aircraft Pilot Training Programs III-212
Approval of Plans by Foundations III-212
Audit of Base Contact Hours III-212
Campus President Salaries III-213
Chancellor Salary III-213
Texas AgriLife Research III-213
Texas AgriLife Extension Service III-216
Texas Engineering Experiment Station III-220
Texas Transportation Institute III-222
Texas Engineering Extension Service III-224
Texas Forest Service III-227
Texas Veterinary Medical Diagnostic Laboratory III-229
Retirement and Group Insurance III-231
Social Security and Benefit Replacement Pay III-232
Bond Debt Service Payments III-233
Lease Payments III-233
Special Provisions Relating Only to State Agencies of Higher Education III-233
Local Funds Appropriated III-233
Definition of Terms III-234
Transfer Provisions III-234
Salary and Benefit Provisions III-235
Expenditure Provisions III-236
Recruitment of Students III-239
Television Stations Prohibited III-239
Intercollegiate Athletics III-239
Prohibition Against Additional Museums III-239
Method of Financing Scholarships III-239
Use of Educational and General Funds for Alumni Activities Prohibited III-240
Limitation of Nonresident Enrollment in Certain State-supported Professional Schools III-240
Off-campus Instruction III-240
Medical School Enrollment III-241
Tuition and Other Educational and General Local Fee Collection III-241
Compliance with Uniform Recruitment and Retention Strategy III-241
Formula Variable and Educational and General Income Audits III-241
System Offices Funding Authorized III-241
Annual Reports of Health Related Institutions Practice Plans III-241
Self-insurance Funds III-242
Uncompensated Care Reporting Requirement III-242
County Indigent Care Contracts III-242
Ethics Policy III-242
Driscoll Children=s Hospital III-242
Participation in Drug Development Research Projects III-242
Post Tenure Review III-243
General Academic Funding III-243
Health Related Institutions Funding III-244
Optional Retirement Program Differential III-245
Indirect Cost Recovery Earned by Texas A&M System Agencies III-245
Fire Safety Projects at Institutions of Higher Education III-245
Funding for Physical Education Courses III-246
Faculty Salary Increase Report III-246
Endowed Chairs III-246
Nursing School Enrollment III-246
Endowed Programs III-246
Student Travel Policy III-246
Special Item Support III-246
Informational Listing - Permanent Funds and Endowments III-246
Appropriation of Funds from the Permanent Health Fund for Higher Education III-247
Limitation on Formula Funding Contact and Semester Credit Hours III-247
Report on Real Property III-247
Limitation on Use of Funds III-248
Financial Information Reporting Requirement III-248

TABLE OF CONTENTS
(Continued)

Program to Encourage Certification to Teach Bilingual Education, English as a Second Language, or Spanish III-248
Texas A&M University System Cost Efficiencies III-248
Contingent Appropriations for Small Business Development Centers III-249
Display and Availability of Health Information III-249
Report Concerning Designated Tuition III-250
Texas A&M System Agencies' Infrastructure Support Inside Brazos County III-250
Appropriations for the Research Development Fund III-250
Appropriations for the Texas Competitive Knowledge Fund III-251
Special Item Study III-251
Community College Transfer Student Reporting Requirement III-251
Academic Reporting Requirement for Museums III-251
Mexican American Studies Program or Other Course Work III-251
Recapitulation - Article III - General Revenue III-253
Recapitulation - Article III - General Revenue - Dedicated III-255
Recapitulation - Article III - Federal Funds III-257
Recapitulation - Article III - Other Funds III-258
Recapitulation - Article III - All Funds III-259

ARTICLE IV - THE JUDICIARY

Supreme Court of Texas IV-1
Court of Criminal Appeals IV-3
First Court of Appeals District, Houston IV-7
Second Court of Appeals District, Fort Worth IV-8
Third Court of Appeals District, Austin IV-9
Fourth Court of Appeals District, San Antonio IV-10
Fifth Court of Appeals District, Dallas IV-11
Sixth Court of Appeals District, Texarkana IV-13
Seventh Court of Appeals District, Amarillo IV-14
Eighth Court of Appeals District, El Paso IV-15
Ninth Court of Appeals District, Beaumont IV-16
Tenth Court of Appeals District, Waco IV-17
Eleventh Court of Appeals District, Eastland IV-18
Twelfth Court of Appeals District, Tyler IV-19
Thirteenth Court of Appeals District, Corpus Christi - Edinburg IV-20
Fourteenth Court of Appeals District, Houston IV-22
Office of Court Administration, Texas Judicial Council IV-23
State Prosecuting Attorney, Office of the IV-27
State Law Library IV-28
Commission on Judicial Conduct, State IV-30
Judiciary Section, Comptroller=s Department IV-31
Retirement and Group Insurance IV-37
Social Security and Benefit Replacement Pay IV-38
Lease Payments IV-38
Special Provisions - Judiciary IV-38
Judicial Salary Enforcement IV-38
Restriction, New District Courts IV-38
Transfer of Cases IV-39
Systems Compatibility IV-39
Judicial Internship Program IV-39
Appellate Court Exemptions IV-39
Appropriation: Unexpended Balances Between Fiscal Years Within the Biennium IV-39
Intermediate Appellate Court Local Funding Information. IV-39
Appellate Court Salary Limits IV-39
Interagency Contracts for Assigned Judges for Appellate Courts IV-39
Appellate Court Transfer Authority IV-39
Schedule of Exempt Positions IV-39
Children's Justice Grants to States IV-40
Recapitulation - Article IV - General Revenue IV-41
Recapitulation - Article IV - General Revenue - Dedicated IV-42
Recapitulation - Article IV - Federal Funds IV-43
Recapitulation - Article IV - Other Funds IV-44
Recapitulation - Article IV - All Funds IV-45

TABLE OF CONTENTS
(Continued)

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE

Adjutant General=s Department V-1
Alcoholic Beverage Commission V-7
Criminal Justice, Department of V-11
Fire Protection, Commission on V-29
Jail Standards, Commission on V-31
Juvenile Probation Commission V-33
Law Enforcement Officer Standards and Education, Commission on V-40
Public Safety, Department of V-43
Youth Commission V-57
Retirement and Group Insurance V-64
Social Security and Benefit Replacement Pay V-65
Bond Debt Service Payments V-66
Lease Payments V-67
Special Provisions Relating to Public Safety and Criminal Justice Agencies V-67
    Federally Funded Projects V-67
Recapitulation - Article V - General Revenue V-68
Recapitulation - Article V - General Revenue - Dedicated V-69
Recapitulation - Article V - Federal Funds V-70
Recapitulation - Article V - Other Funds V-71
Recapitulation - Article V - All Funds V-72

ARTICLE VI - NATURAL RESOURCES

Agriculture, Department of VI-1
Animal Health Commission VI-10
Commission on Environmental Quality VI-12
General Land Office and Veterans= Land Board VI-25
Parks and Wildlife Department VI-31
Railroad Commission VI-44
Soil and Water Conservation Board VI-51
Water Development Board VI-54
    Debt Service Payments - Non-Self Supporting G.O. Water Bonds VI-60
Retirement and Group Insurance VI-62
Social Security and Benefit Replacement Pay VI-63
Bond Debt Service Payments VI-63
Lease Payments VI-64
Recapitulation - Article VI - General Revenue VI-65
Recapitulation - Article VI - General Revenue - Dedicated VI-66
Recapitulation - Article VI - Federal Funds VI-67
Recapitulation - Article VI - Other Funds VI-68
Recapitulation - Article VI - All Funds VI-69

ARTICLE VII - BUSINESS AND ECONOMIC DEVELOPMENT

Housing and Community Affairs, Department of VII-1
Lottery Commission, Texas VII-8
Motor Vehicles, Department of VII-13
Rural Affairs, Texas Department of VII-16
Transportation, Department of VII-20
Workforce Commission, Texas VII-41
    Reimbursements to the Unemployment Compensation Benefit Account VII-50
Retirement and Group Insurance VII-52
Social Security and Benefit Replacement Pay VII-52
Bond Debt Service Payments VII-53
Lease Payments VII-53
Recapitulation - Article VII - General Revenue VII-54
Recapitulation - Article VII - General Revenue - Dedicated VII-55
Recapitulation - Article VII - Federal Funds VII-56
Recapitulation - Article VII - Other Funds VII-57
Recapitulation - Article VII - All Funds VII-58

ARTICLE VIII - REGULATORY

Administrative Hearings, State Office of VIII-1

TABLE OF CONTENTS
(Continued)

Chiropractic Examiners, Board of VIII-5
Dental Examiners, Texas State Board of VIII-7
Funeral Service Commission VIII-9
Geoscientists, Board of Professional VIII-11
Health Professions Council VIII-13
Injured Employee Counsel, Office of VIII-15
Insurance, Department of VIII-17
Insurance Counsel, Office of Public VIII-25
Land Surveying, Board of Professional VIII-26
Licensing and Regulation, Department of VIII-28
Texas Medical Board VIII-35
Nursing, Texas Board of VIII-38
Optometry Board VIII-42
Pharmacy, Board of VIII-43
Physical Therapy & Occupational Therapy Examiners, Executive Council of VIII-46
Plumbing Examiners, Board of VIII-49
Podiatric Medical Examiners, Board of VIII-51
Psychologists, Board of Examiners of VIII-53
Racing Commission VIII-55
Real Estate Commission VIII-60
Residential Construction Commission VIII-63
Securities Board VIII-66
Tax Professional Examiners, Board of VIII-69
Utility Commission of Texas, Public VIII-71
Utility Counsel, Office of Public VIII-75
Veterinary Medical Examiners, Board of VIII-77
Retirement and Group Insurance VIII-79
Social Security and Benefit Replacement Pay VIII-79
Lease Payments VIII-80
Special Provisions Relating to All Regulatory Agencies VIII-80
- Appropriations Limited to Revenue Collections VIII-80
- Funding for Health Professions Council VIII-81
- TexasOnline Authority Appropriation VIII-81
- Peer Assistance Program Funding Requirements VIII-82
- Contingency Appropriation for Criminal History Record Information VIII-82
- Contingent Funding for Health Professions Council Shared Regulatory Database Migration VIII-83
- Self-Leveling Agency Fee Change Notification Requirements VIII-84

Recapitulation - Article VIII - General Revenue VIII-85
Recapitulation - Article VIII - General Revenue - Dedicated VIII-86
Recapitulation - Article VIII - Federal Funds VIII-87
Recapitulation - Article VIII - Other Funds VIII-88
Recapitulation - Article VIII - All Funds VIII-89

ARTICLE IX - GENERAL PROVISIONS

GENERAL PROVISIONS LEGISLATIVE INTENT IX-1
- Sec. 1.01. Limitations IX-1

PROVISIONS RELATING TO THE POSITION CLASSIFICATION PLAN IX-1
- Sec. 2.01. Position Classification Plan IX-1
  - Classified Positions for the 2010-11 Biennium IX-1
  - Schedule A Classification Salary Schedule IX-15
  - Schedule B Classification Salary Schedule IX-15
  - Schedule C Classification Salary Schedule IX-16

SALARY ADMINISTRATION AND OTHER EMPLOYMENT PROVISIONS IX-16
- Sec. 3.01. Salary Rates IX-16
- Sec. 3.02. Salary Supplementation IX-17
- Sec. 3.03. Classified Salary Rates IX-17
- Sec. 3.04. Salary Limits. IX-17
- Sec. 3.05. Scheduled Exempt Positions IX-17
- Sec. 3.06. Evening, Night, Weekend Shift Pay: Registered Nurses and License Vocational Nurses. IX-19
- Sec. 3.07. Recruitment and Retention Bonuses IX-19
- Sec. 3.08. Equity Adjustments IX-19

TABLE OF CONTENTS
(Continued)

Sec. 3.09. Classification Study on Scheduled Exempt Positions....IX-20
Sec. 3.10. Method of Salary Payments....IX-20
Sec. 3.11. Exception – Contracts Less Than 12 Months....IX-20
Sec. 3.12. Matching Retirement and Certain Insurance....IX-20

GRANT-MAKING PROVISIONS....IX-20
Sec. 4.01. Emergency and Deficiency Grants Out of Special Funds....IX-20
Sec. 4.02. Grant Restriction....IX-20
Sec. 4.03. Grants....IX-20
Sec. 4.04. Grants for Political Polling Prohibited....IX-21
Sec. 4.05. Limitation on Grants to Units of Local Government....IX-21

TRAVEL REGULATIONS....IX-21
Sec. 5.01. Travel Definitions....IX-21
Sec. 5.02. General Travel Provisions....IX-21
Sec. 5.03. Failure to Comply....IX-22
Sec. 5.04. Transportation Expenses....IX-22
Sec. 5.05. Transportation in Personally Owned or Leased Aircraft....IX-22
Sec. 5.06. Travel Meals and Lodging Expenses....IX-22
Sec. 5.07. Special Provisions Regarding Travel Expenses....IX-23
Sec. 5.08. Limitation on Travel Expenditures....IX-23
Sec. 5.09. Travel and Per Diem of Board or Commission Members....IX-24
Sec. 5.10. Travel of Advisory Committee Members....IX-25

GENERAL LIMITATIONS ON EXPENDITURES....IX-25
Sec. 6.01. Definitions....IX-25
Sec. 6.02. Interpretation of Estimates....IX-25
Sec. 6.03. Excess Obligations Prohibited....IX-25
Sec. 6.04. Interpretation of Legislative Intent....IX-26
Sec. 6.05. Comptroller=s Duty to Pay....IX-26
Sec. 6.06. Last Quarter Expenditures....IX-26
Sec. 6.07. Employee Benefit and Debt Service Items....IX-26
Sec. 6.08. Benefits Paid Proportional by Fund....IX-26
Sec. 6.09. Appropriations from Special Funds....IX-27
Sec. 6.10. Limitation on State Employment Levels....IX-27
Sec. 6.11. Purchases of Postage....IX-29
Sec. 6.12. Expenditures for State-Federal Relations....IX-29
Sec. 6.13. Performance Rewards and Penalties....IX-29
Sec. 6.14. Bookkeeping Entries....IX-30
Sec. 6.15. Accounting for State Expenditures....IX-31
Sec. 6.16. Fee Increase Notification....IX-31
Sec. 6.17. Consolidated Funds....IX-31
Sec. 6.18. Demographic and Statistical Studies....IX-31
Sec. 6.19. Cost Allocations....IX-31
Sec. 6.20. Use of Appropriations to Contract for Audits....IX-31
Sec. 6.21. Limitations on Use of Appropriated Funds....IX-32
Sec. 6.22. Definition, Appropriation, Reporting and Audit of Earned Federal Funds....IX-32

REPORTING REQUIREMENTS....IX-33
Sec. 7.01. Budgeting and Reporting....IX-33
Sec. 7.02. Annual Reports and Inventories....IX-34
Sec. 7.03. Notification to Members of the Legislature....IX-35
Sec. 7.04. Contract Notification: Amounts Greater than $50,000....IX-35
Sec. 7.05. Contract Notification: Amounts Greater than $500,000....IX-35
Sec. 7.06. Reports and References....IX-36
Sec. 7.07. Reporting Fees, Fines, and Penalties....IX-36
Sec. 7.08. Reporting of Federal Homeland Security Funding....IX-36
Sec. 7.09. Reporting of Historically Underutilized Business (HUB) Key Measures....IX-36

OTHER APPROPRIATION AUTHORITY....IX-36
Sec. 8.01. Acceptance of Gifts of Money....IX-36
Sec. 8.02. Federal Funds/Block Grants....IX-37
Sec. 8.03. Reimbursements and Payments....IX-38
Sec. 8.04. Surplus Property....IX-38
Sec. 8.05. Refunds of Deposits....IX-39
Sec. 8.06. Vending Machines....IX-39

TABLE OF CONTENTS
(Continued)

Sec. 8.07. Pay Station Telephones IX-39
Sec. 8.08. Appropriation of Collections for Seminars and Conferences IX-39
Sec. 8.09. Appropriation of Bond Proceeds IX-39
Sec. 8.10. CMIA Interest Payments IX-39
Sec. 8.11. Appropriation of Receipts: Credit, Charge, Debit Card, or Electronic Cost Recovery Service Fees IX-40

INFORMATION RESOURCES PROVISIONS IX-40
Sec. 9.01. Purchases of Information Resources Technologies IX-40
Sec. 9.02. Quality Assurance Review of Major Information Resources Projects IX-40
Sec. 9.03. Biennial Operating Plan and Information Resources Strategic Plan Approval IX-41
Sec. 9.04. Information Technology Replacement IX-41
Sec. 9.05. TexasOnline Project: Occupational Licenses IX-41
Sec. 9.06. TexasOnline Project: Cost Recovery Fees IX-41

HEALTH-RELATED PROVISIONS IX-42
Sec. 10.01. Purchasing of Pharmaceuticals IX-42
Sec. 10.02. Full Application for Health Coverage IX-42
Sec. 10.03. State Agency Communication with Employees Regarding the State Kids Insurance Program (SKIP) IX-42
Sec. 10.04. Appropriation of Disproportionate Share Hospital Payments to State Owned Hospitals IX-42
Sec. 10.05. Informational Listing - Health Care Appropriations IX-42
Sec. 10.06. Informational Listing on Use of Tobacco Settlement Receipts IX-43
Sec. 10.07. Informational Listing-Supplemental Medicaid Payments IX-45
Sec. 10.08. Payment for Medical Errors IX-45
Sec. 10.09. Study on Directly Contracting with Medicare for Prescription Drug Coverage IX-46

PROVISIONS RELATED TO REAL PROPERTY IX-46
Sec. 11.01. Limitation on Use of Funds for Personal Residences IX-46
Sec. 11.02. Statewide Capital Planning IX-46
Sec. 11.03. Limitation on Expenditures for Leased Space IX-47
Sec. 11.04. Efficient Use of State Owned and Leased Space IX-47
Sec. 11.05. State Owned Housing - Recover Housing Costs IX-47
Sec. 11.06. State Agency Emergency Leases IX-48
Sec. 11.07. Prepayment of Annual Lease Costs IX-49
Sec. 11.08. Equipment Maintenance Cost Reductions IX-49
Sec. 11.09. Name of El Paso State Office Building IX-49

PROVISIONS RELATED TO PROPERTY IX-49
Sec. 12.01. Aircraft IX-49
Sec. 12.02. Publication of Sale of Printed, Recorded, or Electronically Produced Matter or Records IX-50
Sec. 12.03. Limitation on Expenditures for Purchases and Conversions of Alternative Fuel Vehicles IX-50
Sec. 12.04. Lost Property IX-50
Sec. 12.05. Transfer of Master Lease Purchase Program Payments IX-51
Sec. 12.06. Interoperability Communications Equipment: Federal Funding IX-51
Sec. 12.07. Interoperability Communications Equipment: All Appropriated Funding IX-52

OTHER PROVISIONS IX-52
Sec. 13.01. Employee Meal Authorization IX-52
Sec. 13.02. Bank Fees and Charges IX-53
Sec. 13.03. Appropriation: Temporary Assistance for Needy Families (TANF) Federal Funds IX-53
Sec. 13.04. Appropriations from State Tax Revenue IX-53
Sec. 13.05. Contingency Rider IX-53
Sec. 13.06. Informational Items IX-53
Sec. 13.07. Appropriation of All Specialty License Plate Receipts and Unexpended Balances IX-53

AGENCY DISCRETIONARY TRANSFER PROVISIONS IX-56
Sec. 14.01. Appropriation Transfers IX-56
Sec. 14.02. Transfers for Contract Services IX-56

TABLE OF CONTENTS
(Continued)

Sec. 14.03. Limitation on Expenditures – Capital Budget IX-56
Sec. 14.04. Disaster Related Transfer Authority IX-58

AGENCY NON-DISCRETIONARY TRANSFER PROVISIONS IX-59
Sec. 15.01. Reimbursements for Unemployment Benefits IX-59
Sec. 15.02. Payments to the State Office of Risk Management (SORM) IX-60
Sec. 15.03. Contingency Appropriation Reduction IX-62
Sec. 15.04. Appropriation Transfers: Billings for Statewide Allocated Costs IX-62

LEGAL REPRESENTATION AND JUDGMENTS PROVISIONS IX-62
Sec. 16.01. Court Representation and Outside Legal Counsel IX-62
Sec. 16.02. Judgments and Settlements IX-64
Sec. 16.03. Expenditures for Representatives of Grievants Prohibited IX-66

CONTINGENCY AND OTHER PROVISIONS IX-66
Sec. 17.01. Appropriation for a Salary Increase for State Employees in Salary Schedule C. IX-66
Sec. 17.02. Additional Appropriation for Employee Benefits IX-67
Sec. 17.03. Enterprise Resource Planning Projects IX-67
Sec. 17.04. Border Security Operations IX-68
Sec. 17.05. Fraud Reporting IX-69
Sec. 17.06. Interagency Council IX-69
Sec. 17.07. Maintenance of Victory Field Correctional Academy IX-69
Sec. 17.08. Appropriation of Fines, Penalties, Sanctions IX-69
Sec. 17.09. Lease of Facilities IX-69
Sec. 17.10. Allocation for Rail Relocation and Improvement Fund IX-70
Sec. 17.11. Informational Listing General Obligation Bond Proceeds IX-70
Sec. 17.12. Certain Federal Reimbursements IX-71
Sec. 17.13. One-Time Payments IX-71
Sec. 17.14. School Bus Seat Belt Program IX-73
Sec. 17.15. Medicaid Substance Abuse Treatment IX-73
Sec. 17.16. Updated State Cost Estimate for the Foundation School Program IX-73
Sec. 17.17. Funding Restricted for Reservoir Site IX-73
Sec. 17.18. Professional Development Partnerships for Early Childhood Education IX-73
Sec. 17.19. One-time Uncollectible Debt Payoff and Boll Weevil Eradication IX-73
Sec. 17.20. Contingency for Governor's Mansion Repairs IX-74
Sec. 17.21. Office of the Governor Trusteed Programs IX-74
Sec. 17.22. Office of the Governor Transfer Authority IX-74
Sec. 17.23. Contingency for New Specialty License Plates IX-74
Sec. 17.24. Medicaid Appropriation Reduction IX-74
Sec. 17.25. Contingency Appropriation for House Bill 3 or Senate Bill 3 ..... IX-74
Sec. 17.26. Contingency Appropriation for House Bill 10 ..... IX-75
Sec. 17.27. Contingency Appropriation for House Bill 10 and House Bill 2774 ..... IX-75
Sec. 17.28. Contingency Appropriation for House Bill 51 ..... IX-75
Sec. 17.29. Contingency Appropriation for House Bill 216 ..... IX-75
Sec. 17.30. Contingency Appropriation for House Bill 300 or House Bill 3097 ..... IX-75
Sec. 17.31. Contingency Appropriation for House Bill 373, House Bill 3556 Senate Bill 362, or Senate Bill 363 ..... IX-76
Sec. 17.32. Contingency Appropriation for House Bill 449: Licensing and Regulation of Laser Hair Removal Facilities IX-76
Sec. 17.33. Contingency Appropriation for House Bill 461: Regulation of Dyslexia Practitioners IX-76
Sec. 17.34. Contingency Appropriation for House Bill 472: Common Carrier and Operator Contamination Reports IX-77
Sec. 17.35. Contingency Appropriation for House Bill 492 ..... IX-77
Sec. 17.36. Contingency Appropriation for House Bill 518 ..... IX-77
Sec. 17.37. Contingency appropriation for House Bill 646 ..... IX-77
Sec. 17.38. Contingency Appropriation for House Bill 802 ..... IX-77
Sec. 17.39. Contingency Appropriation for House Bill 821: Television Manufacturers Registration Program IX-77
Sec. 17.40. Contingency Appropriation for House Bill 982 ..... IX-77
Sec. 17.41. Contingency Appropriation for House Bill 1357 ..... IX-78
Sec. 17.42. Contingency Appropriation for House Bill 1358 ..... IX-78
Sec. 17.43. Contingency Appropriation for House Bill 1468 ..... IX-78
Sec. 17.44. Contingency Appropriation for House Bill 1474 ..... IX-78

TABLE OF CONTENTS
(Continued)

Sec. 17.45. Contingency Appropriation for House Bill 1749: Marine Conservation License Plates....IX-79
Sec. 17.46. Contingency Appropriation for House Bill 1779 or Senate Bill 1317....IX-79
Sec. 17.47. Contingency Appropriation for House Bill 2812 or House Bill 1935....IX-79
Sec. 17.48. Contingency for House Bill 2081 and Senate Bill 1013....IX-79
Sec. 17.49. Contingency Appropriation for House Bill 2154....IX-79
Sec. 17.50. Contingency for House Bill 2161....IX-80
Sec. 17.51. Contingency Appropriation for House Bill 2242 or Senate Bill 1900....IX-80
Sec. 17.52. Contingency Appropriation for House Bill 2248....IX-80
Sec. 17.53. Contingency Appropriation for House Bill 2250 or Senate Bill 1106....IX-80
Sec. 17.54. Contingency Appropriation for House Bill 2259: Inactive Oil and Gas Well Plugging....IX-80
Sec. 17.55. Contingency Appropriation for House Bill 2295....IX-81
Sec. 17.56. Contingency Appropriation for House Bill 2310....IX-81
Sec. 17.57. Contingency Appropriation for House Bill 2425....IX-81
Sec. 17.58. Contingency Appropriation for House Bill 2437....IX-81
Sec. 17.59. Contingency Appropriations for House Bill 2447....IX-82
Sec. 17.60. Contingency Appropriation for House Bill 2571 or Senate Bill 1431....IX-82
Sec. 17.61. Contingency Appropriation for House Bill 2626: Forensic Medical Examinations....IX-82
Sec. 17.62. Contingency Appropriation for House Bill 2677: Amendment of Birth Certificates....IX-82
Sec. 17.63. Contingency Appropriation for House Bill 2740: Licensing and Regulation of Youth Camps....IX-82
Sec. 17.64. Contingency Appropriations for House Bill 2926 or Senate Bill 841....IX-83
Sec. 17.65. Contingency Appropriation for House Bill 3180....IX-83
Sec. 17.66. Contingency Appropriation for House Bill 3219 or Senate Bill 1878....IX-83
Sec. 17.67. Contingency Appropriation for House Bill 3436 or Senate Bill 1354....IX-83
Sec. 17.68. Contingency Appropriation for House Bill 3452....IX-84
Sec. 17.69. Contingency Appropriation for House Bill 3519....IX-84
Sec. 17.70. Contingency Appropriation for House Bill 3594....IX-84
Sec. 17.71. Contingency Appropriation for House Bill 3595....IX-84
Sec. 17.72. Contingency Appropriation for House Bill 3621....IX-84
Sec. 17.73. Contingency Appropriation for House Bill 3765....IX-84
Sec. 17.74. Contingency Appropriation for House Bill 3961....IX-85
Sec. 17.75. Contingency Appropriation for House Bill 4341 or Senate Bill 2339....IX-85
Sec. 17.76. Contingency Appropriation for House Bill 4833....IX-85
Sec. 17.77. Contingency Appropriation for Senate Bill 6....IX-85
Sec. 17.78. Contingency Appropriation and Reporting Requirements for Senate Bill 7....IX-85
Sec. 17.79. Contingency Appropriation for Senate Bill 8....IX-86
Sec. 17.80. Contingency for Senate Bill 11....IX-86
Sec. 17.81. Contingency Appropriation for Senate Bill 16....IX-86
Sec. 17.82. Contingency Appropriation for Senate Bill 75....IX-87
Sec. 17.83. Contingency Appropriation for Senate Bill 81....IX-88
Sec. 17.84. Contingency Appropriation for Senate Bill 282....IX-88
Sec. 17.85. Contingency Appropriation for Senate Bill 297....IX-88
Sec. 17.86. Contingency Appropriation for Senate Bill 455....IX-88
Sec. 17.87. Contingency Appropriation for Senate Bill 482....IX-88
Sec. 17.88. Contingency Appropriation for Senate Bill 485....IX-88
Sec. 17.89. Contingency for Senate Bill 497....IX-88
Sec. 17.90. Contingency Appropriation for Senate Bill 499: Birth Records of Adopted Children....IX-88
Sec. 17.91. Contingency Appropriation for Senate Bill 546....IX-89
Sec. 17.92. Contingency Appropriation for Senate Bill 696 or House Bill 3632....IX-89
Sec. 17.93. Contingency Appropriation for Senate Bill 727....IX-89
Sec. 17.94. Contingency for Senate Bill 785 for Client Abuse and Neglect Reporting System Status Report....IX-89
Sec. 17.95. Contingency Appropriation for Senate Bill 858....IX-89
Sec. 17.96. Contingency Appropriation for Senate Bill 876: Annual Soil Tests for Concentrated Animal Feeding Operations....IX-90
Sec. 17.97. Contingency Appropriation for Senate Bill 911....IX-90
Sec. 17.98. Contingency Appropriation for Senate Bill 1001 or House Bill 2233....IX-90
Sec. 17.99. Sunset Contingency for Senate Bill 1003....IX-90
Sec. 17.100. Contingency for Senate Bill 1005....IX-90
Sec. 17.101. Contingency for Senate Bill l007 or House Bill 2203....IX-91

TABLE OF CONTENTS
(Continued)

Sec. 17.102. Contingency Appropriation for Senate Bill 1011 or House Bill 3390 ..... IX-91
Sec. 17.103. Contingency Appropriation for Senate Bill 1016 ..... IX-91
Sec. 17.104. Contingency Appropriation for Senate Bill 1091 ..... IX-91
Sec. 17.105. Contingency Appropriation for Senate Bill 1095 ..... IX-91
Sec. 17.106. Contingency Appropriation for Senate Bill 1166 ..... IX-92
Sec. 17.107. Contingency Appropriation for Senate Bill 1329 ..... IX-92
Sec. 17.108. Contingency Appropriation for Senate Bill 1331 ..... IX-92
Sec. 17.109. Contingency Appropriation for Senate Bill 1387: Capture, Injection, Sequestration or Geologic Storage of Carbon Dioxide IX-93
Sec. 17.110. Contingency Appropriation for Senate Bill 1388 ..... IX-93
Sec. 17.111. Contingency Appropriation for Senate Bill 1414: Regulation of Aggregate Production Operations IX-93
Sec. 17.112. Contingency Appropriation for Senate Bill 1548 or Senate Bill 2567 ..... IX-93
Sec. 17.113. Contingency Appropriation for Senate Bill 1830 ..... IX-93
Sec. 17.114. Contingency Appropriation for Senate Bill 1853 ..... IX-93
Sec. 17.115. Contingency Appropriation for Senate Bill 1877: Texas Medical Child Abuse Resource and Education System IX-94
Sec. 17.116. Contingency Appropriation for Senate Bill 1879 ..... IX-94
Sec. 17.117. Appropriation for Senate Bill 2043: Closure of a Man-Made Pass IX-94
Sec. 17.118. Contingency Appropriation for Senate Bill 2153 ..... IX-94
Sec. 17.119. Contingency Appropriation for Senate Bill 2233 ..... IX-95
Sec. 17.120. Contingency Appropriation for Senate Bill 2298 ..... IX-95
Sec. 17.121. Contingency Appropriation for Senate Bill 2313 ..... IX-95
Recapitulation - Article IX - General Revenue IX-96
Recapitulation - Article IX - General Revenue Dedicated IX-96
Recapitulation - Article IX - Federal Funds IX-96
Recapitulation - Article IX - Other Funds IX-97
Recapitulation - Article IX - All Funds IX-97

ARTICLE X - THE LEGISLATURE

Senate X-1
House of Representatives X-2
Legislative Council X-4
Uniform State Laws, Commission on X-5
State Auditor=s Office X-5
Legislative Reference Library X-6
Retirement and Group Insurance X-7
Social Security and Benefit Replacement Pay X-8
Lease Payments X-8
Special Provisions Relating to the Legislature X-8
Recapitulation - Article X - General Revenue X-9
Recapitulation - Article X - Other Funds X-9
Recapitulation - Article X - All Funds X-10

ARTICLE XII – AMERICAN RECOVERY AND REINVESTMENT ACT XII-1

Commission on the Arts XII-1
Attorney General, Office of the XII-1
Fiscal Programs - Comptroller of Public Accounts XII-1
Trusteed Programs Within the Office of the Governor XII-2
Aging and Disability Services, Department of XII-2
Assistive and Rehabilitative Services, Department of XII-2
Family and Protective Services, Department of XII-3
State Health Services, Department of XII-3
Health and Human Services Commission XII-3
Texas Education Agency XII-4
Higher Education Coordinating Board XII-4
General Academic Institutions XII-4
Health Related Higher Education Institutions XII-5
Higher Education and Other Government Programs XII-5
Public Community/Junior Colleges XII-5
Agriculture, Department of XII-5
Commission on Environmental Quality XII-6
Housing and Community Affairs, Department of XII-6
Rural Community Affairs, Office of XII-6

TABLE OF CONTENTS
(Continued)

Department of Transportation XII-7
Texas Workforce Commission XII-7
Special Provisions American Recovery and Reinvestment Act XII-7
Informational Item: Fiscal Year 2009 Allocations XII-7
Informational Item: American Recovery and Reinvestment Act funding not included in this Act XII-7
Unexpended Balances XII-8
Reporting Requirements XII-8
Limitation on Use of Funds XII-8
Priority of Funding XII-9
Discontinuance of Position Associated with American Recovery and Reinvestment Act XII-9
Maximization of American Recovery and Reinvestment Act Funds XII-9
Cooperation of Agency Audit and Investigation Personnel with State Auditor XII-9
Informational Rider: Reduction in General Revenue XII-9
FMAP Allocations XII-9
State Energy Projects Funding XII-9
Informational Item: Border Security Appropriations XII-10
Green Jobs Training Program XII-10
Minority Participation in Certain Contracts XII-10
Prevention and Wellness Pilot XII-10
Vocational Rehabilitation Stimulus Grants Funds XII-10
IDEA, Part C, Special Education Grants for Infants and Families Stimulus Funds XII-11
Federal Stimulus Match Assumptions XII-11
Quality Infant and Toddler Programs XII-12
Temporary Assistance for Needy Families Emergency Contingency Funding XII-12
Education Stabilization Funds – Necessary Adjustments XII-12
Informational Rider: Government Services Stabilization XII-12
Allocation of Higher Education and Other Government Programs Stimulus Funding XII-13
University of North Texas XII-13
Midwestern State University XII-14
Vernon State Hospital XII-14
American Recovery and Reinvestment Act (ARRA) Compliance Costs XII-14
Reduction of Appropriations XII-14
Recapitulation – Article XII – General Revenue XII-15
Recapitulation – Article XII – Federal Funds XII-15
Recapitulation – Article XII – All Funds XII-16

ARTICLE XIII - SAVINGS CLAUSE XIII-1

ARTICLE XIV- EMERGENCY CLAUSE XIII-1

RECAPITULATION - ALL ARTICLES
(General Revenue)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
ARTICLE I - General Government	$ 1,376,442,907	$ 1,066,481,572
ARTICLE II - Health and Human Services	12,026,723,855	12,386,884,504
ARTICLE III - Agencies of Education	23,514,100,694	25,428,772,092
ARTICLE IV - The Judiciary	218,458,426	219,306,871
ARTICLE V - Public Safety and Criminal Justice	4,260,984,481	4,369,208,044
ARTICLE VI - Natural Resources	454,680,781	420,384,213
ARTICLE VII - Business and Economic Development	256,078,661	330,681,873
ARTICLE VIII - Regulatory	161,303,691	150,538,591
ARTICLE IX - General Provisions	1,057,997	1,057,997
ARTICLE X - The Legislature	171,633,840	182,680,432
ARTICLE XII - American Recovery and Reinvestment Act	(6,383,292,500)	0
GRAND TOTAL, General Revenue	$ 36,058,172,833	$ 44,555,996,189

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ALL ARTICLES
(General Revenue - Dedicated)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
ARTICLE I - General Government	$ 431,291,510	$ 241,401,189
ARTICLE II - Health and Human Services	493,103,684	497,122,062
ARTICLE III - Agencies of Education	1,198,205,569	1,183,951,069
ARTICLE IV - The Judiciary	30,476,687	30,980,706
ARTICLE V - Public Safety and Criminal Justice	59,075,869	18,743,710
ARTICLE VI - Natural Resources	671,169,092	647,887,763
ARTICLE VII - Business and Economic Development	201,803,922	198,588,382
ARTICLE VIII - Regulatory	234,616,655	247,948,424
ARTICLE IX - General Provisions	1,478,040	1,478,040
ARTICLE X - The Legislature	0	0
ARTICLE XII - American Recovery and Reinvestment Act	0	0
GRAND TOTAL, General Revenue - Dedicated	$ 3,321,221,028	$ 3,068,101,345

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ALL ARTICLES
(Federal Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
ARTICLE I - General Government	$ 395,806,208	$ 296,675,661
ARTICLE II - Health and Human Services	16,856,047,617	16,976,462,058
ARTICLE III - Agencies of Education	4,661,912,531	4,719,128,415
ARTICLE IV - The Judiciary	3,077,132	1,913,566
ARTICLE V - Public Safety and Criminal Justice	345,895,506	271,910,447
ARTICLE VI - Natural Resources	492,100,229	518,862,638
ARTICLE VII - Business and Economic Development	4,022,842,819	3,906,297,639
ARTICLE VIII - Regulatory	2,254,623	2,254,623
ARTICLE IX - General Provisions	699,310	699,310
ARTICLE X - The Legislature	0	0
ARTICLE XII - American Recovery and Reinvestment Act	12,058,787,615	0
GRAND TOTAL, Federal Funds	$ 38,839,423,590	$ 26,694,204,357

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ALL ARTICLES
(Other Funds)[1, 2]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
ARTICLE I - General Government	$ 374,616,272	$ 283,688,135
ARTICLE II - Health and Human Services	316,774,588	193,372,949
ARTICLE III - Agencies of Education	7,260,564,013	7,485,106,341
ARTICLE IV - The Judiciary	83,116,376	84,424,364
ARTICLE V - Public Safety and Criminal Justice	818,780,062	623,224,848
ARTICLE VI - Natural Resources	163,105,643	95,651,238
ARTICLE VII - Business and Economic Development	5,413,586,585	6,384,685,443
ARTICLE VIII - Regulatory	24,135,812	24,154,744
ARTICLE IX - General Provisions	10,648,653	10,648,653
ARTICLE X - The Legislature	281,400	281,400
ARTICLE XII - American Recovery and Reinvestment Act	0	0
GRAND TOTAL, Other Funds	$ 14,465,609,404	$ 15,185,238,115

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.
[2] Excludes interagency contracts.

RECAPITULATION - ALL ARTICLES
(All Funds)[1, 2]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
ARTICLE I - General Government	$ 2,578,156,897	$ 1,888,246,557
ARTICLE II - Health and Human Services	29,692,649,744	30,053,841,573
ARTICLE III - Agencies of Education	36,634,782,807	38,816,957,917
ARTICLE IV - The Judiciary	335,128,621	336,625,507
ARTICLE V - Public Safety and Criminal Justice	5,484,735,918	5,283,087,049
ARTICLE VI - Natural Resources	1,781,055,745	1,682,785,852
ARTICLE VII - Business and Economic Development	9,894,311,987	10,820,253,337
ARTICLE VIII - Regulatory	422,310,781	424,896,382
ARTICLE IX - General Provisions	13,884,000	13,884,000
ARTICLE X - The Legislature	171,915,240	182,961,832
ARTICLE XII - American Recovery and Reinvestment Act	5,675,495,115	0
GRAND TOTAL, All Funds	$ 92,684,426,855	$ 89,503,540,006
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	238,403.8	238,490.2

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.
[2] Excludes interagency contracts.

A BILL TO BE ENTITLED
AN ACT

appropriating money for the support of the Judicial, Executive, and Legislative Branches of the State government, for the construction of State buildings, and for State aid to public junior colleges, for the period beginning September 1, 2009, and ending August 31, 2011; authorizing and prescribing conditions, limitations, rules, and procedures for allocating and expending the appropriated funds; and declaring an emergency.

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

ARTICLE I

GENERAL GOVERNMENT

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated agencies of general government.

COMMISSION ON THE ARTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 1,024,769	$ 309,678
GR Dedicated - Commission on the Arts Operating Account No. 334[2]	7,098,221	2,381,016
Federal Funds	884,450	884,450
Other Funds		
Appropriated Receipts	152,000	152,000
Interagency Contracts	980,000	980,000
Subtotal, Other Funds	$ 1,132,000	$ 1,132,000
Total, Method of Financing	$ 10,139,440	$ 4,707,144
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	18.0	18.0
Schedule of Exempt Positions:		
Executive Director, Group 2	$85,250	$85,250
Items of Appropriation:		
A. Goal: ARTS AND CULTURAL GRANTS		
Provide and Support Arts and Cultural Grants.		
A.1.1. Strategy: ARTS ORGANIZATION GRANTS[2]	$ 7,532,296	$ 2,100,000
A.1.2. Strategy: ARTS EDUCATION GRANTS	$ 811,185	$ 810,285
A.1.3. Strategy: DIRECT ADMINISTRATION	$ 711,792	$ 712,102
Total, Goal A: ARTS AND CULTURAL GRANTS	$ 9,055,273	$ 3,622,387

[1] Appropriations identified herein do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a Federal Funds increase of $1,427,300 in FY 2010 resulting in a net All Funds appropriation of $11,566,740 in FY 2010.
[2] Incorporates Article IX, § 17.51, of this Act, due to the enactment of HB 2242, 81st Legislature, Regular Session, relating to the abolition of the Texas Cultural Endowment Fund, resulting in an increase in General Revenue Dedicated – Commission on the Arts Operating Account No. 334 of $5,432,296 in FY 2010 for the Arts Create grant program.

B. Goal: PROMOTION AND PARTICIPATION		
Promote Participation in Arts & Cultural Events.		
B.1.1. Strategy: CULTURAL TOURISM	$ 203,800	$ 203,800
Promote Arts and Cultural Events to Attract Tourists.		
B.1.2. Strategy: MARKETING AND FUNDRAISING	$ 273,766	$ 273,766
Market Arts & Cultural Events; Raise Private Funds for Agency Programs.		
B.1.3. Strategy: DIRECT ADMINISTRATION	$ 94,195	$ 94,435
Total, Goal B: PROMOTION AND PARTICIPATION	$ 571,761	$ 572,001
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: CENTRAL ADMINISTRATION	$ 390,216	$ 390,776
C.1.2. Strategy: INFORMATION RESOURCES	$ 122,190	$ 121,980
Total, Goal C: INDIRECT ADMINISTRATION	$ 512,406	$ 512,756
Grand Total, COMMISSION ON THE ARTS	$ 10,139,440	$ 4,707,144
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 938,251	$ 938,251
Other Personnel Costs	41,410	43,570
Professional Fees and Services	96,500	96,500
Consumable Supplies	7,000	7,000
Utilities	9,000	9,000
Travel	56,373	56,373
Rent - Machine and Other	19,500	19,500
Other Operating Expense	424,125	422,865
Grants	8,547,281	3,114,085
Total, Object-of-Expense Informational Listing	$ 10,139,440	$ 4,707,144
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 55,378	$ 56,208
Group Insurance	122,431	132,953
Social Security	68,368	69,393
Benefits Replacement	1,081	1,027
Subtotal, Employee Benefits	$ 247,258	$ 259,581
Debt Service		
Lease Payments	$ 3,705	$ 3,724
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 250,963	$ 263,305

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Commission on the Arts. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Commission on the Arts. In order to achieve the objectives and service standards established by this Act, the Commission on the Arts shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ARTS AND CULTURAL GRANTS		
Outcome (Results/Impact):		
Percentage of Grant Dollars Provided to Minority Organizations	20%	20%
Percentage of Grant Dollars to Rural Counties	20%	20%
Percentage of Grants Funded That Are for Arts Education	18%	18%
A.1.1. Strategy: ARTS ORGANIZATION GRANTS		
Output (Volume):		
Number of Funded Applications from Rural Counties	136	136
Number of Funded Applications from Minority Organizations	310	310

Efficiencies:		
Average Grant Amount Awarded to Arts and Cultural Organizations[3]	7,200	7,200
A.1.2. Strategy: ARTS EDUCATION GRANTS		
Efficiencies:		
Average Grant Amount Awarded for Arts Education	3,000	3,000
Explanatory:		
Average Grant Amount Requested for Arts Education	9,500	9,500
B. Goal: PROMOTION AND PARTICIPATION		
B.1.1. Strategy: CULTURAL TOURISM		
Output (Volume):		
Number of Marketing and Public Relations Activities, Conferences, and Seminars to Promote Cultural Tourism	80	80

2. **Interagency Agreement.** Out of amounts included above in Strategy A.1.1, Arts Organization Grants, Strategy B.1.1, Cultural Tourism, and B.1.3, Direct Administration, the Commission on the Arts shall expend $1,340,000 during the biennium beginning September 1, 2009, transferred from the Texas Department of Transportation through interagency contract, to showcase the arts and cultural diversity in Texas to promote tourism.

3. **Arts Education.** Out of the amounts appropriated above in Strategy A.1.2, Arts Education Grants, the Commission on the Arts shall expend $300,000 each fiscal year, transferred from the Texas Education Agency through interagency contract, to award grants for arts education.

4. **Unexpended Balances within the Biennium.** Any unexpended balances in appropriations made to Strategies A.1.1, Arts Organization Grants, and A.1.2, Arts Education Grants, remaining as of August 31, 2010, are hereby appropriated to the Commission on the Arts for the fiscal year beginning September 1, 2010, for the same purpose.

5. **Texas State of the Arts License Plates: Appropriation of License Plate Unexpended Balances and Receipts.** Included in the amounts appropriated above in Strategy A.1.1, Arts Organization Grants, and Strategy A.1.2, Arts Education Grants, are all estimated balances collected prior to the effective date of this Act (estimated to be $0) and revenue collected on or after September 1, 2009 (estimated to be $200,000 in fiscal year 2010 and $200,000 in fiscal year 2011), from the sale of license plates as provided by Transportation Code § 504.604 and deposited to the credit of the Commission on the Arts Operating Account No. 334. In addition to amounts identified herein and included above, all unexpended balances remaining as of August 31, 2009, and all revenue collected on or after September 1, 2009, are hereby appropriated for the same purpose.

   Any unexpended balances as of August 31, 2010, out of the appropriations made herein are hereby appropriated to the Commission on the Arts for the fiscal year beginning September 1, 2010.

6. **Limitation on Reimbursements for Commission Meetings.** Notwithstanding Article IX provisions, the number of days commissioners are appropriated expenses related to conducting Commission business as provided by Government Code § 659.032 is not to exceed six days a fiscal year.

7. **Appropriation: Texas Cultural Endowment Fund Interest and Income Earnings.**[4] Included above in Strategy A.1.2, Arts Education Grants, are interest and income earnings on money deposited in the Texas Cultural Endowment Fund and transferred for appropriation out of the Commission on the Arts Operating Account No. 334 in the amounts of $83,745 in fiscal year 2010 and $83,745 in fiscal year 2011 for the purpose of meeting current matching obligations for restricted gifts to the Texas Cultural Endowment Fund. The remaining amounts of $603,255 in fiscal year 2010 and $603,255 in fiscal year 2011 out of interest and income earnings appropriated to the agency shall be used in accordance with Government Code § 444.027 (b).

---

[3] Measure modified to reflect funding adjustments made by Article IX, § 17.51, of this Act, due to the enactment of HB 2242, 81st Legislature, Regular Session, relating to the abolition of the Texas Cultural Endowment Fund, resulting in an increase in General Revenue Dedicated – Commission on the Arts Operating Account No. 334 of $5,432,296. Measure target reflects half of the appropriation expended in FY 2010 and the remainder in FY 2011 to award grants.

[4] Estimates within Rider 7, Appropriation: Texas Cultural Endowment Fund Interest and Income Earnings, will be impacted by implementation of HB 2242, 81st Legislature, Regular Session, relating to the abolition of the Texas Cultural Endowment Fund. Interest and income earnings will no longer be generated from money in the Cultural Endowment Fund once the money is transferred to the General Revenue Dedicated – Commission on the Arts Operating Account No. 334 or returned to donors on December 1, 2009, as required by HB 2242.

Also included in amounts appropriated above is $778,925 in fiscal year 2010 and $1,494,016 in fiscal year 2011 out of interest and income earnings in the Texas Cultural Endowment Fund transferred to the Commission on the Arts Operating Account No. 334 prior to September 1, 2009. These amounts shall also be used in accordance with Government Code § 444.027 (b).

Any unexpended balance of such interest and income earnings on August 31, 2010, is appropriated for the same purpose for the year beginning September 1, 2010.

OFFICE OF THE ATTORNEY GENERAL

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund		
General Revenue Fund	$ 97,487,427	$ 97,499,929
Child Support Retained Collection Account	84,365,475	83,590,295
Attorney General Debt Collection Receipts	8,300,000	8,300,000
General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees	3,236,560	3,236,560
Subtotal, General Revenue Fund	$ 193,389,462	$ 192,626,784
General Revenue Fund - Dedicated		
AG Law Enforcement Account No. 5006	220,410	220,410
Sexual Assault Program Account No. 5010	209,449	209,449
Attorney General Volunteer Advocate Program Account No. 5036	73,000	31,000
Compensation to Victims of Crime Account No. 469[2]	83,086,269	88,093,380
Compensation to Victims of Crime Auxiliary Account No. 494	10,258,531	5,258,531
Subtotal, General Revenue Fund - Dedicated	$ 93,847,659	$ 93,812,770
Federal Funds	187,243,836	188,554,318
Other Funds		
Appropriated Receipts	17,409,326	17,870,057
Interagency Contracts	6,529,666	6,431,000
State Highway Fund No. 006	5,938,292	5,938,292
Subtotal, Other Funds	$ 29,877,284	$ 30,239,349
Total, Method of Financing	$ 504,358,241	$ 505,233,221
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	4,213.6	4,213.6
Schedule of Exempt Positions:		
Attorney General, Group 6	$150,000	$150,000

Items of Appropriation:
A. Goal: PROVIDE LEGAL SERVICES
Provide General Legal Services to the State and Authorized Entities.

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $27,300,000 and a Federal Funds increase of $37,400,000 in FY 2010 resulting in net General Revenue appropriations of $70,187,427 and a net All Funds appropriation of $514,458,241 in FY 2010.
[2] Incorporates Article IX, § 17.61, of this Act, due to the enactment of HB 2626, 81st Legislature, Regular Session, relating to reimbursement to the Texas Department of Public Safety for the cost of forensic medical examinations of sexual assault victims, resulting in an increase in General Revenue Dedicated - Compensation to Victims of Crime Account No. 0469 of $230,680 in FY 2010 and $237,790 in FY 2011.

A.1.1. Strategy: LEGAL SERVICES Provide Counseling/Litigation/Alternative Dispute Resolution Services.	$ 83,001,844	$ 83,336,108
B. Goal: ENFORCE CHILD SUPPORT LAW Enforce State/Federal Child Support Laws.		
B.1.1. Strategy: CHILD SUPPORT ENFORCEMENT Establish Paternity/Obligations, Enforce Orders and Distribute Monies.	$ 261,815,859	$ 260,643,409
B.1.2. Strategy: STATE DISBURSEMENT UNIT	$ 16,758,227	$ 16,758,227
Total, Goal B: ENFORCE CHILD SUPPORT LAW	$ 278,574,086	$ 277,401,636
C. Goal: CRIME VICTIMS' SERVICES Investigate/Process Applications for Compensation to Crime Victims.		
C.1.1. Strategy: CRIME VICTIMS' COMPENSATION[3] Review Claims, Determine Eligibility/State Liability, Pay Correctly.	$ 82,137,103	$ 83,908,058
C.1.2. Strategy: VICTIMS ASSISTANCE Provide Grants & Contrcts for Victims Svcs/Sexual Asslt Vctms/Chld Adv.	$ 44,502,815	$ 44,459,178
Total, Goal C: CRIME VICTIMS' SERVICES	$ 126,639,918	$ 128,367,236
D. Goal: REFER MEDICAID CRIMES Investigate/Refer for Prosecution Fraud/Misconduct Involving Medicaid.		
D.1.1. Strategy: MEDICAID INVESTIGATION Conduct Investigation Supporting Prosecution of Alleged Medicaid Crime.	$ 14,897,794	$ 14,892,336
E. Goal: ADMINISTRATIVE SUPPORT FOR SORM Provide Administrative Support for the State Office of Risk Management.		
E.1.1. Strategy: ADMINISTRATIVE SUPPORT FOR SORM Provide Administrative Support to the State Office of Risk Management.	$ 1,244,599	$ 1,235,905
Grand Total, OFFICE OF THE ATTORNEY GENERAL	$ 504,358,241	$ 505,233,221
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 205,058,485	$ 206,741,381
Other Personnel Costs	5,689,699	5,689,699
Professional Fees and Services	31,667,410	28,204,057
Fuels and Lubricants	229,491	229,491
Consumable Supplies	2,460,137	2,460,137
Utilities	2,326,407	2,326,407
Travel	5,967,788	5,967,788
Rent - Building	10,516,789	10,516,789
Rent - Machine and Other	2,340,468	2,340,468
Other Operating Expense	180,313,936	181,951,403
Grants	56,103,617	57,106,587
Capital Expenditures	1,684,014	1,699,014
Total, Object-of-Expense Informational Listing	$ 504,358,241	$ 505,233,221
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 12,467,685	$ 12,654,701
Group Insurance	26,555,972	28,560,809
Social Security	15,362,036	15,592,466

[3] Incorporates Article IX, § 17.61, of this Act, due to the enactment of HB 2626, 81st Legislature, Regular Session, relating to reimbursement to the Texas Department of Public Safety for the cost of forensic medical examinations of sexual assault victims, resulting in an increase in General Revenue Dedicated - Compensation to Victims of Crime Account No. 0469 of $230,680 in FY 2010 and $237,790 in FY 2011.

Benefits Replacement	1,295,076	1,230,322
Subtotal, Employee Benefits	$ 55,680,769	$ 58,038,298
Debt Service		
Lease Payments	$ 5,934,239	$ 5,881,636
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 61,615,008	$ 63,919,934

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Office of the Attorney General. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Office of the Attorney General. In order to achieve the objectives and service standards established by this Act, the Office of the Attorney General shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: PROVIDE LEGAL SERVICES		
Outcome (Results/Impact):		
Delinquent State Revenue Collected	55,000,000	55,000,000
A.1.1. Strategy: LEGAL SERVICES		
Output (Volume):		
Legal Hours Billed to Litigation and Counseling	1,005,495	1,013,637
Efficiencies:		
Average Cost Per Legal Hour	82.55	82.22
B. Goal: ENFORCE CHILD SUPPORT LAW		
Outcome (Results/Impact):		
Percent of Title IV-D Cases That Have Court Orders for Child Support	83%	83%
Percent of All Current Child Support Amounts Due That Are Collected	64%	64%
Percent of Title IV-D Cases with Arrears Due in Which Any Amount Is Paid Toward Arrears	67%	67%
Percent of Paternity Establishments for Out of Wedlock Births	85%	84%
B.1.1. Strategy: CHILD SUPPORT ENFORCEMENT		
Output (Volume):		
Amount of Title IV-D Child Support Collected (in Millions)	2,900	3,100
Efficiencies:		
Ratio of Total Dollars Collected Per Dollar Spent	11.08	11.89
B.1.2. Strategy: STATE DISBURSEMENT UNIT		
Output (Volume):		
Number of Payment Receipts Processed by the SDU Vendor	18,500,000	18,500,000
C. Goal: CRIME VICTIMS' SERVICES		
Outcome (Results/Impact):		
Amount of Crime Victims' Compensation Awarded	74,069,827	75,840,098
C.1.1. Strategy: CRIME VICTIMS' COMPENSATION		
Efficiencies:		
Average Number of Days to Analyze a Claim and Make an Award	54	54
C.1.2. Strategy: VICTIMS ASSISTANCE		
Output (Volume):		
Total Number of Counties Served by CASA Programs	205	205
D. Goal: REFER MEDICAID CRIMES		
Outcome (Results/Impact):		
Amount of Medicaid Over-payments Identified	62,900,000	62,900,000
D.1.1. Strategy: MEDICAID INVESTIGATION		
Output (Volume):		
Number of Investigations Concluded	550	550

2. **Capital Budget.** Funds appropriated above may be expended for capital budget items listed below. The amounts identified for each item may be adjusted or may be expended on other non-capital expenditures within the strategy to which the funds were appropriated. However, any amounts spent on capital items are subject to the aggregate dollar restrictions on capital budget expenditures provided in the General Provisions of this Act.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Child Support Hardware/Software Enhancements	$ 310,000	$ 250,000
(2) Non-Child Support PC Refresh Project	420,926	420,926
(3) Child Support PC Refresh	1,113,088	1,113,088
(4) Child Support Enterprise Content Management	272,000	272,000
(5) Data Center Consolidation	$ 24,750,400	$ 21,277,255
Total, Acquisition of Information Resource Technologies	$ 26,866,414	$ 23,333,269
Total, Capital Budget	$ 26,866,414	$ 23,333,269
Method of Financing (Capital Budget):		
General Revenue Fund		
General Revenue Fund	$ 1,837,019	$ 1,845,083
Child Support Retained Collection Account	7,860,966	6,707,296
Subtotal, General Revenue Fund	$ 9,697,985	$ 8,552,379
GR Dedicated - Compensation to Victims of Crime Account No. 469	266,509	258,445
Federal Funds	15,287,639	13,048,164
Appropriated Receipts	1,614,281	1,474,281
Total, Method of Financing	$ 26,866,414	$ 23,333,269

3. **Cost Allocation, Reporting Requirement.** The Attorney General's Office is directed to continue an accounting and billing system by which the costs of legal services provided to each agency may be determined. This cost information shall be provided to the Legislative Budget Board and the Governor within 60 days after the close of the fiscal year.

4. **Child Support Collections.**

   a. The Attorney General shall deposit Child Support Retained Collections in a special account in the Comptroller's Office. The account shall be called the Child Support Retained Collection Account. Child Support Retained Collections shall include the state share of funds collected by the Office of the Attorney General which were previously paid by the State as Aid to Families with Dependent Children (AFDC) or Temporary Assistance for Needy Families (TANF) or foster care payments, all child support enforcement incentive payments received from the federal government, and all revenues specifically established by statute on a fee or service-provided basis and pertaining to the Child Support Enforcement Program.

   b. Amounts earned as interest on, and allocated by the Comptroller of Public Accounts to, the Child Support Trust Fund No. 994, in excess of $808,289 in fiscal year 2010 and $808,289 in fiscal year 2011, shall be transferred monthly by the Comptroller of Public Accounts to such funds from the General Revenue Fund, and all amounts so transferred are hereby appropriated to the Attorney General for use during the 2010-11 biennium, in addition to the amounts otherwise appropriated herein. Amounts transferred pursuant to this provision shall be shown as a separate, individual entry in the Method of Finance in all standard reports regularly utilizing a method of finance which are submitted to the Governor's Office or the Legislative Budget Board.

   c. The Attorney General, in cooperation with the Comptroller of Public Accounts, shall develop and maintain such cost centers and/or sub accounts within the Child Support Trust Fund No. 994 and/or the Child Support Retained Collection Account as may be determined necessary or appropriate to separately account for, and allocate the interest earned on, the various sources for receipts deposited to, and types of expenditures made from such funds. The Comptroller of Public Accounts shall separately allocate interest earned by the State to each such cost center and/or subaccount, or to such groupings thereof as may be designated by the Attorney General for purposes of reporting interest earned to the federal government.

d. The Comptroller of Public Accounts is directed to transfer and carry forward all the balances of funds in the Child Support Trust Fund No. 994 and the Child Support Retained Collection Account as of August 31, 2009, in such funds to be available for use in fiscal year 2010. Any balances in the Child Support Trust Fund No. 994 and the Child Support Retained Collection Account on hand as of August 31, 2010, shall be carried forward in such funds as funding sources for the appropriation for fiscal year 2011.

e. In addition to the amounts otherwise appropriated for Strategy B.1.1, Child Support Enforcement, all funds received from the federal government as reimbursement for the costs and fees paid to counties, district or county clerks, sheriffs or constables pursuant to the provisions of Chapter 231 of the Texas Family Code are hereby appropriated to the Office of the Attorney General for use during the 2010-11 biennium.

5. Reporting Requirement. The Attorney General's Office is directed to develop and maintain separate accounting information and records on receipts and distribution of funds from the Child Support Trust Fund No. 994 and the Child Support Retained Collection Account. Such information must at a minimum identify all deposits, allocations, and expenditures by type of revenues. The Comptroller of Public Accounts shall prescribe rules and procedures to assure compliance with this section and all transactions and balances shall be reconciled monthly against the records of the Comptroller. In addition to the requirements for annual financial reports required by the General Provisions of this Act, the Attorney General shall include a separate section detailing all such balances, receipts, and distributions of money in Child Support Trust Fund No. 994 and the Child Support Retained Collection Account. The report must specifically show balances held for transfer to operating appropriations of the Attorney General's Office and any other agency. In addition, any balances which are unclaimed and subject to escheat under other laws must be identified as to amount and age.

6. Debt Collections.

a. The Office of the Attorney General shall attempt to collect all delinquent judgments owed the State of Texas. A portion of those debts collected, as outlined below, shall be eligible for retention by the Office of the Attorney General and may be used as a source of funding for agency operations as specified in and limited by the method of financing of the Office. One hundred percent of the debts collected by the Office of the Attorney General and eligible for retention by the Office shall be applied toward the amounts shown above for Attorney General Debt Collection Receipts in the method of financing for agency operations. Regardless of the total amount collected by the Attorney General, in no event shall this provision be construed as an appropriation in addition to the amount appropriated above as specified in the method of financing, of any of the funds collected by the Office of the Attorney General.

b. To be eligible for retention by the Office of the Attorney General, the debt collected must be from a qualifying judgment. Qualifying judgments, as used in this rider, are judgments that are at least one year old from the date of entry of the court order and also include debts not reduced to judgment where there are collections on the debt by the Collections Division of the Attorney General's Office if the debt is delinquent by more than one year or has been certified for collection to the Collections Division of the Attorney General's Office. In no event shall more than $5.0 million from collections stemming from a common nucleus of operative fact be eligible for retention by the Office of the Attorney General.

c. It is the intent of the Legislature that the following not be allowed as a credit toward the percentage set forth in Rider 6a above: judgments collected by state agencies; judgments less than one year old; or judgments collected without direct action by the Attorney General's Collection Division.

d. The Attorney General shall maintain a centralized recordkeeping system for accounting for various departmental and agency certification of delinquent taxes, judgments, and other debts owed the state. The accounting should distinguish by type of tax, judgment, or other debt, and provide for: when the debt was certified by an agency or department for collection by the Attorney General; when it was collected or disposed of, and such other information as the Legislative Budget Board, Governor, or the Comptroller of Public Accounts may require. The Attorney General shall submit semi-annual reports to the Governor and the Legislative Budget Board detailing by agency or department the amount of each debt, when the debt was certified, and when and in what amount, it was collected or disposed of.

7. **River Compact Lawsuit Contingency.** Out of the amounts appropriated above for Strategy A.1.1, Legal Services, $205,000 shall be set aside to purchase professional services to force compliance with the Texas river compacts by member states and/or agencies of the United States and defend the State in any legal proceeding involving the compacts.

8. **Appropriation of Receipts, Court Costs.** Out of the funds appropriated above as Appropriated Receipts, $12,436,476 in 2010 and $13,655,120 in 2011 represents the annual appropriation of court costs, attorneys' fees, and investigative costs recovered by the Office of the Attorney General. Court costs, attorneys' fees, and investigative costs recovered by the Office of the Attorney General in excess of those specifically appropriated and shown in the agency's method of financing are appropriated to the Office of the Attorney General in an amount not to exceed $10,000,000 each fiscal year and shall be used for Strategy A.1.1, Legal Services. At least semi-annually, beginning within 60 days after the close of each fiscal year or more often upon request of the Legislative Budget Board, the Office of the Attorney General shall submit to the Legislative Budget Board, the Senate Finance Committee, the House Appropriations Committee, and the Governor a report that lists each case in which an award of court costs, attorneys' fees, or investigative fees was made, the date of the award, the amount of court costs that were awarded, the amount of investigative costs that were awarded, the amount of attorneys' fees that were awarded, and the strategy or strategies to which the above receipts were allocated, in addition to any other information that may be requested by the Legislative Budget Board.

9. **Interagency Contracts for Legal Services.** The Office of the Attorney General shall not be appropriated any state funds from interagency contracts, notwithstanding the provisions of the section entitled Reimbursements and Payments, in Article IX, General Provisions of this Act unless the Attorney General gives prior written notice to the Legislative Budget Board and the Governor, accompanied by written permission by the affected agency. Any such interagency contract for legal services between the Attorney General's Office and state agencies shall not jeopardize the ability of the agencies to carry out their legislative mandates, shall not affect their budget such that employees must be terminated in order to pay the requested amount, and shall not exceed reasonable attorney fees for similar legal services in the private sector. The Office of the Attorney General is hereby appropriated funds received from interagency contracts for non-legal services rendered by the Office of the Attorney General.

10. **Unexpended Balances: Between Fiscal Years within the Biennium.** Any unexpended balances as of August 31, 2010, in appropriations made to the Office of the Attorney General are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010. It is the intent of the Legislature that any unexpended balances in Strategy B.1.1, Child Support Enforcement, shall be used only to enforce child support laws and regulations.

11. **Transfer Authority.** Notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the Attorney General is hereby authorized to direct agency resources and transfer such amounts appropriated above between appropriation line items.

12. **Victims Assistance Grants.** Funds appropriated above in C.1.2, Victims Assistance, shall be spent as follows:

Program:	FY 2010	FY 2011
(1) Victims Assistance Coordinators and Victims Liaisons	$2,441,380	$2,441,380
(2) Court Appointed Special Advocates	6,573,000	6,531,000
(3) Sexual Assault Prevention and Crisis Services Program	10,300,620	10,298,983
(4) Sexual Assault Services Program Grants	375,000	375,000
(5) Children's Advocacy Centers	7,999,003	7,999,003
(6) Legal Services Grants	2,500,000	2,500,000
(7) Other Victims Assistance Grants	10,555,724	10,555,724
(8) Statewide Victim Notification System	3,499,557	3,499,557
(9) Address Confidentiality	258,531	258,531
Total	$44,502,815	$44,459,178
Method of Financing:		
General Revenue	$ 7,500,000	$ 7,500,000
Compensation to Victims of Crime Fund No. 469	33,162,429	33,162,430

Victims of Crime Auxiliary Fund No. 494	258,531	258,531
Sexual Assault Program Account No. 5010	209,449	209,449
Attorney General Volunteer Advocate Program Plates Account No. 5036	73,000	31,000
Federal Funds	3,281,362	3,281,362
Appropriated Receipts	18,044	16,406
Total, Method of Financing	$44,502,815	$44,459,178

The Office of the Attorney General shall adopt rules for the competitive allocation of funds under item number (7) Other Victims Assistance Grants. None of the funds appropriated in Strategy C.1.2, Victims Assistance, may be expended on grants to organizations that make contributions to campaigns for elective office or that endorse candidates.

Within 100 days after the close of each fiscal year, the Office of the Attorney General shall submit a report detailing the expenditure of funds appropriated in Strategy C.1.2, Victims Assistance. The report shall include information on the guidelines used to select programs that receive grants, on the amount of grants awarded in each of the categories listed above, on the amount of expenditures for administration, and on audit and oversight activities conducted relating to the victims assistance grants and the programs receiving such grants. The report shall be submitted to the Legislative Budget Board, the Governor, the Senate Finance Committee, and the House Appropriations Committee.

13. **Appropriation of All CASA License Plates Unexpended Balances and Receipts.** Included in amounts appropriated above in Strategy C.1.2, Victims Assistance, are all estimated balances collected prior to the effective date of this Act (estimated to be $43,000 and included in fiscal year 2010) and revenue collected on or after September 1, 2009 (estimated to be $30,000 in fiscal year 2010 and $31,000 in fiscal year 2011), from the sale of license plates as provided by the Transportation Code Section 504.611 and deposited to the credit of the General Revenue - Dedicated Attorney General Volunteer Advocate Program Plates Account No. 5036. In addition to amounts identified herein and included above, all unexpended balances remaining as of August 31, 2009, and all revenue generated on or after September 1, 2009, are hereby appropriated for the same purpose.

    Any unexpended balances remaining as of August 31, 2010, in the appropriation made herein are hereby appropriated for the fiscal year beginning September 1, 2010.

14. **Child Support Contractors.** Full-Time-Equivalent (FTE) positions associated with contracted workers in Strategy B.1.1, Child Support Enforcement, shall be exempt from the provisions in Article IX relating to limiting state agency employment levels.

15. **Elephant Butte Litigation.** The Office of the Attorney General may, if the Attorney General deems necessary, use funds appropriated above in Strategy A.1.1, Legal Services, not to exceed a total amount of $10,153,000, for potential intervention in certain developing ground and surface water disputes with the state of New Mexico along the Rio Grande Project from Elephant Butte Reservoir to Fort Quitman, Texas.

16. **Excess Incentive Collections.** In addition to Child Support Retained Collections appropriated above, the Office of the Attorney General is hereby appropriated Child Support Incentive Collections receipts in excess of $51,335,277 in fiscal year 2010 and $51,335,277 in fiscal year 2011, to be used in Strategy B.1.1, Child Support Enforcement, and B.1.2, State Disbursement Unit, during the 2010-11 biennium.

17. **Litigation Related to the Conversion of Mineral Rights on State Property.** Included in amounts appropriated above in Strategy A.1.1, Legal Services, is $1,700,000 from the State Highway Fund No. 006 for the 2010-11 biennium for litigation expenses related to the conversion of mineral rights on state property.

18. **Interagency Contract with the Texas Department of Criminal Justice.** Notwithstanding Rider 9 above, Interagency Contracts for Legal Services, the Office of the Attorney General is appropriated any funds transferred from the Texas Department of Criminal Justice (TDCJ) pursuant to an interagency contract for the Office of the Attorney General to provide legal services to the Texas Department of Criminal Justice.

19. **Interagency Contract with the Department of Public Safety.** Notwithstanding Rider 9 above, Interagency Contracts for Legal Services, the Office of the Attorney General is appropriated any

funds transferred from the Department of Public Safety pursuant to an interagency contract for the Office of the Attorney General to provide legal services to the Department of Public Safety.

20. Bond Review Fees. Included in the General Revenue amounts appropriated above for the 2010-11 biennium is $8,773,794 in Strategy A.1.1, Legal Services, and $1,388,590 in Strategy D.1.1, Medicaid Investigation, from the deposit of bond review fees as authorized by Government Code, § 1202.004.

21. Criminal Investigations. Included in amounts appropriated above in Strategy A.1.1, Legal Services, is $6,820,859 and103 Full-Time Equivalent Positions in fiscal year 2010 and $6,820,859 and 103 Full-time Equivalent Positions in fiscal year 2011 for the Criminal Investigations Division. Activities in that division include the Cyber Crimes Unit, Fugitive Unit, Special Investigations Unit, Money Laundering Unit, Computer Forensic Unit, Joint Terrorism Task Force, and Criminal Analysts.

22. Cash Flow Contingency. Contingent upon the receipt of federal funds in federally funded programs and with prior approval by the Legislative Budget Board, the Office of the Attorney General may temporarily utilize additional General Revenue funds, pending receipt of federal reimbursement, in an amount not to exceed the anticipated reimbursement, in each fiscal year of the biennium. The General Revenue amounts utilized above the General Revenue method of finance shall be utilized only for the purpose of temporary cash flow needs. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be in accordance with procedures established by the Comptroller of Public Accounts.

23. Travel Cap Exemption for Litigation Related Travel. Travel expenses incurred by the Office of the Attorney General related to litigation are exempt from the requirements of Article IX, Section 5.08, Limitation on Travel Expenditures.

24. Sex Offender Apprehension. Out of funds appropriated above, the Office of the Attorney General shall coordinate activities related to sex offender apprehension with the Department of Public Safety, Texas Department of Criminal Justice, the Board of Pardons and Parole, and any other state law enforcement agency in order to maximize resources for the apprehension and arrest of sex offenders.

25. Unexpended Balances Carried Forward Between Biennia. Included in amounts appropriated above are unexpended balances out of Appropriated Receipts as of August 31, 2009 (estimated to be $7,014,289) remaining in Strategy A.1.1, Legal Services, from the collection of attorney fees, investigative costs, and court costs for the purpose of litigation related expenses.

Any unobligated balances remaining as of August 31, 2010 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

26. Capital Expenditures Authorized. Notwithstanding the limitations placed on the expenditure of funds for capital budget items contained in this Act, the Office of the Attorney General is hereby authorized to expend funds appropriated to the Office of the Attorney General for the acquisition of capital budget items.

BOND REVIEW BOARD

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 612,540	$ 612,541
Total, Method of Financing	$ 612,540	$ 612,541
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	9.5	9.5

Schedule of Exempt Positions:				
Executive Director, Group 3		$99,000		$99,000
Items of Appropriation:				
A. Goal: PROTECT TEXAS BOND RATING				
Issue Texas' Bonds Cost Effectively Using Sound Debt Mgmt. Policies.				
A.1.1. Strategy: REVIEW BOND ISSUES	$	171,511	$	171,512
Review Bond Issues to Assure Legality and Other Provisions.				
A.1.2. Strategy: STATE BOND DEBT	$	134,759	$	134,759
Report to the Legislature on Debt Obligation and Policy Alternatives.				
Total, Goal A: PROTECT TEXAS BOND RATING	$	306,270	$	306,271
B. Goal: LOCAL BOND DEBT				
Ensure That Public Officials Have Current Info on Debt Management.				
B.1.1. Strategy: ANALYZE LOCAL BOND DEBT	$	153,135	$	153,135
Analyze Data on Local Government Finance and Debt Management.				
C. Goal: PRIVATE ACTIVITY BONDS				
Equitably Administer the Private Activity Bond Allocation for Texas.				
C.1.1. Strategy: ADMINISTER PRIVATE ACTIVITY BONDS	$	153,135	$	153,135
Effectively Administer the Private Activity Bond Allocation Program.				
Grand Total, BOND REVIEW BOARD	$	612,540	$	612,541
Object-of-Expense Informational Listing:				
Salaries and Wages	$	535,000	$	535,001
Other Personnel Costs		15,000		15,000
Professional Fees and Services		18,000		18,000
Consumable Supplies		5,540		5,540
Travel		6,000		6,000
Rent - Machine and Other		5,000		5,000
Other Operating Expense		28,000		28,000
Total, Object-of-Expense Informational Listing	$	612,540	$	612,541
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	27,382	$	27,793
Group Insurance		53,320		57,760
Social Security		36,767		37,318
Benefits Replacement		2,725		2,588
Subtotal, Employee Benefits	$	120,194	$	125,459
Debt Service				
Lease Payments	$	61,835	$	61,975
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	182,029	$	187,434

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Bond Review Board. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Bond Review Board. In order to achieve the objectives and service standards established by this Act, the Bond Review Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

BOND REVIEW BOARD
(Continued)

	2010	2011
A. Goal: PROTECT TEXAS BOND RATING		
A.1.1. Strategy: REVIEW BOND ISSUES		
Output (Volume):		
Number of State Bond Issues and Lease-purchase Projects Reviewed	65	65
A.1.2. Strategy: STATE BOND DEBT		
Output (Volume):		
Number of Responses to Debt Information Requests	125	250
B. Goal: LOCAL BOND DEBT		
B.1.1. Strategy: ANALYZE LOCAL BOND DEBT		
Output (Volume):		
Number of Local Government Financings Analyzed	1,200	1,200
C. Goal: PRIVATE ACTIVITY BONDS		
C.1.1. Strategy: ADMINISTER PRIVATE ACTIVITY BONDS		
Output (Volume):		
Number of Applications Reviewed	180	185

2. **Debt Issuance Technical Assistance to School Districts.** To the extent that funds appropriated above are available, it is the intent of the Legislature that the Bond Review Board (BRB) and any other public entities or outside consultants determined by the BRB to be needed, provide technical assistance to school districts entering into bonded indebtedness or lease purchase agreements. This assistance may include, but is not limited to: advising districts of the financial implications of debt and lease purchase agreements; the appropriate criteria districts should consider in debt-related decision making; and options available to districts in the issuance of debt.

CANCER PREVENTION AND RESEARCH INSTITUTE OF TEXAS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
GR Dedicated - Cancer Prevention and Research Fund No. 5136	$ 30,000	$ 12,000
Bond Proceeds - General Obligation Bonds[1]	224,125,000	224,000,000
Total, Method of Financing	$ 224,155,000	$ 224,012,000
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	36.0	36.0
Schedule of Exempt Positions:		
Executive Director, Group 7	$214,000	$214,000
Chief Scientific Officer, Group 6	212,000	212,000
Items of Appropriation:		
A. Goal: CANCER RESEARCH		
Create and Expedite Innovation in the Area of Cancer Research.		
A.1.1. Strategy: AWARD CANCER RESEARCH GRANTS[1]	$ 194,432,629	$ 194,748,221
B. Goal: CANCER SERVICES		
Ensure Access to Cancer Prevention Information and Services.		
B.1.1. Strategy: CANCER PREVENTION GRANTS & SERVICES	$ 21,730,848	$ 21,761,802
Cancer Prevention Grants and Services.		

[1] Incorporates Article IX § 17.42 of this Act, relating to allowing bonds to be used for cancer prevention and research, which results in an appropriation reduction in Bond Proceeds due to the transfer of $875,000 in FY 2010 and $1,000,000 in FY 2011 to the Department of State Health Services to enhance the infrastructure of the cancer registry.

C. Goal: DIRECT AND INDIRECT ADMINISTRATION		
C.1.1. Strategy: DIRECT AND INDIRECT ADMINISTRATION	$ 7,991,523	$ 7,501,977
Grand Total, CANCER PREVENTION AND RESEARCH INSTITUTE OF TEXAS	$ 224,155,000	$ 224,012,000
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 4,324,614	$ 4,324,614
Other Personnel Costs	212,891	212,891
Professional Fees and Services	1,349,000	1,349,000
Consumable Supplies	140,000	140,000
Utilities	97,000	97,000
Travel	300,000	300,000
Rent - Building	365,335	370,789
Rent - Machine and Other	94,652	94,652
Other Operating Expense	413,031	413,031
Grants	216,163,477	216,510,023
Capital Expenditures	695,000	200,000
Total, Object-of-Expense Informational Listing	$ 224,155,000	$ 224,012,000
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 14,598	$ 14,817
Group Insurance	53,828	58,296
Social Security	20,775	21,087
Benefits Replacement	3,651	3,469
Subtotal, Employee Benefits	$ 92,852	$ 97,669
Debt Service		
Lease Payments	$ 924	$ 377
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 93,776	$ 98,046

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Cancer Prevention and Research Institute of Texas. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Cancer Prevention and Research Institute of Texas. In order to achieve the objectives and service standards established by this Act, the Cancer Prevention and Research Institute of Texas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
B. Goal: CANCER SERVICES		
Outcome (Results/Impact):		
Percent of Texas Counties with Cancer Prevention Services and Activities Initiated as Addressed in the Texas Cancer Plan through Grant Awards	100	100
B.1.1. Strategy: CANCER PREVENTION GRANTS & SERVICES		
Output (Volume):		
Number of People Served by Institute-funded Prevention and Control Activities	6,250,000	6,250,000
Number of Health Care and/or Education Professionals Who Receive Institute-funded Training or Materials	7,000,000	7,000,000
Number of Public and Private Funding Opportunities Pursued by the Institute and Local Contractors in an Effort to Increase Funding	600	600
Number of Clock Hours Donated to Local Contractors and the Institute for Public Awareness, Professional Education, Early Detection Activities, and Other Activities Implementing the Texas Cancer Plan	300,000	300,000
Efficiencies:		
Average Cost per Health Care and/or Education Professional Trained	2.1	2.1

Explanatory:		
Annual Age-adjusted Cancer Mortality Rate	176.5	176.5

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditures for other purposes.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Purchase new computer equipment	$ 375,300	$ 200,000
b. Acquisition of Capital Equipment and Items		
(1) Acquisition of Furnishings and Equipment	319,700	UB
Total, Capital Budget	$ 695,000	$ 200,000
Method of Financing (Capital Budget):		
Bond Proceeds - General Obligation Bonds	$ 695,000	$ 200,000
Total, Method of Financing	$ 695,000	$ 200,000

3. **Texans Conquer Cancer Plates: Appropriation of License Plate Unexpended Balances and Receipts.** Included in the amounts appropriated above in Strategy A.1.1, Cancer Prevention Grants and Services, are all estimated balances collected prior to the effective date of this Act (estimated to be $18,000 and included in fiscal year 2010) and revenue collected on or after September 1, 2009 (estimated to be $12,000 in fiscal year 2010 and $12,000 in fiscal year 2011) from the sale of license plates as provided by Transportation Code § 504.620 and deposited to the credit of the Cancer Prevention and Research Fund Account No. 5136.

   In addition to amounts identified herein and included above, all unexpended balances of license plates revenue remaining as of August 31, 2009, and license plates revenue collected on or after September 1, 2009, are hereby appropriated for the same purpose.

4. **Unexpended Balances Within the Biennium.** Any unexpended balances remaining as of August 31, 2010, in the appropriations made above are hereby appropriated for the fiscal year beginning September 1, 2010.

5. **Unexpended Balances Between Fiscal Years.** In accordance with Health and Safety Code Chapter 102.202(b), any unobligated and unexpended balances out of issued general obligation bond proceeds remaining as of August 31, 2010, are hereby appropriated to the Cancer Prevention and Research Institute for the same purpose for the fiscal year beginning September 1, 2010.

6. **Contingency for Senate Bill 895 or House Bill 1358: Reimbursement of Advisory Committees.**[2] Contingent on enactment of Senate Bill 895 or House Bill 1358 by the Eighty-first legislature, Regular Session or similar legislation relating to the Cancer Prevention and Research Institute of Texas and pursuant to Government Code § 2110.004, reimbursement of expenses relating to per diem and/or honorarium, to the extent provided by law, for advisory committee members, out of funds appropriated above, is limited to the following advisory committees:

   Scientific Research and Prevention Programs Committees

   To the maximum extent possible, the Institute shall encourage the use of videoconferencing and teleconferencing.

7. **Out of State Travel Exemption.** Travel expenses incurred by the Cancer Prevention and Research Institute of Texas staff and board to carry out the duties of the agency are exempt from the requirements of Article IX, Section 5.08, Limitation on Travel Expenditures, and the limitations on such expenditures as set forth therein.

8. **Salary Supplements for Exempt Positions.** The Executive Director and the Chief Scientific Officer of the Institute, because of the particular requirements of directing the administrative and

[2] Senate Bill 895, 81st Legislature, Regular Session, did not pass. See House Bill 1358, 81st Legislature, Regular Session, which did pass.

scientific affairs of the Institute, may receive, in addition to salary amounts appropriated above out of state funds, a supplement from a foundation established to benefit the Cancer Prevention and Research Institute of Texas. The amounts identified above in the line item, "Schedule of Exempt Positions:", reflects the not-to-exceed salary amounts for the Executive Director and the Chief Scientific Officer which may be paid out of appropriated state funds. In addition to these amounts, the Executive Director may receive a salary supplement not to exceed $86,000 for a total combined salary of $300,000 out of state and foundation funds each fiscal year of the biennium. Likewise, the Chief Scientific Officer may receive a salary supplement not to exceed $488,000 for a total combined salary of $700,000 out of state and foundation funds each fiscal year of the biennium. The respective salaries paid out of appropriated state funds and foundation funds for each fiscal year of the biennium for the Executive Director and the Chief Scientific Officer of the Institute may not exceed the highest salary paid to a chancellor of a public university system.

The salary of the Executive Director and the Chief Scientific Officer as provided under this section are not limited by Article IX, Section 3.05 of this Act. In addition to reporting requirements provided in Article IX, Section 3.02 of this Act, it is the intent of the legislature that contributions and expenditures of the foundation established to benefit the Cancer Prevention and Research Institute of Texas be annually reported to the Legislative Budget Board, the Senate Finance Committee, and the House Appropriations Committee no later than December 31. An individual, an organization, or an employee, officer or director of an organization that makes a contribution to the foundation, or person who is second-degree consanguinity or affinity to an employee of the Institute is not eligible to receive grants from the Institute.

COMPTROLLER OF PUBLIC ACCOUNTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1]	$ 220,010,743	$ 220,010,743
Other Funds		
Appropriated Receipts	1,403,935	1,403,935
Interagency Contracts	604,805	604,805
Subtotal, Other Funds	$ 2,008,740	$ 2,008,740
Total, Method of Financing	$ 222,019,483	$ 222,019,483
This bill pattern represents an estimated 21.5% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[1]	3,001.6	3,001.6
Number of FTEs in Riders:	150.0	150.0
Schedule of Exempt Positions:		
Comptroller of Public Accounts, Group 6	$150,000	$150,000
Items of Appropriation:		
A. Goal: COMPLIANCE WITH TAX LAWS		
To Improve Voluntary Compliance with Tax Laws.		
A.1.1. Strategy: ONGOING AUDIT ACTIVITIES Perform Audits to Improve Taxpayer Compliance and Generate Revenue.	$ 76,448,264	$ 76,542,842
A.2.1. Strategy: TAX LAWS COMPLIANCE Improve Compliance with Tax Laws through Contact & Collection Program.	$ 31,417,860	$ 31,403,265

[1] Incorporates Article IX, § 17.81 (c), of this Act, due to the enactment of HB 1796, 81st Legislature, Regular Session, relating to conducting financial assessments of applicants in the New Technology Implementation Program and conducting grant audits, resulting in an increase in General Revenue Funds of $291,974 and 5.0 FTEs each fiscal year.

A.3.1. Strategy: TAXPAYER INFORMATION Provide Information to Taxpayers, Government Officials and the Public.	$ 17,577,231	$ 17,540,724
A.4.1. Strategy: TAX HEARINGS Provide Tax Hearings/Represent the Agency/Provide Legal Counsel.	$ 8,936,475	$ 8,928,312
Total, Goal A: COMPLIANCE WITH TAX LAWS	$ 134,379,830	$ 134,415,143
B. Goal: MANAGE FISCAL AFFAIRS To Efficiently Manage the State's Fiscal Affairs.		
B.1.1. Strategy: ACCOUNTING/REPORTING[2] Proj Receipts/Disbursements; Complete Accounting/Reporting Resps.	$ 20,844,898	$ 20,804,225
B.2.1. Strategy: PROPERTY TAX PROGRAM Conduct Property Value Study; Provide Assistance; Review Methods.	$ 10,168,742	$ 10,202,984
B.3.1. Strategy: FISCAL RESEARCH & STUDIES Provide Information & Analysis to the Public & Private Sectors.	$ 7,388,356	$ 7,381,609
B.4.1. Strategy: TREASURY OPERATIONS Ensure State's Assets, Cash Receipts, and Warrants are Prop Secured.	$ 4,784,249	$ 4,774,225
B.5.1. Strategy: PROCUREMENT Provide a Competitive Procurement System.	$ 5,417,387	$ 5,417,387
B.6.1. Strategy: COUNCIL ON COMPETITIVE GOVERNMENT	$ 455,092	$ 454,759
Total, Goal B: MANAGE FISCAL AFFAIRS	$ 49,058,724	$ 49,035,189
C. Goal: TAX AND FINANCIAL INFO TECHNOLOGY Manage the Receipt and Disbursement of State Tax Revenue.		
C.1.1. Strategy: REVENUE & TAX PROCESSING Improve Tax/Voucher Data Processing, Tax Collection & Disbursements.	$ 38,580,929	$ 38,569,151
Grand Total, COMPTROLLER OF PUBLIC ACCOUNTS	$ 222,019,483	$ 222,019,483
Supplemental Appropriations Made in Riders:	$ 10,298,000	$ 10,062,000
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 164,973,291	$ 164,973,291
Other Personnel Costs	4,476,140	4,476,140
Professional Fees and Services	11,423,298	11,100,814
Fuels and Lubricants	44,932	49,983
Consumable Supplies	1,470,764	1,470,764
Utilities	4,303,234	4,677,154
Travel	6,025,191	6,382,090
Rent - Building	2,826,102	2,826,102
Rent - Machine and Other	8,071,060	8,003,340
Other Operating Expense	27,747,971	27,139,305
Capital Expenditures	955,500	982,500
Total, Object-of-Expense Informational Listing	$ 232,317,483	$ 232,081,483
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 10,496,532	$ 10,646,530
Group Insurance	24,770,992	26,776,800
Social Security	13,412,643	13,604,996
Benefits Replacement	1,289,935	1,225,439
Subtotal, Employee Benefits	$ 49,970,102	$ 52,253,765

[2] Incorporates Article IX, § 17.81 (c), of this Act, due to the enactment of HB 1796, 81st Legislature, Regular Session, relating to conducting financial assessments of applicants in the New Technology Implementation Program and conducting grant audits, resulting in an increase in general Revenue Funds of $291,974 and 5.0 FTEs each fiscal year.

Debt Service		
Lease Payments	$ 807,204	$ 695,592
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 50,777,306	$ 52,949,357

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Comptroller of Public Accounts. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Comptroller of Public Accounts. In order to achieve the objectives and service standards established by this Act, the Comptroller of Public Accounts shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: COMPLIANCE WITH TAX LAWS		
Outcome (Results/Impact):		
Percent Accuracy Rate of Reported Amounts on Original Audits	97%	97%
Average Monthly Delinquent Account Closure Rate per Enforcement Collector	305	305
A.1.1. Strategy: ONGOING AUDIT ACTIVITIES		
Output (Volume):		
Number of Audits and Verifications Conducted	15,000	15,000
Efficiencies:		
Average Dollars Assessed to Dollar Cost	27	28
A.2.1. Strategy: TAX LAWS COMPLIANCE		
Efficiencies:		
Delinquent Taxes Collected Per Collection-related Dollar Expended	79	79
A.3.1. Strategy: TAXPAYER INFORMATION		
Output (Volume):		
Total Number of Responses Issued by the Tax Policy, and Tax Policy Support	50,900	51,000
Efficiencies:		
Percent of Responses Issued by the Tax Policy, and Tax Policy Support Areas within 7 Working Days	81%	83%
B. Goal: MANAGE FISCAL AFFAIRS		
Outcome (Results/Impact):		
Percentage of Target Independent School Districts' Total Statewide Value in which PTD Met the Target Margin of Error	95%	95%
Percentage of Funds Processed Electronically	98%	98%
B.2.1. Strategy: PROPERTY TAX PROGRAM		
Output (Volume):		
Number of Properties Included in the Property Value Study	140,000	140,000
B.3.1. Strategy: FISCAL RESEARCH & STUDIES		
Output (Volume):		
Number of Responses Provided to Local Government Requests for Assistance and Information	1,950	1,950
B.4.1. Strategy: TREASURY OPERATIONS		
Output (Volume):		
Number of State Depository Bank Account Reconciliations Performed	11,000	11,000
B.5.1. Strategy: PROCUREMENT		
Output (Volume):		
Number of New, Revised, and Renewed Statewide Volume Contracts Awarded	200	200
Number of Historically Underutilized Business Field Audits Conducted	800	800
Number of Historically Underutilized Business Desk Audits Conducted	2,500	2,500
Efficiencies:		
Number of Business Days to Process Non-delegated Open Market Requisitions from Client Agencies	45	45
C. Goal: TAX AND FINANCIAL INFO TECHNOLOGY		
Outcome (Results/Impact):		
Time Taken to Return Tax Allocation to Local Jurisdictions (Days)	21	21

C.1.1. Strategy: REVENUE & TAX PROCESSING		
Output (Volume):		
Number of Tax Returns Processed	4,500,000	4,500,000
Efficiencies:		
Average Number of Hours to Deposit Receipts	4.6	4.6

2. **Capital Budget.** Funds appropriated above may be expended for capital budget items listed below. The amounts identified for each item may be adjusted or expended on other capital expenditures, subject to the aggregate dollar restrictions on capital budget expenditures provided in the general provisions of this Act.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Daily Operations - Capital	$ 11,398,479	$ 11,731,679
(2) Tax System Modernization	$ 437,213	$ 440,993
Total, Acquisition of Information Resource Technologies	$ 11,835,692	$ 12,172,672
Total, Capital Budget	$ 11,835,692	$ 12,172,672
Method of Financing (Capital Budget):		
General Revenue Fund	$ 11,835,692	$ 12,172,672
Total, Method of Financing	$ 11,835,692	$ 12,172,672

3. **Appropriation of Receipts.** The Comptroller is hereby authorized to transfer appropriated funds and cash from the state agencies' funds and accounts to the Comptroller's Office to reimburse for the cost of mailing warrants and consolidating payments across agency and fund lines, making electronic transfers and data transmissions to financial institutions, vendors, and associated activities. These, and all sums received in refund of postage, insurance, and shipping costs for the cigarette stamp program, are hereby appropriated to the Comptroller's Office.

4. **Support to the Board of Tax Professional Examiners.** Out of funds appropriated above, the Comptroller of Public Accounts shall provide administrative support to the Board of Tax Professional Examiners. The Comptroller of Public Accounts shall receive reimbursement from the Board of Tax Professional Examiners through an interagency contract which shall consist of the same levels of service and approximate costs as provided to the Board of Tax Professional Examiners by the State Comptroller during the 2008-09 biennium.

5. **Employee Incentive Rider.** In addition to the existing authority and amounts related to employee compensation and benefits, the Comptroller of Public Accounts may expend amounts necessary from funds appropriated for the 2010-11 biennium for the purposes of enhancing compensation, providing incentives, or paying associated expenses for high performing employees within the Comptroller's Office.

6. **Capital Expenditures Authorized.** Notwithstanding the limitations placed on the expenditure of funds for capital budget items contained in this Act, the Comptroller of Public Accounts is hereby authorized to expend funds appropriated to the Comptroller of Public Accounts for the acquisition of capital budget items.

7. **Transfer Authority.** Notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the Comptroller of Public Accounts is hereby authorized to direct agency resources and transfer such amounts appropriated above between appropriation line items.

8. **Unexpended Balances Carried Forward Between Biennia.** All unexpended balances appropriated and/or allocated to the Comptroller of Public Accounts from the 2008-09 biennium due to efficiencies or other cost savings of the Comptroller are hereby appropriated for the 2010-11 biennium. The appropriations herein are for ensuring the continuation of high priority programs within the Comptroller's Office.

9. **Appropriation for Statutory Obligations.** The Comptroller of Public Accounts is hereby appropriated from Unclaimed Property Receipts all sums necessary to perform statutory obligations under §§ 74.201, 74.203, 74.601, and 74.602 of the Texas Property Code and to respond to public inquiries generated by the advertising program including, but not limited to, the hiring of temporary employees. Such amounts shall not exceed the amount of money credited to Unclaimed Property Receipts from unclaimed property proceeds.

10. **Uniform Statewide Accounting and Payroll Services and Technology.** There is hereby appropriated to the Comptroller of Public Accounts all revenues received as a result of cost sharing arrangements with other state agencies, other governmental units, or non-government entities for software, technology, licensing arrangements, royalty receipts, or other charges or receipts from the sharing of technological or other information, expertise, services, or cooperative agreements of any kind. Such revenues shall be available to the Comptroller for the use of further enhancement of automation and technology services, computer services, and computer time.

11. **Unexpended Balances Between Fiscal Years Within the Biennium.** Any unexpended balances as of August 31, 2010, in the appropriations made herein to the Comptroller of Public Accounts are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

12. **Reimbursement for Treasury Operations.** In accordance with § 404.071, Government Code, the Comptroller of Public Accounts shall determine the costs incurred in receiving, paying, accounting for, and investing money in funds and accounts which are entitled to receive temporary interest. An amount equal to these costs shall be deducted from the interest earned on such funds and accounts and is hereby appropriated for deposit into the General Revenue Fund.

13. **Public Outreach.** Out of funds appropriated above, the Comptroller of Public Accounts shall contract for goods and services as necessary for the purpose of promoting, advertising or otherwise providing education and/or training materials to the public on economic development, business development, global trade and agency functions or programs.

14. **Vehicle Fuel Efficiency Standard.** The Comptroller of Public Accounts shall report to the Legislature once per biennium on the number of vehicles procured by each state agency that comply with state agency vehicle fuel standard described in § 2158.009, Government Code, and the number of vehicles procured by each state agency that do not comply with the standard.

15. **Four-Day Work Week Study.** (a) From funds appropriated above the Comptroller of Public Accounts shall conduct a study on the establishment of a four-day, forty-hour work week for state employees. In conducting the study, the Comptroller shall consider: (1) the experience of other jurisdictions that have instituted a four-day work week; (2) expansion of existing variable work schedule options for state employees; (3) potential environmental, financial, and health benefits of establishing a four-day work week; and (4) any other information that the Comptroller determines is necessary. At the Comptroller's request, a state agency shall provide information and assistance in conducting the study. Not later than December 10, 2010, the Comptroller shall report the results of the study to the members and members-elect of the 82nd Legislature.

16. **Increase Tax Compliance and State Revenue.** The Comptroller of Public Accounts is hereby appropriated $10,298,000 in fiscal year 2010 and $10,062,000 in fiscal year 2011 out of the General Revenue Fund for the purpose of increasing tax compliance and state revenue. The "Number of Full-Time Equivalents (FTE)" figure indicated elsewhere in this Act for the Comptroller of Public Accounts is hereby increased by 150 FTEs for each fiscal year of the biennium.

    This appropriation is contingent upon the Comptroller's certification of available General Revenue of $131,927,000 million for the biennium above the Comptroller's January 2009 Biennial Revenue Estimate providing a net gain, after accounting for benefit costs, of $107,167,000.

FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund[2, 3, 4]	$ 501,977,415	$ 297,128,451
General Revenue Fund - Dedicated		
Compensation to Victims of Crime Auxiliary Account No. 494	30,000	0
Law Enforcement Officer Standards and Education Account No. 116	6,000,000	6,000,000
Oil Overcharge Account No. 5005	40,628,405	13,822,981
Subtotal, General Revenue Fund - Dedicated	$ 46,658,405	$ 19,822,981
Federal Funds	1,641,366	1,641,366
Total, Method of Financing	$ 550,277,186	$ 318,592,798
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	25.0	25.0
Items of Appropriation:		
A. Goal: CPA - FISCAL PROGRAMS		
Comptroller of Public Accounts - Fiscal Programs.		
A.1.1. Strategy: VOTER REGISTRATION Payments to Counties for Voter Registration Activity. Estimated.	$ 5,000,000	$ 1,000,000
A.1.2. Strategy: MISCELLANEOUS CLAIMS Pay misc claims/wrongful imprisonment, Gov't Code 403.074. Estimated.	$ 2,970,000	$ 2,970,000
A.1.3. Strategy: REIMBURSEMENT- COMMITMENT HEARINGS Reimburse-Commitment Hearings Ch. 591-595, 597, Health & Safety Code.	$ 2,000	$ UB
A.1.4. Strategy: REIMBURSE - BEVERAGE TAX Reimburse mix bev tax per Tax Code 183.051 at 10.7143%. Estimated.	$ 128,318,000	$ 132,937,000
A.1.5. Strategy: JUDGMENTS AND SETTLEMENTS Payment of Ch. 101, 104 CPR Code, Ch. 59 Educ Code. Fed Court Claims.	$ 2,500,000	$ UB
A.1.6. Strategy: COUNTY TAXES - UNIVERSITY LANDS Payment of County Taxes on University Lands. Estimated.	$ 2,916,902	$ 3,199,679
A.1.7. Strategy: LATERAL ROAD FUND DISTRICTS Lateral Road Fund Distribution.	$ 7,300,000	$ 7,300,000
A.1.8. Strategy: UNCLAIMED PROPERTY To Pay Legitimate Claims for Unclaimed Prop Held by State. Estimated.	$ 127,000,000	$ 129,000,000
A.1.9. Strategy: UNDERAGE TOBACCO PROGRAM Allocate Underage Tobacco Enforcement Program Grants.	$ 2,000,000	$ 2,000,000
A.1.10. Strategy: LOCAL CONTINUING EDUCATION GRANTS Allocate Local Continuing Education Grants.	$ 6,000,000	$ 6,000,000

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a Federal Funds increase of $284,800,000 in FY 2010 resulting in a net All Funds appropriation of $835,077,186 in FY 2010.

[2] Incorporates Article IX, § 17.58, of this Act, due to the enactment of SB 1515, 81st Legislature, Regular Session, resulting in an increase in General Revenue Funds of $25,000,000 in FY 2010 for transfer to the Major Events Trust Fund, a fund held outside the state Treasury.

[3] Incorporates Article IX, § 17.47, of this Act, due to the enactment of HB 1935, 81st Legislature, Regular Session, relating to the establishment of the Jobs and Education for Texans (JET) Program, resulting in an increase in General Revenue Funds of $25,000,000 in FY 2010 for transfer to the General Revenue-Dedicated Jobs and Education for Texans Fund No. 5143.

[4] Incorporates Article IX, § 17.13, of this Act, relating to providing a one-time payment equivalent to the annuitant's monthly benefit, not to exceed $500, to eligible members of the Employees Retirement System ($34,723,050) and the Teacher Retirement System ($120,525,691), resulting in an increase in General Revenue Funds of $155,248,741 in FY 2010.

A.1.11. Strategy: ADVANCED TAX COMPLIANCE	$	10,659,775	$	10,659,775
A.1.12. Strategy: SUBSEQUENT CVC CLAIMS Subsequent Crime Victim Compensation Claims. Estimated.	$	30,000	$	UB
A.1.13. Strategy: GROSS WEIGHT/AXLE FEE DISTRIBUTION Distribution to Counties per Transportation Code 621.353. Estimated.	$	7,500,000	$	7,500,000
A.1.14. Strategy: JOBS AND EDUCATION FOR TEXANS[5]	$	25,000,000	$	UB
A.1.15. Strategy: MAJOR EVENTS TRUST FUND[6]	$	25,000,000	$	UB
A.1.16. Strategy: ONE-TIME PAYMENTS TO RETIREES[7]	$	155,248,741	$	0
Total, Goal A: CPA - FISCAL PROGRAMS	$	507,445,418	$	302,566,454
B. Goal: ENERGY OFFICE Develop & Administer Programs That Promote Energy Efficiency.				
B.1.1. Strategy: ENERGY OFFICE Promote and Manage Energy Programs.	$	2,763,025	$	2,763,025
B.1.2. Strategy: OIL OVERCHARGE SETTLEMENT FUNDS Allocate Grants and Loans to Promote Energy Efficiency.	$	40,068,743	$	13,263,319
Total, Goal B: ENERGY OFFICE	$	42,831,768	$	16,026,344
Grand Total, FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS	$	550,277,186	$	318,592,798
Object-of-Expense Informational Listing:				
Salaries and Wages	$	1,503,793	$	1,503,793
Other Personnel Costs		155,411,151		162,410
Professional Fees and Services		8,969,771		9,069,795
Consumable Supplies		500		500
Utilities		665,303		553,368
Travel		53,940		58,255
Rent - Machine and Other		19,617		19,617
Other Operating Expense		133,614,669		133,094,580
Client Services		25,000		25,000
Grants		250,013,442		174,105,480
Total, Object-of-Expense Informational Listing	$	550,277,186	$	318,592,798
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	78,702	$	79,882
Group Insurance		120,232		128,950
Social Security		96,282		97,726
Benefits Replacement		10,602		10,072
Subtotal, Employee Benefits	$	305,818	$	316,630
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	305,818	$	316,630

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Fiscal Programs - Comptroller of Public Accounts. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to

[5] Incorporates Article IX, § 17.47, of this Act, due to the enactment of HB 1935, 81st Legislature, Regular Session, relating to the establishment of the Jobs and Education for Texans (JET) Program, resulting in an increase in General Revenue Funds of $25,000,000 in FY 2010 for transfer to the General Revenue-Dedicated Jobs and Education for Texans Fund No. 5143.

[6] Incorporates Article IX, § 17.58, of this Act, due to the enactment of SB 1515, 81st Legislature, Regular Session, resulting in an increase in General Revenue Funds of $25,000,000 in FY 2010 for transfer to the Major Events Trust Fund, a fund held outside the state Treasury.

[7] Incorporates Article IX, § 17.13, of this Act, relating to providing a one-time payment equivalent to the annuitant's monthly benefit, not to exceed $500, to eligible members of the Employees Retirement System ($34,723,050) and the Teacher Retirement System ($120,525,691), resulting in an increase in General Revenue Funds of $155,248,741 in FY 2010.

achieve the intended mission of the Fiscal Programs - Comptroller of Public Accounts. In order to achieve the objectives and service standards established by this Act, the Fiscal Programs - Comptroller of Public Accounts shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
B. Goal: ENERGY OFFICE		
Outcome (Results/Impact):		
State Agency Energy Cost Savings as a Percentage of Energy Expenditures	23%	23%
Energy Dollars Saved by LoanSTAR Projects (in Millions)	18	20

2. **Appropriation from the Compensation to Victims of Crime Auxiliary Fund.** Included in amounts appropriated above in Strategy A.112, Subsequent CVC Claims, are funds received by the Comptroller from departments under Government Code § 76.013, for crime victims who have not made a claim for restitution during the prescribed five year period and who make a subsequent claim (estimated to be $30,000 for the biennium). In addition to amounts identified herein and included above, all revenue collected on or after September 1, 2009, is hereby appropriated for the same purpose. Any unobligated balances remaining as of August 31, 2010, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

3. **Appropriation, Payment of Miscellaneous Claims.** In addition to amounts appropriated above in Strategy A.1.2, Miscellaneous Claims, the Comptroller of Public Accounts is hereby appropriated out of other special funds and accounts as appropriate, amounts necessary to pay small miscellaneous claims.

4. **Appropriation, Payment of Judgments and Settlements.** Except for claims under Chapter 59, Education Code, in addition to amounts appropriated above in Strategy A.1.5, Judgments and Settlements, the Comptroller of Public Accounts is hereby appropriated out of other special funds and accounts as appropriate, amounts necessary to pay claims, judgments, and settlements.

5. **Limitation, Payment of Judgments and Settlements.** The expenditures authorized in Strategy A.1.5, Judgments and Settlements, for payment of settlements and judgments for claims against state agencies payable under Chapter 101 and 104, Civil Practice and Remedies Code, including indemnification for criminal prosecution and Federal Court judgments and settlements, are hereby limited to those claims where the settlement or judgment amount exceeds the amount authorized by Article IX, Judgments and Settlements, of this Act to be paid out of appropriations made to the involved agency elsewhere in this Act. These judgments and settlements shall be paid from special or local funds of the agency or institution to the extent available, and then from General Revenue. The Comptroller shall require reimbursement from agencies and institutions as special or local funds become available. This limitation shall not apply in those cases where the judgment order of the trial court was entered, or a settlement agreement was executed, prior to September 1, 1995, or to the payment of eligible medical malpractice claims under Chapter 59, Education Code. All claims shall be prepared, verified and signed by the Office of the Attorney General.

6. **International Fuel Tax Agreement.** Out of amounts collected as a result of the administration of Chapter 162, Tax Code, the Comptroller shall determine the amounts due other jurisdictions as reflected by motor fuels reports and other information available pursuant to an International Fuel Tax Agreement or otherwise subject to refund. Such amounts are hereby appropriated and may be segregated as necessary for remittance to other jurisdictions and for refunds as provided by law. Fees and costs associated with an International Fuel Tax Agreement may be paid from the interest earnings on amounts due other jurisdictions or subject to refund. The Comptroller may estimate the amounts due other jurisdictions or subject to refund out of amounts collected as a result of the administration of Chapter 162, Tax Code, and may segregate such funds as necessary for administration of the agreement.

7. **Appropriation of Tax and Revenue Anticipation Note Fund No. 0577.** There is hereby appropriated to the Comptroller of Public Accounts all money deposited in the tax and revenue anticipation note fund for the purposes of paying principal of, premium (if any), interest on, and costs of issuance relating to tax and revenue anticipation notes issued during the biennium. To the extent that money deposited into the tax and revenue anticipation note fund is insufficient to pay the principal of, premium (if any), interest on, and costs of issuance relating to notes, there is hereby appropriated to the Comptroller of Public Accounts from the General Revenue Fund amounts necessary for the full repayment of all principal of, premium (if any), and interest on any notes issued during the biennium.

8. **Advanced Tax Compliance and Debt Collections.** To the extent that the Comptroller contracts with persons or entities to provide information, services, or technology or expands and/or enhances the technology to aid in the advanced collections of debts, taxes, or other property due to or belonging to the State of Texas pursuant to Government Code, §§ 403.019, 403.0195 or Tax Code § 111.0035 or § 111.0036, all sums necessary to pay contract, maintenance, and other expenses connected with the collections, including any administrative costs of the Comptroller directly associated with the collections program, are hereby appropriated to the Comptroller from collection proceeds. The balance of collection proceeds shall be transferred to the General Revenue Fund or to any dedicated or special funds or accounts to which the collection proceeds may belong.

   Consistent with the Comptroller's role as the chief fiscal officer and tax collector for the state, all resulting collections and associated expenses shall be accounted for through the fiscal agency operations of the Comptroller's Office in a manner which reflects both the amounts of enhanced collections as well as the amount of expenses related to the increased deposits.

9. **Investment Fund Management.** Consistent with the Comptroller's responsibility for investing Tobacco Settlement Permanent Trust Funds Account No. 872 and the Permanent Higher Education Fund Account No. 346, as much of the investment earnings as necessary up to a maximum of 50 basis points of the average fund balance for funds managed by external fund managers and 20 basis points for internally managed funds are hereby appropriated each year of the biennium to the fiscal agency operation of the Comptroller's Office to pay the expenditures related to these investment activities. The total appropriated amount shall not exceed $10 million per fiscal year of the biennium. The Comptroller shall prepare an annual report detailing the expenditures made in connection with each fund for investment activities.

10. **Oil Overcharge Settlement Funds.** Included in funds appropriated above to Strategy B.1.2, Oil Overcharge Settlement Funds, out of Oil Overcharge Account No. 5005, are funds allocated to the State of Texas through consent decrees, court decrees, and administrative orders involving violation of the mandatory petroleum pricing and allocation regulations, including the interest earned on those used by the State Energy Conservation Office (SECO) for the biennium beginning September 1, 2009 (estimated to be $26,526,638). Any unexpended balances as of August 31, 2009, of Oil Overcharge Funds Account No. 5005 are included in Strategy B.1.2, Oil Overcharge Settlement Funds, and are to be used by SECO for the biennium beginning September 1, 2009 (estimated to be $27,924,748). In addition to amounts identified herein and included above, all unexpended balances remaining as of August 31, 2009, and all revenue generated on or after September 1, 2009, are hereby appropriated for the same purpose.

    Out of these estimated balances and revenues, the State Energy Conservation Office shall allocate an estimated total of $4,425,648 over the biennium based on the designations listed below. SECO is granted the discretion to prorate Oil Overcharge Funds based on these designations in the event that the total amount estimated by this allocation is not realized. The amounts below are hereby designated for the biennium beginning September 1, 2009, for the following purposes:

	2010	2011
Schools/Local Government Program	$368,804 & UB	$368,804 & UB
State Agencies/Higher Education Program	$368,804 & UB	$368,804 & UB
Renewable Energy Program	$368,804 & UB	$368,804 & UB
Housing Partnership	$368,804 & UB	$368,804 & UB
Transportation Energy Program	$368,804 & UB	$368,804 & UB
Alternative Fuels Program	$368,804 & UB	$368,804 & UB

Funds de-obligated from contracts within the above programs shall remain within the program. State Energy Program Administration funds are appropriated in Strategy B.1.1, Energy Office.

Pursuant to Texas Government Code § 2305.032 (f), funds available to the LoanSTAR Revolving Loan Program shall equal or exceed $95,000,000 at all times. All unexpended LoanSTAR balances (estimated to be $26,805,425 of total balances noted above) and all revenues, except depository interest earned on LoanSTAR balances, generated by funds in the LoanSTAR Program (estimated to be $22,100,990 of total revenues noted above), shall remain in the program. If a state agency or institution of higher education is a recipient of a loan under the statewide retrofit demonstration and revolving loan program, the agency or institution shall repay the loan from agency funds budgeted for the energy costs of the agency or institution.

11. Department of Energy (DOE) Federal Funds. In addition to funds appropriated above for administration of the State Energy Conservation Office, all funds allocated to the State of Texas by the U.S. Department of Energy to fund Pantex and State energy programs are detailed below for the biennium beginning September 1, 2009.

The SECO shall allocate funds based upon the designations listed below:

	FY 2010	FY 2011
Federal Funds: Pantex Programs		
Agreement in Principle (Remedial Clean Up Action)	$835,975 & UB	$835,975 & UB
Waste Isolation Pilot Plant	$341,000 & UB	$341,000 & UB
Federal Funds: State Energy Program		
State Energy Program (SEP) Grant	$1,176,975 & UB	$1,176,975 & UB

12. Appropriation of Tax Refunds. As much of the respective taxes, fees, and charges, including penalties or other financial transactions administered or collected by the Comptroller as may be necessary is hereby appropriated and set aside to pay refunds, interest, and any costs and attorney fees awarded in court cases, as provided by law, subject to the following limitations and conditions:

a. Unless another law, or section of this Act, provides a period within which a particular refund claim must be made, funds appropriated herein may not be used to pay a refund claim made under this section after four years from the latest date on which the amount collected or received by the State was due, if the amount was required to be paid on or before a particular date. If the amount was not required to be paid on or before a particular date, a refund claim may not be made after four years from the date the amount was collected or received. A person who fails to make a refund claim within the period provided by law, or this provision, shall not be eligible to receive payment of a refund under this provision.

b. Except as provided by subsection (c), as a specific limitation to the amount of refunds paid from funds appropriated in this Act during the 2010-11 biennium, the Comptroller shall not approve claims or issue warrants for refunds in excess of the amount of revenue estimated to be available from the tax, fee, or other revenue source during the biennium according to the Biennial Revenue Estimate of the Comptroller of Public Accounts used for certification of this Act. Any claim or portion of a claim which is in excess of the limitation established by this subsection "b" shall be presented to the next legislature for a specific appropriation in order for payment to be made. The limitation established by this subsection "b" shall not apply to any taxes or fees paid under protest.

c. Where the Biennial Revenue Estimate referenced in subsection (b) provides that no revenues are estimated to be available from a tax, fee, or other revenue source, and where a special fund or dedicated account has been abolished or the law creating the special fund or dedicated account has been repealed or has expired, any balances which may have been transferred or credited to the General Revenue Fund because of such abolishment, repeal or expiration are appropriated from that fund to pay refunds that are otherwise payable under this section.

d. From amounts collected pursuant to Sec. 47.052, Business & Commerce Code, there are hereby appropriated amounts necessary to pay a refund, settlement or judgment arising from

litigation relating to the validity of the fee. Any portion of a settlement or judgment in excess of the amounts collected under Section 47.051, et seq., including interest, courts costs, or attorneys fees, shall be presented to the next legislature for a specific appropriation in order for payment to be made.

13. Appropriation of Hotel/Motel Taxes. In addition to amounts appropriated above, the Comptroller of Public Accounts is hereby appropriated out of hotel taxes collected under Chapter 156, Tax Code, amounts necessary to pay percentages to eligible coastal municipalities as calculated pursuant to §156.2511 and § 156.2512, Tax Code.

14. Cash Flow Transfer. As required by Government Code, Section 403.092, for the state fiscal biennium beginning September 1, 2009, the Comptroller of Public Accounts is appropriated from the General Revenue Fund the amount needed:

a. to return any available cash that was transferred to the General Revenue Fund from a fund outside the state treasury; and

b. to maintain the equity of the fund from which the transfer was made.

15. Jobs and Education for Texans (JET).[8] Included in amounts appropriated above in Strategy A.1.14, Jobs and Education for Texans, is $25,000,000 in fiscal year 2010 out of the General Revenue Fund to be transferred to the General Revenue-Dedicated Jobs and Education for Texans (JET) Fund No. 5143 and is hereby appropriated out of the General Revenue-Dedicated Jobs and Education for Texans (JET) Fund No. 5143 for the biennium beginning September 1, 2009 to award grants to expand existing programs and develop new programs that prepares students for careers in high-demand occupations, including the startup costs associated with career and technical education (CTE) courses, and to provide scholarships for students in career and technical programs. Any unexpended balances remaining as of August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010 for the same purpose.

This appropriation is contingent upon the Comptroller's certification of available General Revenue of $25,000,000 for the biennium above the Comptroller's January 2009 Biennial Revenue Estimate.

16. Major Events Trust Fund.[9] Included in amounts appropriated above in Strategy A.1.15, Major Events Trust Fund, is $25,000,000 in fiscal year 2010 out of the General Revenue Fund to be transferred to the Major Events Trust Fund, a fund held outside the state Treasury, for the purpose of attracting and securing eligible events. The appropriation is contingent on:

(a) a written statement confirming the state's interest in the event that is signed by both the Governor and the Comptroller of Public Accounts;

(b) certification by the Comptroller of Public Accounts that sufficient revenues will be generated by eligible events to offset the amounts appropriated;

(c) an agreement with one or more endorsing municipalities or counties entered into pursuant to Article 5190.14, Section 5A(r), Vernon's Texas Civil Statutes, as added by Senate Bill 1515, 81st Legislature, Regular Session; and

(d) the receipt of local funds from the endorsing entity(s) pursuant to Article 5190.14, Section 5A(r), Vernon's Texas Civil Statutes, as added by Senate Bill 1515, 81st Legislature, Regular Session.

---

[8] Incorporates Article IX, § 17.47, of this Act, due to the enactment of HB 1935, 81st Legislature, Regular Session, relating to the establishment of the Jobs and Education for Texans (JET) Program, resulting in an increase in General Revenue Funds of $25,000,000 in FY 2010 for transfer to the General Revenue-Dedicated Jobs and Education for Texans Fund No. 5143.

[9] Incorporates Article IX, § 17.58, of this Act, due to the enactment of SB 1515, 81st Legislature, Regular Session, resulting in an increase in General Revenue Funds of $25,000,000 in FY 2010 for transfer to the Major Events Trust Fund, a fund held outside the state Treasury.

INFORMATIONAL LISTING OF FUNDS APPROPRIATED TO THE COMPTROLLER FOR SOCIAL SECURITY AND BRP

1. **Informational Listing of Appropriated Funds.** The appropriations made in this and other articles of this Act to the Comptroller of Public Accounts - Social Security/Benefit Replacement Pay are subject to the following provisions. The following amounts shall be used for the purposes indicated.

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1, 2]		
General Revenue, estimated	$ 502,233,890	$ 514,013,530
General Revenue-Dedicated, estimated	74,614,361	76,486,732
Federal Funds, estimated	101,630,483	101,756,047
Other Funds		
Other Special State Funds, estimated	13,393,032	13,735,077
State Highway Fund No. 006, estimated	82,329,222	83,308,969
Subtotal, Other Funds	95,722,254	97,044,046
Total, Method of Financing	$ 774,200,988	$ 789,300,355
A. Goal: Social Security/Benefit Replacement		
Comptroller - Social Security		
A.1.1. Strategy: State Match – Employer[1, 2]		
State Match - Employer. Estimated.	$ 730,690,457	$ 747,965,350
A.1.2. Strategy: Benefit Replacement Pay		
Benefit Replacement Pay. Estimated.	43,510,531	41,335,005
Total, Goal A: Social Security/Benefit Replacement	$ 774,200,988	$ 789,300,355

2. **Transfer of Social Security Contributions and Benefit Replacement Pay.** Appropriations made in this and other articles of this Act for Social Security and Benefit Replacement Pay shall be transferred by each agency from the Comptroller of Public Accounts to the agency based on estimated amounts by funding source for each fiscal year. Transfers should be made no later than September 15th of the year in which the payments are to be made. Adjustments and return of excess appropriation authority to the Comptroller's Office shall be completed by October 30th of the subsequent fiscal year.

---

[1] Incorporates Article IX, § 17.02(a), of this Act, relating to additional appropriations for employee benefits, which increases Social Security benefits proportionally with the number of FTEs increased in agency bill patterns, resulting in an increase of $269,280 in General Revenue Funds, $626,688 in General Revenue-Dedicated Funds, $692,784 in Federal Funds, $178,704 in Other Funds and $129,744 in State Highway Fund 6 in FY 2010; and an increase of $408,816 in General Revenue Funds, $700,128 in General Revenue-Dedicated Funds, $744,192 in Federal Funds, $227,664 in Other Funds and $181,152 in State Highway Fund 6 in FY 2011.
[2] Incorporates Article IX, § 17.02(b), of this act, relating to appropriations for employee benefits corresponding with the salary funding source of FTEs at the Department of Public Safety, resulting in an increase of $4,332,960 in General Revenue Funds and an equal reduction of State Highway Fund 6 Funds in FY 2010; and an increase of $4,332,960 in General Revenue Funds and an equal reduction of State Highway Fund 6 Funds in FY 2011 for Social Security contributions.

COMMISSION ON STATE EMERGENCY COMMUNICATIONS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund - Dedicated		
Commission on State Emergency Communications Account No. 5007[1]	$ 19,297,227	$ 15,941,555
911 Service Fees Account No. 5050	54,813,369	52,002,921
Subtotal, General Revenue Fund - Dedicated	$ 74,110,596	$ 67,944,476
Appropriated Receipts	240,000	240,000
Total, Method of Financing	$ 74,350,596	$ 68,184,476
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[2]	24.3	25.0
Schedule of Exempt Positions:		
Executive Director, Group 2	$90,750	$90,750
Items of Appropriation:		
A. Goal: STATEWIDE 9-1-1 SERVICES		
Planning & Development, Provision & Enhancement of 9-1-1 Service.		
A.1.1. Strategy: 9-1-1 NETWORK OPERATIONS	$ 50,536,232	$ 49,105,749
A.1.2. Strategy: 9-1-1 EQUIPMENT REPLACEMENT	$ 12,775,939	$ 7,821,652
A.1.3. Strategy: CSEC 9-1-1 PROGRAM ADMINISTRATION	$ 2,106,600	$ 2,106,600
Total, Goal A: STATEWIDE 9-1-1 SERVICES	$ 65,418,771	$ 59,034,001
B. Goal: POISON CONTROL SERVICES		
Maintain High Quality Poison Control Services in Texas.		
B.1.1. Strategy: POISON CALL CENTER OPERATIONS[2]	$ 7,463,753	$ 7,575,896
B.1.2. Strategy: STATEWIDE POISON NETWORK OPERATIONS	$ 1,106,000	$ 1,106,000
B.1.3. Strategy: CSEC POISON PROGRAM MANAGEMENT[2]	$ 201,072	$ 307,329
Total, Goal B: POISON CONTROL SERVICES	$ 8,770,825	$ 8,989,225
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: INDIRECT ADMINISTRATION	$ 161,000	$ 161,250
Grand Total, COMMISSION ON STATE EMERGENCY COMMUNICATIONS	$ 74,350,596	$ 68,184,476
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 1,446,076	$ 1,479,457
Other Personnel Costs	40,350	40,350
Professional Fees and Services	262,000	329,000
Consumable Supplies	9,000	9,000
Utilities	101,600	101,600
Travel	62,000	75,000
Rent - Building	4,000	4,250
Rent - Machine and Other	6,000	6,000
Other Operating Expense	1,684,646	1,677,522
Grants	70,734,924	64,462,297
Total, Object-of-Expense Informational Listing	$ 74,350,596	$ 68,184,476

[1] Modified to correct error relating to reference of General Revenue-Dedicated account.
[2] Incorporates HB 1093, 81st Legislature, Regular Session, which transfers the oversight of regional poison control centers from the Department of State Health Services to the Commission on State Emergency Communications, by reducing appropriations to Strategy B.1.1, Poison Call Center Operations, by $52,336 in FY 2010 and by $158,593 in FY 2011 out of the Commission on State Emergency Communications Account No. 5007 and increasing Strategy B.1.3, CSEC Poison Program Management, by like amounts. In addition, the Number of FTEs is increased by 0.3 in FY 2010 and by 1.0 in FY 2011.

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 89,975	$ 91,324
Group Insurance	144,229	154,308
Social Security	105,884	107,472
Benefits Replacement	4,402	4,182
Subtotal, Employee Benefits	$ 344,490	$ 357,286
Debt Service		
Lease Payments	$ 17,267	$ 10,912
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 361,757	$ 368,198

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Commission on State Emergency Communications. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Commission on State Emergency Communications. In order to achieve the objectives and service standards established by this Act, the Commission on State Emergency Communications shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: STATEWIDE 9-1-1 SERVICES		
Outcome (Results/Impact):		
Percentage of Time Wireline ALI System is Operational	99.5%	99.5%
A.1.2. Strategy: 9-1-1 EQUIPMENT REPLACEMENT		
Output (Volume):		
Number of 9-1-1 Calls Received by State Program Public Safety Answering Points (PSAPs)	6,388,213	6,477,648
B. Goal: POISON CONTROL SERVICES		
Outcome (Results/Impact):		
Percentage of Time the Texas Poison Control Managed Services are Available	99.5%	99.5%
B.1.1. Strategy: POISON CALL CENTER OPERATIONS		
Output (Volume):		
Total Number of Poison Control Calls Processed Statewide	412,470	415,769

2. **Equipment Replacement.** None of the funds appropriated above to Strategy A.1.2, 9-1-1 Equipment Replacement, may be used to replace or fund a reserve for future replacement of 9-1-1 equipment. The Commission on State Emergency Communications shall develop and submit a 10-year equipment replacement schedule to the Legislative Budget Board and the Governor's Office not later than November 1, 2009. The Commission on State Emergency Communications may modify the schedule as necessary during the biennium, due to changing conditions resulting in equipment failure that affects public safety, and shall notify the Legislative Budget Board and the Governor's Office of such modifications.

3. **Unexpended Balances Within the Biennium.** Any unexpended balances as of August 31, 2010, in the appropriations made herein to the Commission on State Emergency Communications are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

4. **Regional Planning Commissions.** Included in amounts appropriated above in Strategy A.1.1, 9-1-1 Network Operations, is $17,000,000 for the biennium to be distributed to the Regional Planning Commissions for administration of the statewide 9-1-1 program. It is the intent of the Legislature that during the 2010-11 biennium no more than $17,000,000 be allocated to the Regional Planning Commissions for administration of the statewide 9-1-1 program. Each Regional Planning Commission shall submit a Historically Underutilized Business (HUB) plan, pursuant to Chapter 2161 of the Government Code, with its application.

5. **Contingent Revenue: General Revenue-Dedicated Commission on State Emergency Communications Account No. 5007.**[3] Contingent on the collection of fees in the General Revenue-Dedicated Commission on State Emergency Communications Account No. 5007 in excess of $38,329,000 (Object Code 3563), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011, the amounts of $695,089 in fiscal year 2010 and $913,489 in fiscal year 2011 are included above for the Commission on State Emergency Communications in Strategy B.1.1, Poison Call Center Operations, for the purposes of poison control center call taker salary increases, additional call takers, poison center administration and public education.

   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 appropriation shall be made available for the intended purposes.

[3] Modified to correct error relating to reference of General Revenue-Dedicated account.

EMPLOYEES RETIREMENT SYSTEM

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund, estimated	$ 7,610,976	$ 7,610,977
Total, Method of Financing	$ 7,610,976	$ 7,610,977
This bill pattern represents an estimated 10.7% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	312.0	323.0
Items of Appropriation:		
A. Goal: ADMINISTER RETIREMENT PROGRAM To Administer Comprehensive and Actuarially Sound Retirement Programs.		
A.1.1. Strategy: RETIREE DEATH BENEFITS Provide Lump-sum Retiree Death Benefits. Estimated.	$ 7,610,976	$ 7,610,977
Grand Total, EMPLOYEES RETIREMENT SYSTEM	$ 7,610,976	$ 7,610,977
Object-of-Expense Informational Listing:		
Client Services	$ 7,610,976	$ 7,610,977
Total, Object-of-Expense Informational Listing	$ 7,610,976	$ 7,610,977

1. **Information Listing of Appropriated Funds.** The appropriations made in this and other articles of this Act to the Employees Retirement System are subject to the following provisions. The following amounts shall be used for the purposes indicated.

EMPLOYEES RETIREMENT SYSTEM
(Continued)

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1, 2, 3, 4]		
General Revenue Fund, estimated	$ 951,344,439	$ 1,015,307,422
General Revenue-Dedicated Accounts, estimated	58,864,712	63,472,059
Federal Funds, estimated	301,488,748	320,131,691
Other Funds		
Other Special State Funds, estimated	11,977,263	12,855,013
State Highway Fund No. 006, estimated	268,767,388	288,962,206
Subtotal, Other Funds	280,744,651	301,817,219
Total, Method of Financing	$ 1,592,442,550	$ 1,700,728,391
Number of Full-Time-Equivalents (FTE):	312.0	323.0
Schedule of Exempt Positions:		
Executive Director	$ 300,000[5]	$ 300,000[5]
A. Goal: ADMINISTER RETIREMENT PROGRAM To Administer Comprehensive and Actuarially Sound Retirement Programs.		
A.1.1. Strategy: RETIREMENT CONTRIBUTIONS[1, 2]		
Retirement Contributions. Estimated.	$ 359,992,169	$ 366,927,007
A.1.2. Strategy: LAW ENFORCEMENT AND CUSTODIAL OFFICER SUPPLEMENTAL RETIREMENT FUND (LECOS)		
Law Enforcement and Custodial Officer Supplemental Retirement Fund. Estimated.	$ 20,466,859	$ 20,466,859
A.1.3. Strategy: JUDICIAL RETIREMENT SYSTEM - PLAN 2		
Judicial Retirement System - Plan 2. Estimated.	$ 11,258,590	$ 11,258,590
A.1.4. Strategy: JUDICIAL RETIREMENT SYSTEM - PLAN 1		
Judicial Retirement System - Plan 1. Estimated.	$ 28,912,126	$ 28,912,127

[1] Incorporates Article IX, § 17.02(a), of this Act, relating to additional appropriations for employee benefits, which increases Retirement benefits proportionally with the number of FTEs increased in agency bill patterns, resulting in a decrease of $125,388 in General Revenue Funds, and increases of $396,288 in General Revenue-Dedicated Funds, $438,084 in Federal Funds, $113,004 in Other Funds and $82,044 in State Highway Fund 6 in FY 2010; and increases of $344,688 in General Revenue Funds, $590,304 in General Revenue-Dedicated Funds, $627,456 in Federal Funds, $191,952 in Other Funds and $152,736 in State Highway Fund 6 in FY 2011.

[2] Incorporates Article IX, § 17.02(b), of this Act, relating to appropriations for employee benefits corresponding with the salary funding source of FTEs at the Department of Public Safety, resulting in an increase of $3,653,280 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2010; and an increase of $3,653,280 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2011 for Retirement contributions.

[3] Incorporates Article IX, § 17.02(a), of this Act, relating to additional appropriations for employee benefits, which increases Group Insurance benefits proportionally with the number of FTEs increased in agency bill patterns, resulting in a decrease of $330,625 in General Revenue Funds, and increases of $1,044,940 in General Revenue-Dedicated Funds, $1,155,148 in Federal Funds, $297,971 in Other Funds and $216,335 in State Highway Fund 6 in FY 2010; and increases of $970,683 in General Revenue Funds, $1,662,368 in General Revenue-Dedicated Funds, $1,766,993 in Federal Funds, $540,561 in Other Funds and $430,123 in State Highway Fund 6 in FY 2011.

[4] Incorporates Article IX, § 17.02(b), of this Act, relating to appropriations for employee benefits corresponding with the salary funding source of FTEs at the Department of Public Safety, resulting in an increase of $7,705,872 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2010; and an increase of $8,229,792 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2011 for Group Insurance contributions.

[5] Pursuant to Government Code, § 815.208, the Employees Retirement System Board of Trustees authorized an increase to the Executive Director's annual salary from $275,000 at its August 25, 2009 meeting.

A.1.5. Strategy: PUBLIC SAFETY BENEFITS		
Public Safety Benefits. Estimated.	$ 6,592,165	$ 6,592,165
A.1.6. Strategy: RETIREE DEATH BENEFITS		
Retiree Death Benefits. Estimated.	$ 7,610,976	$ 7,610,977
Total, Goal A: ADMINISTER RETIREMENT PROGRAM	$ 434,832,885	$ 441,767,725
B. Goal: PROVIDE HEALTH PROGRAM[6]		
Provide Employees and Retirees with a Quality Health Program.		
B.1.1. Strategy: GROUP INSURANCE[7, 8]		
Group Insurance. Estimated.	$ 1,150,472,742	$ 1,251,338,432
B.1.2. Strategy: STATE KIDS INSURANCE PROGRAM		
State Kids Insurance Program (SKIP). Estimated.	$ 7,136,923	$ 7,622,234
Total, Goal B: PROVIDE HEALTH PROGRAM	$ 1,157,609,665	$ 1,258,960,666
Grand Total, EMPLOYEES RETIREMENT SYSTEM	$ 1,592,442,550	$ 1,700,728,391

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Employees Retirement System. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Employees Retirement System. In order to achieve the objectives and service standards established by this Act, the Employees Retirement System shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ADMINISTER RETIREMENT PROGRAM		
Outcome (Results/Impact):		
Percent of ERS Retirees Expressing Satisfaction with Benefit Services	97%	97%
A.1.1. Strategy: RETIREMENT CONTRIBUTIONS		
Output (Volume):		
Number of ERS Accounts Maintained	220,000	226,000
B. Goal: PROVIDE HEALTH PROGRAM		
Outcome (Results/Impact):		
Percent of HealthSelect Participants Satisfied with Network Services	90%	90%
B.1.1. Strategy: GROUP INSURANCE		
Efficiencies:		
Percent of Claims Processed within Thirty Days	99%	99%
Total Cost Paid per HealthSelect Member for Administration and Claims Processing	$ 17.54	$ 18.24

[6] Incorporates HB 4586, § 77, 81st Legislature, Regular Session, relating to supplemental appropriations and reductions and giving direction and adjustment authority, which authorizes the Employees Retirement System to establish a pilot program under which physicians and health care providers who provide health care services to employees and retirees participating in the group benefits program are compensated under a payment system designed to test alternatives to traditional fee-for-service payments.

[7] Incorporates Article IX, §17.02(a), of this Act, relating to additional appropriations for employee benefits, which increases Group Insurance benefits proportionally with the number of full-time equivalents increased in agency bill patterns, resulting in a decrease of $330,625 in General Revenue Funds, and increases of $1,044,940 in General Revenue-Dedicated Funds, $1,155,148 in Federal Funds, $297,971 in Other Funds and $216,335 in State Highway Fund 6 in FY 2010; and increases of $970,683 in General Revenue Funds, $1,662,368 in General Revenue-Dedicated Funds, $1,766,993 in Federal Funds, $540,561 in Other Funds and $430,123 in State Highway Fund 6 in FY 2011.

[8] Incorporates Article IX, §17.02(b), of this Act, relating to appropriations for employee benefits corresponding with the salary funding source of full-time equivalents at the Department of Public Safety, resulting in an increase of $7,705,872 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2010; and an increase of $8,229,792 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2011 for Group Insurance contributions.

3. **Updated Actuarial Valuation.** The Employees Retirement System shall contract with an actuary to perform a limited actuarial valuation of the assets and liabilities of the Employees Retirement System as of February 28 in those years when the Legislature meets in regular session. The purpose of the valuation shall be to determine the effect of investment, salary, and payroll experience on the unfunded liability, the amortization period, and the state contribution rate which results in a 30-year amortization period of the Retirement System.

4. **State Contribution to Employees Retirement Program.**[9] The amount specified above in A.1.1, Retirement Contributions, is based on a state contribution of 6.45 percent of payroll, including annual membership fees of $3 for contributing members for each fiscal year.

5. **State Contribution to Judicial Retirement Program (JRS-2).** The amount specified above in A.1.3, Judicial Retirement System - Plan 2, is based on a state contribution of 16.83 percent of payroll for contributing members for each fiscal year.

6. **State Contribution to Group Insurance for General State Employees.** Funds identified above for group insurance are intended to fund:

   a. the total cost of the basic life and health coverage for all active and retired employees;

   b. fifty percent of the total cost of health coverage for the spouses and dependent children of all active and retired employees who enroll in coverage categories which include a spouse and/or dependent children; and

   c. the additional cost of providing a premium structure comparable to the Children's Health Insurance Program (CHIP) for dependent children of state employees enrolled in the State Kids Insurance Program (SKIP).

   In no event shall the total amount of state contributions allocated to fund coverage in an optional health plan exceed the actuarially determined total amount of state contributions that would be required to fund basic health coverage for those active employees and retirees who have elected to participate in that optional health plan.

   During each fiscal year, the state's monthly contribution shall be determined by multiplying (1) the per capita monthly contribution as certified herein by (2) the total number of full-time active and retired employees enrolled for coverage during that month.

   Each year, upon adoption of group insurance rates by the Board of Trustees, Employees Retirement System must notify the Comptroller, the Legislative Budget Board, and the Governor of the per capita monthly contribution required in accordance with this rider for each full-time active and retired employee enrolled for coverage during the fiscal year.

   It is the intent of the Legislature that the Employees Retirement System control the cost of the group insurance program by not providing rate increases to health care providers participating in HealthSelect during the 2010-11 biennium.

7. **Excess Benefit Arrangement Account.** There is hereby appropriated to the Employees Retirement System all funds transferred or deposited into the Excess Benefit Arrangement Account established in the General Revenue-Dedicated Account No. 5039, for the purpose of paying benefits as authorized by Government Code § 815.5072.

8. **Transfer of Retirement Contributions and Group Insurance.** Appropriations made in this and other articles of this Act for Retirement and Group Insurance contributions shall be transferred by each agency from the Employees Retirement System to the agency based on estimated amounts by funding source for each fiscal year. Transfers should be made no later than September 15 of the year in which the payments are to be made. Adjustments and return of excess appropriation authority to the Employees Retirement System shall be completed by October 30 of the subsequent fiscal year.

---

[9] Pursuant to Article IX, §17.13(b)(4), of this Act, relating to one-time payments to eligible members of the Employees Retirement System, should the Attorney General not provide a conclusive opinion that such payments are constitutionally and statutorily permissible, an amount estimated to be $34,723,050 shall be transferred from the Comptroller to the Employees Retirement System to increase the state contribution rate from 6.45 percent to 6.95 percent.

9. **Appropriation for State Kids Insurance Program (SKIP).** Pursuant to 1551.159, Insurance Code, relating to the state's contribution for dependent children of certain state employees, funds identified above in Strategy B.1.2, State Kids Insurance Program, for group insurance are to be used for the costs of the State Kids Insurance Program (SKIP).

10. **Federal Funds for Medicare Part D Prescription Drug Program.** The Employees Retirement System (ERS) is hereby authorized to receive employer reimbursements of all federal funds applicable to Medicare Part D prescription drug reimbursement relating to benefits administered by ERS. Any federal funds received by ERS shall be deposited to the Employees Life, Accident and Health Insurance and Benefits Fund No. 973, or to such fund as established by the Legislature or the State Comptroller of Public Accounts to pay health claims for retired employees.

11. **State Contribution to the Law Enforcement and Custodial Officer Supplemental Retirement Fund (LECOS).** The amount specified in A.1.2, Law Enforcement and Custodial Officer Supplemental Retirement Fund (LECOS), is based on 1.59 percent of covered payroll for LECOS members.

12. **Online Health Risk Assessment.** Out of funds appropriated above in Strategy B.1.1, the Employee Retirement System shall use an amount not to exceed $100,000 in fiscal year 2010 for the purpose of purchasing access to an online health risk assessment for state employees that do not already have access to one.

13. **Appropriations for the Deferred Compensation Trust Fund and the TexaSaver Trust Fund.** All money deposited into the Deferred Compensation Trust Fund, Employees Retirement System No. 0945 and the TexaSaver Trust Fund No. 0946 pursuant to § 609.512 Government Code are hereby appropriated to the system for the 2010-11 biennium for the purposes authorized by law.

14. **Emerging Investment Fund Managers.** From money appropriated under Goal A, Administer Retirement Program, the Employees Retirement System shall make a good faith effort to hire qualified emerging fund managers.

    The Employees Retirement System shall report back to the Eighty-second Legislature on the methods and results of the system's efforts to hire emerging fund managers, including data disaggregated by race, ethnicity, gender, and fund size.

TEXAS ETHICS COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 2,064,324	$ 2,066,625
Appropriated Receipts	8,190	8,190
Total, Method of Financing	$ 2,072,514	$ 2,074,815
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	37.0	37.0
Schedule of Exempt Positions:		
Executive Director, Group 4	$115,000	$115,000
General Counsel	105,000	105,000
Items of Appropriation:		
A. Goal: INFORMATION ON GOVERNMENT		
Increase Information to Public about Government/Ethics Laws.		
A.1.1. Strategy: INFORMATION FILING	$ 493,112	$ 493,112
Serve as the Repository for Statutorily Required Information.		
A.1.2. Strategy: ADVISORY OPINIONS	$ 170,843	$ 170,843
Provide Advisory Opinions.		

A.1.3. Strategy: ENFORCEMENT Respond to Complaints and Enforce Applicable Statutes.	$ 588,538	$ 588,538
A.2.1. Strategy: ETHICS EDUCATION PROGRAM Provide Ethics Education.	$ 42,256	$ 42,257
Total, Goal A: INFORMATION ON GOVERNMENT	$ 1,294,749	$ 1,294,750
B. Goal: INDIRECT ADMINISTRATION		
B.1.1. Strategy: INDIRECT ADMINISTRATION	$ 777,765	$ 780,065
Grand Total, TEXAS ETHICS COMMISSION	$ 2,072,514	$ 2,074,815
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 1,835,823	$ 1,835,824
Other Personnel Costs	56,720	56,720
Professional Fees and Services	5,416	5,416
Consumable Supplies	14,000	14,000
Utilities	1,815	1,815
Travel	16,160	16,160
Rent - Building	3,430	3,430
Rent - Machine and Other	11,950	11,950
Other Operating Expense	112,200	112,200
Capital Expenditures	15,000	17,300
Total, Object-of-Expense Informational Listing	$ 2,072,514	$ 2,074,815
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 105,344	$ 106,924
Group Insurance	203,321	218,419
Social Security	134,091	136,102
Benefits Replacement	12,919	12,273
Subtotal, Employee Benefits	$ 455,675	$ 473,718
Debt Service		
Lease Payments	$ 182,392	$ 112,893
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 638,067	$ 586,611

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Ethics Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Ethics Commission. In order to achieve the objectives and service standards established by this Act, the Texas Ethics Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INFORMATION ON GOVERNMENT		
Outcome (Results/Impact):		
Percent of Advisory Opinion Requests Answered by Commission within 60 Working Days of Receipt	75%	75%
A.1.1. Strategy: INFORMATION FILING		
Output (Volume):		
Number of Reports Logged within Two Working Days of Receipt	27,151	26,879
A.1.2. Strategy: ADVISORY OPINIONS		
Efficiencies:		
Average Time (Working Days) to Answer Advisory Opinion Requests	48	48
A.1.3. Strategy: ENFORCEMENT		
Output (Volume):		
Number of Sworn Complaints Processed	410	420
Efficiencies:		
Average Time (Working Days) to Respond to Sworn Complaints	4	4

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Technology Replacement & Upgrade	$ 15,000	$ 17,300
Total, Capital Budget	$ 15,000	$ 17,300
Method of Financing (Capital Budget):		
General Revenue Fund	$ 15,000	$ 17,300
Total, Method of Financing	$ 15,000	$ 17,300

FACILITIES COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 29,339,215	$ 29,339,214
General Revenue Fund - Dedicated		
Texas Department of Insurance Operating Fund Account No. 036	1,030,083	1,030,083
Federal Surplus Property Service Charge Fund Account No. 570	4,480,837	1,611,986
Subtotal, General Revenue Fund - Dedicated	$ 5,510,920	$ 2,642,069
Other Funds		
Appropriated Receipts	1,622,917	1,622,917
Interagency Contracts	19,045,908	18,590,908
Bond Proceeds - General Obligation Bonds	28,942,000	UB
Subtotal, Other Funds	$ 49,610,825	$ 20,213,825
Total, Method of Financing	$ 84,460,960	$ 52,195,108
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 169,011	$ 176,351
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	474.6	474.6
Schedule of Exempt Positions:		
Executive Director, Group 5	$126,500	$126,500
Items of Appropriation:		
A. Goal: FACILITIES CONSTRUCTION AND LEASING		
Provide Office Space for State Agencies through Constr/Leasing Svcs.		
A.1.1. Strategy: LEASING	$ 649,643	$ 649,643
Provide Quality Leased Space for State Agencies at the Best Value.		
A.1.2. Strategy: FACILITIES PLANNING	$ 243,910	$ 243,910
Ensure State Optimizes Use of Leased/Purchased/Constructed Off Space.		
A.2.1. Strategy: BUILDING DESIGN AND CONSTRUCTION	$ 5,488,372	$ 5,488,372
Ensure Facilities Are Designed & Built Timely/Cost Eff/Highest Quality.		
Total, Goal A: FACILITIES CONSTRUCTION AND LEASING	$ 6,381,925	$ 6,381,925

B. Goal: PROPERTY MANAGEMENT To Protect & Cost Effectively Manage & Maintain State-owned Facilities.		
B.1.1. Strategy: CUSTODIAL Provide Cost-effective/Efficient Custodial Svcs for State Facilities.	$ 5,470,227	$ 5,470,227
B.2.1. Strategy: FACILITIES OPERATION Provide a Comprehensive Pgm to Protect State's Invstmnt in Facilities.	$ 63,575,834	$ 34,178,834
B.2.2. Strategy: LEASE PAYMENTS Make Lease Payments on Facilities Financed by the Public Finance Auth.	$	$
Total, Goal B: PROPERTY MANAGEMENT	$ 69,046,061	$ 39,649,061
C. Goal: SURPLUS PROPERTY Provide Support Services to State Agencies for Surplus Property.		
C.1.1. Strategy: SURPLUS PROPERTY MANAGEMENT Provide Timely/Appropriate/Cost-effective Disposal of Surplus Property.	$ 4,855,736	$ 1,986,885
D. Goal: INDIRECT ADMINISTRATION		
D.1.1. Strategy: CENTRAL ADMINISTRATION	$ 2,116,009	$ 2,116,009
D.1.2. Strategy: INFORMATION RESOURCES	$ 1,254,497	$ 1,254,496
D.1.3. Strategy: OTHER SUPPORT SERVICES	$ 806,732	$ 806,732
Total, Goal D: INDIRECT ADMINISTRATION	$ 4,177,238	$ 4,177,237
Grand Total, FACILITIES COMMISSION	$ 84,460,960	$ 52,195,108
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 16,980,702	$ 16,000,238
Other Personnel Costs	344,000	318,480
Professional Fees and Services	435,441	433,869
Fuels and Lubricants	187,275	179,055
Consumable Supplies	287,210	282,590
Utilities	18,641,029	18,585,631
Travel	91,003	81,543
Rent - Building	12,635	12,635
Rent - Machine and Other	64,366	55,078
Other Operating Expense	15,870,299	14,095,989
Capital Expenditures	31,547,000	2,150,000
Total, Object-of-Expense Informational Listing	$ 84,460,960	$ 52,195,108
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 875,196	$ 888,324
Group Insurance	3,631,497	3,988,623
Social Security	1,111,317	1,127,987
Benefits Replacement	70,972	67,423
Subtotal, Employee Benefits	$ 5,688,982	$ 6,072,357
Debt Service		
TPFA GO Bond Debt Service	$ 10,944,281	$ 7,953,604
Lease Payments	795,430	690,388
Subtotal, Debt Service	$ 11,739,711	$ 8,643,992
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 17,428,693	$ 14,716,349

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Facilities Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission

of the Facilities Commission. In order to achieve the objectives and service standards established by this Act, the Facilities Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: FACILITIES CONSTRUCTION AND LEASING		
Outcome (Results/Impact):		
Percentage of Completed Construction Projects on Schedule within Budget	95%	95%
A.1.1. Strategy: LEASING		
Output (Volume):		
Total Number of Leases Awarded, Negotiated, or Renewed	308	323
Efficiencies:		
Percent Reduction of Leased Square Footage of Office & Warehouse Space	(4)%	(4)%
Explanatory:		
Total Square Footage of Office and Warehouse Space Leased	11,064,349	11,506,923
B. Goal: PROPERTY MANAGEMENT		
B.1.1. Strategy: CUSTODIAL		
Efficiencies:		
Cost Per Square Foot of TFC-provided Custodial Services	0.25	0.25
Cost Per Square Foot of Privatized Custodial Services	0.07	0.08
B.2.1. Strategy: FACILITIES OPERATION		
Efficiencies:		
Average Cost Per Square Foot of All Building Maintenance	1.19	1.19

2. **Information Listing of Appropriated Funds.** The appropriations made in this and other Articles of this Act to the Texas Facilities Commission for lease payments to the Texas Public Finance Authority are subject to the following provision. The following amounts shall be used for the purpose indicated.

	For the Fiscal Year Ending August 31, 2010	For the Fiscal Year Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 45,850,279	$ 38,490,760
General Revenue-Dedicated Texas Department of Insurance Operating Fund Account No. 036	1,031,819	640,031
Total, Method of Financing, Lease Payments	$ 46,882,098	$ 39,130,791
Strategy B.2.2, Lease Payments	$ 46,882,098	$ 39,130,791 &UB

3. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

	2010	2011
a. Construction of Buildings and Facilities		
(1) Construction of Buildings	$ 2,000,000	$ 2,000,000 & UB
b. Repair or Rehabilitation of Buildings and Facilities		
(1) Facilities Renovation of the Texas State Library and Archives Commission	UB	UB
(2) Deferred Maintenance for Critical Repairs	UB	UB
(3) Deferred Maintenance for Compliance Projects	UB	UB
(4) Deferred Maintenance for Asset Management	UB	UB

(5) Critical Deferred Maintenance and Asbestos Abatement for Facilities (Proposition 8)	UB	UB
(6) Deferred Maintenance for Facilities	28,942,000	UB
(7) Repair of Fire Alarm and Fire Suppression Systems	300,000	300,000
(8) State Cemetery Enhancement Projects	455,000	UB
Total, Repair or Rehabilitation of Buildings and Facilities	$ 29,697,000	$ 300,000
c. Acquisition of Information Resource Technologies		
(1) Data Center Consolidation	384,906	383,334
Total, Capital Budget	$ 32,081,906	$ 2,683,334
Method of Financing (Capital Budget):		
General Revenue Fund	$ 519,083	$ 518,338
GR Dedicated - Federal Surplus Property Service Charge Fund Account No. 570	29,363	29,145
Other Funds		
Appropriated Receipts	52,839	52,486
Interagency Contracts	2,538,621	2,083,365
Bond Proceeds - General Obligation Bonds	28,942,000	UB
Subtotal, Other Funds	$ 31,533,460	$ 2,135,851
Total, Method of Financing	$ 32,081,906	$ 2,683,334

4. **Unexpended Balances of Bond Proceeds for Deferred Maintenance and Facilities Renovation of the Texas State Library and Archives Commission Project.** Included in the amounts appropriated above are unexpended and unobligated balances of general obligation bond proceeds that have been approved under the provisions of Article IX, Section 19.70 of House Bill 1, Eightieth Legislature, Regular Session, 2007, remaining as of August 31, 2009, (estimated to be $0) for the Texas Facilities Commission (TFC) made by the Eightieth Legislature for deferred maintenance, including remaining balances for the facilities renovation of the Texas State Library and Archives Commission capital budget project, excluding expansion of the existing facility, for the 2010-11 biennium to Strategy A.2.1, Building Design and Construction, and Strategy B.2.1, Facilities Operation, in general obligation bond proceeds.

   Any unexpended balances in general obligation bond proceeds described herein and remaining as of August 31, 2010, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

5. **Transfer Authority - Utilities.** In order to provide for unanticipated cost increases in purchased utilities during fiscal year 2010, the Texas Facilities Commission may transfer such amounts as may be necessary to cover such increases from appropriations made in fiscal year 2011 for utilities in B.2.1, Facilities Operation, to amounts appropriated in fiscal year 2010 for utilities. Prior to transferring fiscal year 2011 funds into the 2010 fiscal year, notification shall be given to the Comptroller of Public Accounts of the amounts to be transferred and quarterly reports shall be filed with the Legislative Budget Board and the Governor detailing the necessity for such transfers.

6. **Employee Testing.** Out of the funds appropriated herein, the Texas Facilities Commission is authorized to pay for medical testing for employees or prospective employees that work in high risk environment areas (e.g., asbestos removal, sewage). Funds appropriated above may also be expended for immunizations which are required of employees at risk in the performance of these duties. Testing deemed necessary under this provision must be approved by the Executive Director and obtained for the safety of the employee or the general public.

7. **Cost Recovery, Reimbursement of General Revenue Funds.** In the event that the Leasing Services Program or any other function funded with general revenue in the above strategies recovers operational costs through reimbursements from other agencies or entities, the Texas Facilities Commission shall reimburse the General Revenue Fund for the amounts expended. Upon reimbursement, the Comptroller shall transfer these funds to unappropriated general revenue balances.

8. **Texas Facilities Commission's Revolving Account.** The Comptroller of Public Accounts shall maintain the "Texas Facilities Commission's Revolving Account" to account for the expenditures, revenues, and balances of its full cost-recovery operations of Minor Construction and Project Management. The expenditures, revenues, and balances for each operation shall be maintained separately by the Texas Facilities Commission within its accounting system. Included in funds appropriated above are unexpended and unobligated balances for these operations as of August 31, 2009 (not to exceed $1,070,000 in Interagency Contracts), for use during the 2010-11 biennium, along with any revenues received during the biennium. Any unobligated balances as of August 31, 2010, are appropriated for the same use during fiscal year 2011.

9. **Appropriations Limited to Revenue Collections.** Fees, fines and other miscellaneous revenues as authorized and generated by the operation of the Federal Surplus Property Program shall cover, at a minimum, the cost of the appropriations made for the Federal Surplus Property Program above for strategy item C.1.1, Surplus Property Management, as well as the "other direct and indirect costs" associated with this program, appropriated elsewhere in this Act. "Other direct and indirect costs" for the Federal Surplus Property Program above for strategy item C.1.1, Surplus Property Management, are estimated to be $169,011 for fiscal year 2010 and $176,351 for fiscal year 2011. In the event that the 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 herein to be within the amount of fee revenue expected to be available. Any unexpended balances as of August 31, 2009 (estimated to be $2,875,000), in Federal Surplus Property Service Charge Account Fund 570 are hereby appropriated to the Texas Facilities Commission for costs associated with the operations of the Federal Surplus Property Program during the 2010-11 biennium. Any balances remaining on August 31, 2010, are appropriated for the same use during fiscal year 2011.

10. **Standby Pay.** It is expressly provided that the Texas Facilities Commission, to the extent permitted by law, may pay compensation for on-call time at the following rates: credit for one hour worked for each day on-call during the normal work week, and two hours worked for each day on-call during weekends and on holidays. This credit shall be in addition to actual hours worked during normal duty hours and actual hours worked during on-call status. For employees subject to the Fair Labor Standards Act (FLSA), an hour of on-call service shall be considered to be an hour worked during the week for purposes of the FLSA only to the extent required by federal law.

11. **Capitol Complex - Utilities.** Notwithstanding any other provision in this Act, the Texas Facilities Commission shall be responsible for the payment of all utility costs out of appropriated funds in Strategy B.2.1, Facilities Operation, for the Capitol, the Capitol Extension, the Historic Capitol Grounds, the 1857 General Land Office Building, and the State History Museum.

    Notwithstanding Article IX Sec. 14.01, Appropriation Transfers or similar provisions of this Act, from funds appropriated above in Strategy B.2.1, Facilities Operation ($18,434,754 in fiscal year 2010 and $18,434,754 in fiscal year 2011), without prior written approval provided by the Legislative Budget Board, no funds may be transferred by the agency to another appropriation item or be used by the agency for a purpose other than payment of utility expenses.

    Additionally, the Texas Facilities Commission shall provide quarterly reports to the Legislative Budget Board detailing monthly utility expenditures.

12. **State Owned Housing.** A State Cemetery employee is authorized to live in the State Cemetery Caretaker's residence as set forth in Article IX, State Owned Housing - Recover Housing Costs, of this Act. Funds recovered for employee housing are hereby appropriated to the agency to maintain the State Cemetery Caretaker's residence.

13. **Night Shift Differential.** It is expressly provided that the Texas Facilities Commission, to the extent provided by law, is hereby authorized to pay an additional night shift differential to Facilities Management Division employees.

14. **Texas State Cemetery.** Out of funds appropriated above, in Strategies B.2.1, Facilities Operation, there is hereby allocated a total of $572,357 for each fiscal year of the biennium beginning September 1, 2009, for the purpose of operation and maintenance at the Texas State Cemetery and/or the cemetery annex and for developing and maintaining a master plan for the Texas State Cemetery.

15. State and Federal Surplus Property. Notwithstanding Article IX Sec. 8.03, Reimbursements and Payments or similar provisions of this Act, included in amounts appropriated above in Strategy C.1.1, Surplus Property Management, are appropriations not to exceed $3,973,769 from receipts collected for the biennium beginning September 1, 2009, to be collected pursuant to Chapter 2175, Government Code. Additionally, the Texas Facilities Commission may not expend, in a given fiscal year, an amount greater than the amount of receipts collected during the biennium pursuant to Chapter 2175, Government Code and appropriated by Article IX, § 8.04 of this Act in that fiscal year.

a. Out of funds appropriated above, the Commission shall utilize a surplus property inventory information system to allow for the efficient processing and management of the State Surplus Property Program inventory and the tracking of surplus property sales conducted or managed by the Commission.

b. Based on a risk assessment of potential surplus property needs, the Commission shall target its education and outreach efforts of the State Surplus Property Program to select state agencies to ensure state agencies are actively identifying surplus property eligible for disposition.

c. The Commission shall develop and track performance benchmarks and targets necessary to evaluate the State Surplus Property Program activities for timeliness, cost, and profitability. The Commission shall report to the Legislative Budget Board and the Governor, no later than August 31, 2010, on the following:
   i. Surplus property sale proceeds by sales method;
   ii. Costs associated with warehousing, cataloguing, and administering surplus property, and sales activities;
   iii. Percent of the estimated value of surplus property being recovered through disposal method; and
   iv. Timeliness of surplus property disposal.

16. Facilities Management. It is the intent of the Legislature that agencies affected by the facilities management provision under § 2165.007, Government Code, shall enter into a two-year contract for facility management services with the Texas Facilities Commission on or before September 1, 2009. Payments made to the Texas Facilities Commission shall be for actual facilities management services estimated by those affected agencies in cooperation with the Texas Facilities Commission. In addition, funds received by the Texas Facilities Commission from those agencies shall only be expended on the agency for which payment has been made. Any funds not used for those purposes shall be transferred back to the agency of origin.

17. Parking Usage Study. Out of funds appropriated herein, the Texas Facilities Commission shall report on the actual usage of Commission managed parking facilities by state employees, including, at a minimum: the available parking capacity of each facility; the number of state employees using the facility; the number of visitors using the facility; the amount and nature of revenue realized through the facility; and the excess capacity available within the facility. The report shall also include recommendations for the redevelopment of significantly underused parking facilities to purposes more suited to the efficient administration of state government. The report shall be submitted to the Legislative Budget Board and the Governor no later than September 1, 2010.

18. Appropriation Authority for General Obligation Bond Proceeds.[1] Appropriated above in Strategy B.2.1, Facilities Operation, in fiscal year 2010 is $28,942,000 in general obligation bond proceeds for projects for the Texas Facilities Commission as described in Article IX, Sec. 17.11, Informational Listing General Obligation Bond Proceeds.

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 purpose(s).

19. Texas State Cemetery Enhancement Projects. Out of funds appropriated above, it is the intent of the Legislature that $455,000 in federal Transportation Enhancement Program funds administered by the Texas Department of Transportation be made available to the Texas Facilities Commission in fiscal year 2010 for Texas State Cemetery beautification, repair and security

[1] Modified to correct reference error.

enhancements whenever such projects are approved by the Texas Facilities Commission and meet federal grant requirements of the Transportation Enhancement Program as defined by the federal Department of Transportation, Federal Highway Administration federal regulations in Title 23 of the United States Code. The Texas Department of Transportation will review the Texas State Cemetery beautification, repair and security enhancement projects to determine if they meet the federal Transportation Enhancement Program guidelines. It is the intent of the Legislature that funds appropriated above would cover the administrative costs of the Texas State Cemetery beautification, repair and security enhancement projects approved for federal Transportation Enhancement Program funds. Any unexpended and unobligated balances of these funds remaining as of August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010 for the same purpose(s).

In addition, the Texas Department of Transportation may redirect obligated funds previously obligated for the Texas State Cemetery beautification, repair and security enhancement projects under the Transportation Enhancement Program to other available projects should the Texas State Cemetery beautification, repair and security enhancement projects fail to receive federal approval or federal Transportation Enhancement Program funds are not available due to changes in federal laws, rules, regulations, or appropriations.

PUBLIC FINANCE AUTHORITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 563,601	$ 563,601
GR Dedicated - State Lease Account No. 507	2,145,000	2,691,000
Appropriated Receipts	361,477	361,477
Total, Method of Financing	$ 3,070,078	$ 3,616,078
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	15.0	15.0
Schedule of Exempt Positions:		
Executive Director, Group 4	$120,000	$120,000
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS Finance Capital Projects Cost Effectively and Monitor Debt Efficiently.		
A.1.1. Strategy: ANALYZE FINANCINGS AND ISSUE DEBT	$ 460,689	$ 460,689 & UB
Analyze Agency Financing Applications and Issue Debt Cost Effectively.		
A.2.1. Strategy: MANAGE BOND PROCEEDS	$ 2,609,389	$ 3,155,389 & UB
Manage Bond Proceeds and Monitor Covenants to Ensure Compliance.		
A.2.2. Strategy: BOND DEBT SERVICE PAYMENTS Make GO Bond Debt Service Payments.	$	$
Total, Goal A: FINANCE CAPITAL PROJECTS	$ 3,070,078	$ 3,616,078
Grand Total, PUBLIC FINANCE AUTHORITY	$ 3,070,078	$ 3,616,078

Object-of-Expense Informational Listing:		
Salaries and Wages	$ 827,283	$ 827,283
Other Personnel Costs	25,900	27,160
Professional Fees and Services	3,594	785
Consumable Supplies	3,540	3,540
Utilities	2,450	2,450
Travel	24,862	24,862
Rent - Building	300	300
Rent - Machine and Other	4,500	4,500
Other Operating Expense	2,177,649	2,725,198
Total, Object-of-Expense Informational Listing	$ 3,070,078	$ 3,616,078
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 47,935	$ 48,654
Group Insurance	77,786	83,347
Social Security	62,261	63,195
Benefits Replacement	7,358	6,990
Subtotal, Employee Benefits	$ 195,340	$ 202,186
Debt Service		
Lease Payments	$ 58,642	$ 58,774
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 253,982	$ 260,960

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Public Finance Authority. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Public Finance Authority. In order to achieve the objectives and service standards established by this Act, the Public Finance Authority shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: ANALYZE FINANCINGS AND ISSUE DEBT		
Output (Volume):		
Number of Requests for Financings Approved	11	7
A.2.1. Strategy: MANAGE BOND PROCEEDS		
Output (Volume):		
Number of Financial Transactions Including Debt Service Payments	6,000	6,000

2. **Information Listing of Appropriated Funds.** The appropriations made in this and other Articles of this Act to the Texas Public Finance Authority for General Obligation Bond Debt Service are subject to the following provision. The following amounts shall be used for the purpose indicated.

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund		
General Revenue	$ 321,046,635	$ 353,089,666
GR - Sporting Goods Sales Tax - Transfer to State Parks Acct. No. 64	4,306,691	3,226,445
Subtotal, General Revenue Fund	$ 325,353,326	$ 356,316,111
General Revenue-Dedicated	2,504,063	2,945,063
Federal Funds	2,362,984	2,361,154

Other Funds		
Current Fund Balance No. 766	735,038	734,194
MH Collections for Patient Support and Maintenance No. 8031	112,122	112,122
MH Appropriated Receipts No. 8033	15,828	15,828
MR Collections for Patient Support and Maintenance No. 8095	120,063	120,063
MR Appropriated Receipts No. 8096	16,949	16,949
Subtotal, Other Funds	$ 1,000,000	$ 999,156
Total, Method of Financing		
Bond Debt Service	$ 331,220,373	$ 362,621,484 & UB
Strategy A.2.2, Bond Debt Service	$ 331,220,373	$ 362,621,484 & UB

3. **Appropriation and Transfer Authority of Interest and Sinking Funds for General Obligation Bond Debt Service Payments.** Prior to the expenditure of funds appropriated out of the General Revenue Fund to pay debt service on general obligation bonds, the Public Finance Authority shall utilize any balances available in interest and sinking funds for said purpose. The Authority is hereby appropriated all amounts available in interest and sinking funds, including any unexpended balances in these funds for the purpose of paying debt service on general obligation bonds.

   In compliance with the bond resolutions and funds management agreements between the Texas Public Finance Authority and the Comptroller of Public Accounts, the Texas Public Finance Authority is hereby authorized to transfer funds, appropriated for bond debt service, into the appropriate interest and sinking funds in amounts as necessary for the payment of principal and interest due on general obligation bonds. Such transfers shall be made no sooner than the day that bond debt service is required to be delivered in accordance with the bond resolutions and funds management agreements. The Texas Public Finance Authority is also authorized to transfer funds appropriated for general obligation bond debt service to the interest and sinking fund(s) to pay ongoing costs associated with the General Obligation Commercial Paper Program.

4. **Appropriation and Transfer Authority for Revenue Bond Lease Payments.** Included in amounts appropriated above in Strategy A.2.1, Manage Bond Proceeds, are revenues (interest and earnings) accruing to the General Revenue - Dedicated State Lease Fund Account No. 0507 estimated to be $1,587,300 in fiscal year 2010 and $1,991,340 in fiscal year 2011 and balances in and revenues accruing to the Texas Public Finance Authority revenue bond interest and sinking fund(s) to the Texas Public Finance Authority for bond servicing costs on revenue bonds. Bond servicing costs shall include such costs as debt service payments, insurance premiums, paying agent fees, and other costs associated with the outstanding bonds.

   The Texas Public Finance Authority is hereby authorized to transfer such amounts as necessary for the payment of bond servicing costs from the General Revenue - Dedicated State Lease Fund Account No. 0507 to the Texas Public Finance Authority interest and sinking fund(s) or other debt service funds.

5. **Appropriation and Transfer Authority for Master Lease Purchase Program Payments and Administrative Fees.** Included in amounts appropriated above in Strategy A.2.1, Manage Bond Proceeds, are revenues (interest and earnings) accruing to the General Revenue - Dedicated State Lease Fund Account No. 0507 estimated to be $557,700 in fiscal year 2010 and $699,660 in fiscal year 2011 and balances held in and revenues accruing to the Texas Public Finance Authority Master Lease Purchase Program interest and sinking fund(s) to the Texas Public Finance Authority for the purpose of making debt service and other payments in accordance with applicable laws, rules, and covenants pertaining to the Master Lease Purchase Program. Unexpended balances in and revenues accruing to the Texas Public Finance Authority Master Lease Purchase Program funds and cost of issuance fund(s) in excess of those appropriated in the Method of Financing are hereby appropriated to the Texas Public Finance Authority for administrative costs in operating the Master Lease Purchase Program.

   The Texas Public Finance Authority is hereby authorized to transfer each agency's share of administrative fees and lease payments pursuant to the Master Lease Purchase Program from each

agency's appropriations made elsewhere in this Act to the Texas Public Finance Authority Master Lease Purchase Program cost of issuance fund(s) and the General Revenue - Dedicated State Lease Fund Account No. 0507, respectively. Transfers for administrative fees and lease payments shall not be made earlier than fifteen days prior to the date that the debt service payment is required. The Texas Public Finance Authority may transfer funds necessary for Master Lease Purchase Program debt service payments from the General Revenue - Dedicated State Lease Fund Account No. 0507 to the Texas Public Finance Authority Master Lease Purchase Program interest and sinking fund(s).

6. **Appropriation and Transfer Authority for Unexpended Balances in Bond Related Funds.** The Texas Public Finance Authority is hereby authorized to transfer all unexpended bond fund balances forward to the following fiscal year. Balances in and revenues accruing in these bond related funds are hereby appropriated to the Texas Public Finance Authority and may be transferred to the current fiscal year or prior fiscal years in order to make bond related payments and transfers in accordance with bond resolutions. Bond funds include but are not limited to: construction (project) funds; acquisition funds; cost of issuance funds; rebate funds; capitalized interest funds; and restoration funds.

7. **Appropriation and Transfer Authority.** Appropriations to all agencies on whose behalf the Texas Public Finance Authority has, or will issue bonds, notes, or other obligations are hereby authorized to be transferred to the Texas Public Finance Authority to the funds prescribed by the bond documents for payment of debt service. The monies so transferred are hereby appropriated to the Texas Public Finance Authority for payment of principal and interest on the bonds, notes, or other obligations.

8. **Contingency Funding for Agency Operations: Additional Bond Issues.** In the event that the performance measure set forth above, Number of Requests for Financing Approved, is exceeded by 30 percent in either fiscal year 2010 or 2011, the Texas Public Finance Authority is hereby appropriated an additional amount not to exceed 20 percent of that year's appropriation made above to recover costs related to bond issuance for each fiscal year. Any additional appropriations made herein shall be applied equally to Strategy A.1.1, Analyze Financings and Issue Debt, and Strategy A.2.1, Manage Bond Proceeds. All appropriations made herein shall be out of the administrative fees collected from the participants in the Master Lease Purchase Program or reimbursements from state agencies; comply with the provisions of Chapters 1232 and 1401 of the Texas Government Code and any applicable bond covenants; and comply with any restrictions on reimbursements or expenditures contained in Article IX of this Act.

9. **Travel Cap Exemption for Bond Sale Travel.** Travel expenses incurred by the staff and board members related to the issuance of debt and paid from bond proceeds are exempt from the requirements of Article IX, relating to Limitation on Travel Expenditures, and the limitations on such expenditures set forth therein.

10. **Appropriation of Collected Fees.** Fees assessed by and collected from the Texas Public Finance Authority Charter School Finance Corporation (CSFC) for bond issues for charter schools, issued pursuant to Texas Education Code, Section 53.351, are appropriated to the Authority, for payment, on behalf of the CSFC, of its required issuance and administration costs and reimbursement of the Authority's additional costs in providing staff support for such bond issues and administering the Texas Charter School Credit Enhancement Program.

FIRE FIGHTERS' PENSION COMMISSIONER

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 800,573	$ 675,573
Appropriated Receipts	38,000	38,000
Total, Method of Financing	$ 838,573	$ 713,573

This bill pattern represents an estimated 2.8% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE):		8.5		8.5
Schedule of Exempt Positions:				
Commissioner, Group 1		$77,000		$77,000
Items of Appropriation:				
A. Goal: SOUND PENSION FUNDS				
Ensure Actuarially Sound Pension Funds for Emergency Servs Personnel.				
A.1.1. Strategy: ADMINISTER PENSION FUND Administer a Pension Fund for Emergency Services Personnel.	$	627,941	$	502,941
A.2.1. Strategy: ASSISTANCE & EDUCATION Assist and Educate Local Firefighter Pension Fund Boards.	$	210,632	$	210,632
Total, Goal A: SOUND PENSION FUNDS	$	838,573	$	713,573
Grand Total, FIRE FIGHTERS' PENSION COMMISSIONER	$	838,573	$	713,573
Object-of-Expense Informational Listing:				
Salaries and Wages	$	411,324	$	411,324
Other Personnel Costs		4,000		4,000
Professional Fees and Services		324,356		199,356
Consumable Supplies		7,770		7,770
Travel		22,040		22,040
Rent - Machine and Other		30,625		30,625
Other Operating Expense		38,458		38,458
Total, Object-of-Expense Informational Listing	$	838,573	$	713,573
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	22,622	$	22,961
Group Insurance		62,263		67,582
Social Security		25,977		26,367
Benefits Replacement		927		880
Subtotal, Employee Benefits	$	111,789	$	117,790
Debt Service				
Lease Payments	$	1,560	$	1,568
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	113,349	$	119,358

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Fire Fighters' Pension Commissioner. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Fire Fighters' Pension Commissioner. In order to achieve the objectives and service standards established by this Act, the Fire Fighters' Pension Commissioner shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: SOUND PENSION FUNDS		
A.1.1. Strategy: ADMINISTER PENSION FUND		
Output (Volume):		
Number of Retirement Payments Distributed	29,800	29,800
Efficiencies:		
Average Annual Administrative Cost Per Pension Plan Member	70.29	70.29
A.2.1. Strategy: ASSISTANCE & EDUCATION		
Output (Volume):		
Number of Benefit Determinations for Local Funds	225	250

Number of Attendees Completing Continuing Education Conference	400	400

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purpose shown and are not available for expenditure for other purposes.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Website Upgrades to Increase Accessibility	$ 125,000	$ UB
Total, Capital Budget	$ 125,000	$ UB
Method of Financing (Capital Budget):		
General Revenue Fund	$ 125,000	$ UB
Total, Method of Financing	$ 125,000	$ UB

OFFICE OF THE GOVERNOR

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1]	$ 11,944,727	$ 10,844,726
Other Funds		
Appropriated Receipts	15,000	15,000
Interagency Contracts	450,000	450,000
Subtotal, Other Funds	$ 465,000	$ 465,000
Total, Method of Financing	$ 12,409,727	$ 11,309,726
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	137.4	137.4
Schedule of Exempt Positions:		
Governor, Group 6	$150,000	$150,000
Items of Appropriation:		
A. Goal: GOVERN THE STATE		
Formulation of Balanced State Policies.		
A.1.1. Strategy: SUPPORT GOVERNOR & STATE[1]	$ 8,001,688	$ 6,886,603
Provide Support to Governor and State Agencies.		
A.1.2. Strategy: APPOINTMENTS	$ 1,095,922	$ 1,100,746
Develop and Maintain System of Recruiting, Screening, and Training.		
A.1.3. Strategy: COMMUNICATIONS	$ 2,869,404	$ 2,879,664
Maintain Open, Active, and Comprehensive Functions.		
A.1.4. Strategy: GOVERNOR'S MANSION	$ 442,713	$ 442,713
Maintain and Preserve Governor's Mansion.		
Total, Goal A: GOVERN THE STATE	$ 12,409,727	$ 11,309,726
Grand Total, OFFICE OF THE GOVERNOR	$ 12,409,727	$ 11,309,726
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 9,314,929	$ 9,320,083
Other Personnel Costs	196,190	196,190
Professional Fees and Services	333,801	339,061
Fuels and Lubricants	150	150
Consumable Supplies	91,921	91,921
Utilities	61,700	61,700
Travel	211,099	211,099
Rent - Building	20,501	20,501
Rent - Machine and Other	92,300	92,300
Other Operating Expense	2,087,136	976,721
Total, Object-of-Expense Informational Listing	$ 12,409,727	$ 11,309,726
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 532,867	$ 540,860
Group Insurance	1,228,938	1,340,273
Social Security	671,604	681,678
Benefits Replacement	26,931	25,585
Subtotal, Employee Benefits	$ 2,460,340	$ 2,588,396
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 2,460,340	$ 2,588,396

1. **Unexpended Balances Within the Biennium.** Any unexpended balances, as of August 31, 2010, in the appropriations made to the Office of the Governor are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

[1] Incorporates Article IX, § 17.37, of this Act, relating to funding for participation in the Southern High-Speed Rail Compact, in the amount of $70,000 out of the General Revenue Fund each fiscal year.

2. **Designation of Exempt Positions.** Pursuant to the provisions of this Act and other state and federal legislation, and notwithstanding restrictions in this Act relative to the authority of the Governor to exempt positions from the Position Classification Act of 1961, the Governor may designate the title and compensation rate of exempt positions to be used by the Office of the Governor.

3. **Governor's Salary.** The salary provided by this Act for the Governor is an annual salary and is not reduced during the Governor's absence from the state.

4. **Transfer Authority.**[2] Notwithstanding other provisions of this Act, without the written permission of the Legislative Budget Board, the Office of the Governor and Trusteed Programs within the Office of the Governor may not expend or transfer amounts appropriated to the Emerging Technology Fund Account No. 5124 or appropriated to the Texas Enterprise Fund Account No. 5107 and may not assign or transfer appropriations and the corresponding FTEs for Trusteed Programs within the Office of the Governor to other agencies without the written permission of the Legislative Budget Board.

5. **Unexpended Balances Between Biennia.** Included in amounts appropriated above are unexpended balances as of August 31, 2009, in appropriations made to the Office of the Governor (estimated to be $1,100,000) for the same purpose for the biennium beginning September 1, 2009.

6. **Capital Expenditures Authorized.** Notwithstanding the limitations placed on the expenditure of funds for capital budget items contained in this Act, the Office of the Governor is hereby authorized to expend funds appropriated to the Office of the Governor, and the Trusteed Programs within the Office of the Governor, for the acquisition of capital budget items.

7. **Governor's Salary Authorization.** The Governor is hereby authorized, notwithstanding the rate listed for the Governor in the "Schedule of Exempt Positions," to establish the rate of compensation for the Governor at any amount below the listed authorization.

---

[2] HB 4586, § 100, 81st Legislature, Regular Session, eliminates this provision. See Article IX, § 17.22, of this Act, which provides authority to transfer certain appropriations and corresponding FTEs, but prohibits the transfer of appropriations between the Emerging Technology Fund and the Texas Enterprise Fund without written approval of the Legislative Budget Board.

TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund		
General Revenue Fund[2, 3, 4, 5]	$ 128,698,072	$ 26,897,976

---

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency, Article XII includes $90,300,000 for Byrne Justice Assistance Grants, $2,100,000 for Crime Victims Assistance, $9,000,000 for Violence Against Women, and $5,000,000 for Defense Economic Adjustment Assistance Grants in FY 2010 resulting in a net All Funds appropriation of $583,599,011 in FY 2010.
[2] Incorporates Article IX, § 17.21, of this Act, relating to funding for Film and Music Marketing in the amount of $40,000,000 in FY 2010 out of the General Revenue Fund.
[3] Incorporates the passage of SB 1003, 81st Legislature, Regular Session, which transfers the funding for the Office of State-Federal Relations (OSFR) to the Trusteed Programs Within the Office of the Governor, including the transfer of General Revenue Funds in the amount of $615,630 in FY 2010 and $615,426 in FY 2011 and Interagency Contracts in the amount of $168,000 each fiscal year, for a total of $1,567,056 and 7.0 FTEs each fiscal year. Applicable riders and performance measures associated with OSFR have been transferred to the Trusteed Programs Within the Office of the Governor and noted herein. As appropriate, certain riders have been modified. See also Article IX, § 17.99, of this Act.
[4] Incorporates Article IX, § 17.21, of this Act, relating to funding for the Enterprise Fund in the amount of $20,000,000 in FY 2010 out of the General Revenue Fund to be transferred to the General Revenue-Dedicated Texas Enterprise Fund No. 5107.
[5] Incorporates Article IX, § 17.21, of this Act, relating to funding for the Emerging Technology Fund in the amount of $24,000,000 in FY 2010 out of the General Revenue Fund to be transferred to the General Revenue-Dedicated Texas Emerging Technology Fund No. 5124.

Hotel Occupancy Tax for Economic Development Account No. 5003	30,259,417	31,960,417
Subtotal, General Revenue Fund	$ 158,957,489	$ 58,858,393
General Revenue Fund - Dedicated		
Crime Stoppers Assistance Account No. 5012	576,000	587,000
Tourism Plates Account No. 5053	55,000	21,000
Economic Development Bank Account No. 5106	4,266,774	4,266,774
Texas Enterprise Fund Account No. 5107	44,293,000	3,283,000
Economic Development and Tourism Account No. 5110	72,000	8,000
Texas Music Foundation Plates Account No. 5113	17,000	10,000
Daughters of the Republic of Texas Plates Account No. 5115	85,000	67,000
Emerging Technology Fund Account No. 5124	102,721,327	6,317,000
Criminal Justice Planning Account No. 421	28,129,120	28,258,120
Operators and Chauffeurs License Account No. 099[6]	13,250,000	0
Subtotal, General Revenue Fund - Dedicated	$ 193,465,221	$ 42,817,894
Federal Funds[7]	121,790,801	50,097,884
Other Funds		
Appropriated Receipts	568,500	568,500
Interagency Contracts[8]	168,000	168,000
Small Business Incubator Fund Account No. 588	1,021,000	1,952,000
Texas Product Development Fund Account No. 589	1,228,000	2,047,000
Subtotal, Other Funds	$ 2,985,500	$ 4,735,500
Total, Method of Financing	$ 477,199,011	$ 156,509,671
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[8]	151.1	151.1
Schedule of Exempt Positions:		
Executive Director (OSFR), Group 3[8]	$106,260	$106,260
Items of Appropriation:		
A. Goal: PROGRAMS ASSIGNED		
Administer Programs Assigned to the Governor.		
A.1.1. Strategy: AGENCY GRANT ASSISTANCE Provide Emergency and Deficiency Grants to State Agencies.	$ 1,575,000	$ UB
A.1.2. Strategy: DISASTER FUNDS Provide Disaster Funding.	$ 11,224,889	$ UB
A.1.3. Strategy: CRIMINAL JUSTICE Provide Money and Research and Promote Programs for Criminal Justice.	$ 88,679,912	$ 87,126,995
A.1.4. Strategy: FILM AND MUSIC MARKETING[9] Market Texas as a Film Location and Promote the Texas Music Industry.	$ 52,125,758	$ 12,118,756

[6] Incorporates Article IX, § 17.04, of this Act, relating to funding for border security operations in the amount of $13,250,000 in FY 2010 out of the General Revenue-Dedicated Operators and Chauffeurs License Account No. 099.
[7] Incorporates Article IX, § 17.12, of this Act, relating to an estimated $70,000,000 in FY 2010 out of Federal Fund reimbursements received from the Federal Emergency Management Agency to be transferred to the General Revenue-Dedicated Texas Emerging Technology Fund No. 5124.
[8] Incorporates the passage of SB 1003, 81st Legislature, Regular Session, which transfers the funding for the Office of State-Federal Relations (OSFR) to the Trusteed Programs Within the Office of the Governor, including the transfer of General Revenue Funds in the amount of $615,630 in FY 2010 and $615,426 in FY 2011 and Interagency Contracts in the amount of $168,000 each fiscal year, for a total of $1,567,056 and 7.0 FTEs each fiscal year. Applicable riders and performance measures associated with OSFR have been transferred to the Trusteed Programs Within the Office of the Governor and noted herein. As appropriate, certain riders have been modified. See also Article IX, § 17.99, of this Act.
[9] Incorporates Article IX, § 17.21, of this Act, relating to funding for Film and Music Marketing in the amount of $40,000,000 in FY 2010 out of the General Revenue Fund.

A.1.5. Strategy: DISABILITY ISSUES Inform Organizations and the General Public of Disability Issues.	$	466,799	$	466,799
A.1.6. Strategy: WOMEN'S GROUPS Network Statewide Women's Groups in Texas.	$	112,459	$	112,459
A.1.7. Strategy: COUNTY ESSENTIAL SERVICE GRANTS Provide Financial Assistance to Counties for Essential Public Services.	$	780,190	$	780,190
A.1.8. Strategy: TEXAS ENTERPRISE FUND[10] Provide Financial Incentives to Entities for Economic Development.	$	64,293,000	$	3,283,000
A.1.9. Strategy: ECONOMIC DEVELOPMENT AND TOURISM Enhance the Economic Growth of Texas.	$	41,422,107	$	44,757,106
A.1.10. Strategy: MILITARY PREPAREDNESS Advise the Governor and Legislature on Military Issues.	$	5,263,940	$	263,940
A.1.11. Strategy: HOMELAND SECURITY[11] Direct and Coordinate Homeland Security Activities in Texas.	$	13,750,000	$	500,000
A.1.12. Strategy: TEXAS EMERGING TECHNOLOGY FUND[12, 13] Provide Incentives to Entities for Emerging Technology Development.	$	196,721,327	$	6,317,000
A.1.13. Strategy: STATE-FEDERAL RELATIONS[14]	$	783,630	$	783,426
Total, Goal A: PROGRAMS ASSIGNED	$	477,199,011	$	156,509,671
Grand Total, TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR	$	477,199,011	$	156,509,671
Object-of-Expense Informational Listing:				
Salaries and Wages	$	8,991,212	$	8,991,212
Other Personnel Costs		171,050		171,050
Professional Fees and Services		9,290,517		9,305,517
Consumable Supplies		52,970		52,970
Utilities		73,351		73,351
Travel		509,796		509,796
Rent - Building		232,743		233,148
Rent - Machine and Other		106,252		94,252
Debt Service		2,529,000		1,950,000
Other Operating Expense		169,704,502		44,050,557
Grants		285,537,618		91,077,818
Total, Object-of-Expense Informational Listing	$	477,199,011	$	156,509,671
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	414,069	$	420,280

[10] Incorporates Article IX, § 17.21, of this Act, relating to funding for the Enterprise Fund in the amount of $20,000,000 in FY 2010 out of the General Revenue Fund to be transferred to the General Revenue-Dedicated Texas Enterprise Fund No. 5107.
[11] Incorporates Article IX, § 17.04, of this Act, relating to funding for border security operations in the amount of $13,250,000 in FY 2010 out of the General Revenue-Dedicated Operators and Chauffeurs License Account No. 099.
[12] Incorporates Article IX, § 17.21, of this Act, relating to funding for the Emerging Technology Fund in the amount of $24,000,000 in FY 2010 out of the General Revenue Fund to be transferred to the General Revenue-Dedicated Texas Emerging Technology Fund No. 5124
[13] Incorporates Article IX, § 17.12, of this Act, relating to an estimated $70,000,000 in FY 2010 out of Federal Fund reimbursements received from the Federal Emergency Management Agency to be transferred to the General Revenue-Dedicated Texas Emerging Technology Fund No. 5124.
[14] Incorporates the passage of SB 1003, 81st Legislature, Regular Session, which transfers the funding for the Office of State-Federal Relations (OSFR) to the Trusteed Programs Within the Office of the Governor, including the transfer of General Revenue Funds in the amount of $615,630 in FY 2010 and $615,426 in FY 2011 and Interagency Contracts in the amount of $168,000 each fiscal year, for a total of $1,567,056 and 7.0 FTEs each fiscal year. Applicable riders and performance measures associated with OSFR have been transferred to the Trusteed Programs Within the Office of the Governor and noted herein. As appropriate, certain riders have been modified. See also Article IX, § 17.99, of this Act.

Group Insurance	742,049	799,373
Social Security	511,727	519,403
Benefits Replacement	22,901	21,756
Subtotal, Employee Benefits	$ 1,690,746	$ 1,760,812
Debt Service		
TPFA GO Bond Debt Service	$ 2,504,063	$ 2,945,063
Lease Payments	195,014	172,042
Subtotal, Debt Service	$ 2,699,077	$ 3,117,105
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 4,389,823	$ 4,877,917

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Trusteed Programs Within the Office of the Governor. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Trusteed Programs Within the Office of the Governor. In order to achieve the objectives and service standards established by this Act, the Trusteed Programs Within the Office of the Governor shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: PROGRAMS ASSIGNED		
Outcome (Results/Impact):		
Percentage of CJD Grants Complying with CJD Guidelines	99%	99%
In-state Film, Television, Commercial, and Video Game Production Expenditures (in Millions)	720	720
Number of Unduplicated Jobs Announced by Companies Receiving Grants from the Texas Enterprise Fund	2,500	3,000
Number of New Jobs Announced by Businesses Receiving Recruitment and Expansion Assistance	8,000	8,000
Number of Domestic Leisure Travelers to Texas (Millions)	130.11	131.4
Number of Defense Communities Receiving Economic Development Assistance	25	25
Texas' Prior Year Proportionate Share of Federal Funding[15]	6.52%	6.52%
Percent of Customers Satisfied with OSFR Services[15]	98%	98%
A.1.3. Strategy: CRIMINAL JUSTICE		
Output (Volume):		
Number of Grants Currently Operating	825	825
A.1.5. Strategy: DISABILITY ISSUES		
Output (Volume):		
Number of Local Volunteer Committees on People with Disabilities and Communities Supported	60	61
A.1.9. Strategy: ECONOMIC DEVELOPMENT AND TOURISM		
Output (Volume):		
Number of Businesses Developed as Recruitment Prospects	300	300
Efficiencies:		
Return on Investment from State Funding for Tourism Advertising	8.5	8.5
A.1.12. Strategy: TEXAS EMERGING TECHNOLOGY FUND		
Output (Volume):		
Number of Early-stage Companies Fostered by Emerging Technology Fund Investments and Guidance	40	40
Total Amount of Leveraged Funds Received as a Result of Emerging Technology Fund Research Matching Grants (in Millions)	40	40
A.1.13. Strategy: STATE-FEDERAL RELATIONS		
Efficiencies:		
Percentage of Responses within Two Business Days[15]	98%	98%

[15] Incorporates the passage of SB 1003, 81st Legislature, Regular Session, which transfers the funding for the Office of State-Federal Relations (OSFR) to the Trusteed Programs Within the Office of the Governor, including the transfer of General Revenue Funds in the amount of $615,630 in FY 2010 and $615,426 in FY 2011 and Interagency Contracts in the amount of $168,000 each fiscal year, for a total of $1,567,056 and 7.0 FTEs each fiscal year. Applicable riders and performance measures associated with OSFR have been transferred to the Trusteed Programs Within the Office of the Governor and noted herein. As appropriate, certain riders have been modified. See also Article IX, § 17.99, of this Act.

2. **Emergency and Deficiency and Disaster Grants.** The purposes of these appropriations are for payments of claims arising prior to the convening of the next legislature by the Governor in accordance with § 403.075, Government Code, for emergency use in accordance with § 401.061-401.065, Government Code, grants-in-aid in case of disasters, and for other purposes needed in the operations of state departments and agencies, including legal defense of officials and employees. Upon certification by the Governor that an emergency exists within the scope of the above-cited provisions in an agency funded out of special funds, there are hereby appropriated amounts necessary from special funds to meet the deficiency, emergency or disaster. The Comptroller of Public Accounts shall transfer from the special fund to the necessary appropriation account the amount certified as necessary to meet the deficiency, emergency, or disaster. Transfers made under this provision shall be made only when sufficient balances over appropriated amounts exist in the special fund. The Governor may, according to the terms of the deficiency, emergency, or disaster award, require the agency to repay all or part of the award. The repayment may be accomplished by purchase voucher, journal entry, or other procedures established by the Governor's Office with the concurrence of the Comptroller of Public Accounts.

3. **Transfer Authority for Deficiency and Emergency Grants and Disaster Funds.** In accordance with applicable statutes and to facilitate current accounting and reporting procedures, the Governor may transfer funds and/or budget authority via journal voucher or other similar means as may be prescribed by the Comptroller of Public Accounts from Strategy A.1.1, Agency Grant Assistance, and Strategy A.1.2, Disaster Funds, to recipient agencies.

4. **Unexpended Balances Within the Biennium.** Any unexpended balances as of August 31, 2010, in appropriations made to the Trusteed Programs Within the Office of the Governor are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

5. **Federal Grants.** Funds received from the federal government for grants to the Trusteed Programs Within the Office of the Governor that are directed to earn interest for the 2010-11 biennium will be deposited to General Revenue-Dedicated Account No. 224, Governor's Office Federal Projects, and are to be expended as directed by the grant.

6. **Reporting Requirements: Criminal Justice Division.** To ensure that Criminal Justice Planning funds are spent in accordance with state and federal requirements, the Criminal Justice Division (CJD) shall require grant recipients to report data and documentation, not later than October 1 of each fiscal year, demonstrating compliance with contractual agreements for Criminal Justice Planning grants. At a minimum, reports submitted by grant recipients shall provide data to support all expenditures made with Criminal Justice Planning funds; provide an inventory of all equipment and capital items purchased with such funds; and provide all information necessary for scheduled and periodic reviews by the CJD.

   In addition, the CJD shall establish and consistently adhere to internal guidelines for reviewing and evaluating grant requests, as well as requests for payments and reimbursements submitted by grantees. Not later than December 15 of each year, the CJD shall submit to the Legislative Budget Board and the State Auditor's Office a report detailing its findings regarding compliance by grantees.

7. **Appropriation: Texas Small Business Industrial Development Corporation.** The Office of the Governor, Economic Development and Tourism, shall review the financial statements of the Texas Small Business Industrial Development Corporation to determine the net earnings of the Corporation, and shall make such determination no later than January 1, 2010, and January 1, 2011. The Office of the Governor, Economic Development and Tourism, shall ensure that the net earnings, of an amount not to exceed $75,000, shall be transferred to the Economic Development Bank Account No. 5106 during each fiscal year of the 2010-11 biennium to be used to finance activities of Strategy A.1.9, Economic Development and Tourism. Seventy-five percent of any net earnings in excess of $150,000 for the 2010-11 biennium shall be deposited into the General Revenue Fund and 25 percent of any net earnings over $150,000 is appropriated to Strategy A.1.9, Economic Development and Tourism, for administration of small and minority business finance programs.

8. **Transfer: Promotion of Historical Sites.** From the amounts appropriated above, the Office of the Governor, Economic Development and Tourism, pursuant to Government Code § 481.172, shall transfer $300,000 during the biennium beginning September 1, 2009, to the Texas Historical Commission to encourage travel to the state's historical attractions. The Texas Historical Commission shall use a portion of the transferred funds to prepare and submit a report reflecting the use of the transferred funds to Office of the Governor, Economic Development and Tourism by October 1st of each fiscal year.

9. Administration: Foreign Offices.

a. In accordance with Government Code § 481.027, foreign offices may be operated in Mexico and in other foreign markets including Canada, Europe, the Pacific Rim, and Latin America coinciding with market opportunities for Texas business. Foreign office trade investment and tourism development efforts, as well as location of the offices, shall be based on analysis of the current world market opportunities. The Office of the Governor shall expend funds for the Mexico offices out of any funds available, but shall not expend any funds appropriated under this Act for any office or staff at any other foreign offices established by the Office of the Governor. The Office of the Governor may seek and use alternative funding sources other than funds appropriated under this Act for offices in locations other than Mexico City.

b. The Office of the Governor shall maintain a tracking system that documents the direct benefits that result from the operation of each foreign office. The Office of the Governor shall utilize the tracking system to file a quarterly report with the Legislative Budget Board regarding the activities of each office. The report shall contain, at a minimum, information detailing the number of contacts with foreign and domestic businesses, the name of each business, the nature of the contact, the results of each contact, and expenditures by each office. The report shall also contain the name of each Texas community assisted and information regarding the nature and results of the assistance. Each report shall be submitted within 60 days of the end of each quarter and must be accompanied by supporting documentation as specified by the Legislative Budget Board.

10. Cash Flow Contingency. Contingent upon the receipt of Hotel Occupancy Tax collections by the Comptroller of Public Accounts, the Office of the Governor, Economic Development and Tourism, may temporarily utilize additional Hotel Occupancy Tax allocations from the General Revenue Fund into the General Revenue Hotel Occupancy Tax for Economic Development Account No. 5003 in an amount not to exceed $2,000,000 per fiscal year. These funds shall be utilized only for the purpose of temporary cash flow needs when expenditures for tourism marketing exceed monthly Hotel Occupancy Tax revenue received. The transfer and reimbursement of funds shall be made under procedures established by the Comptroller of Public Accounts to ensure all borrowed funds are reimbursed by the Office of the Governor, Economic Development and Tourism, to the General Revenue Fund from Hotel Occupancy Tax revenues collected on or before August 31 of each fiscal year and deposited before September 30 of the following fiscal year.

11. Limitation on Expenditures: General Revenue Hotel Occupancy Tax for Economic Development Account No. 5003. Of the amounts appropriated above out of the General Revenue Hotel Occupancy Tax for Economic Development Account No. 5003, the Office of the Governor, Economic Development and Tourism, shall use not more than $5,255,016 in fiscal year 2010 and $5,276,541 in fiscal year 2011 for expenditures other than Advertising Services (Object Code 7281) and Other Professional Services (Object Code 7253).

12. Texas Military Value Revolving Loan Program.[16] There is appropriated elsewhere in this Act to the Texas Public Finance Authority an amount not to exceed $2,504,063 for fiscal year 2010 and $2,945,063 for fiscal year 2011 to pay debt service on general obligation bonds or other obligations issued pursuant to the Texas Constitution, Article III, § 49-n, and Government Code, Chapter 436, Subchapter D, provided that anticipated loan payments and interest earnings on loan payments deposited to the Texas Military Value Revolving Loan Account No. 5114 are sufficient to repay the General Revenue Fund by August 31, 2011.

13. Appropriation of License Plate Receipts. Included in the amounts appropriated above are all estimated unexpended balances collected prior to the effective date of this act and all estimated revenue collected on or after September 1, 2009, for the license plates contained herein.

a. Texas Music License Plates - Included in Strategy A.1.4, Film and Music Marketing, an estimated $10,000 in unexpended balances and $7,000 in fiscal year 2010 and $10,000 in fiscal year 2011 out of the General Revenue-Dedicated Texas Music Foundation Plates Account No. 5113 in collected revenue to be spent in accordance with Transportation Code § 504.639;

[16] Modified to correct error in amounts to reflect appropriations made to the Texas Public Finance Authority.

b. Native Texan (Daughters of the Republic of Texas License Plates) - Included in Strategy A.1.9, Economic Development and Tourism, an estimated $18,000 in unexpended balances and $67,000 each fiscal year out of the General Revenue-Dedicated Daughters of the Republic of Texas Plates Account No. 5115 in collected revenue to be spent in accordance with Transportation Code § 504.637;

c. Space Shuttle Columbia License Plates - Included in Strategy A.1.9, Economic Development and Tourism, an estimated $0 in unexpended balances and $12,000 each fiscal year out of the General Revenue Fund in collected revenue to be spent in accordance with Transportation Code § 504.640;

d. Texas. It's Like a Whole Other Country License Plates - Included in Strategy A.1.9, Economic Development and Tourism, an estimated $34,000 in unexpended balances and $21,000 each fiscal year out of the General Revenue-Dedicated Tourism Plates Account No. 5053 in collected revenue to be spent in accordance with Transportation Code § 504.617; and

e. Texas Aerospace Commission License Plates - Included in Strategy A.1.9, Economic Development and Tourism, an estimated $64,000 in unexpended balances and $8,000 each fiscal year out of the General Revenue-Dedicated Economic Development and Tourism Account No. 5110 in collected revenue to be spent in accordance with Transportation Code § 504.610.

In addition to amounts identified herein and included above, all unexpended balances remaining as of August 31, 2009, and all revenue generated on or after September 1, 2009, are hereby appropriated for the same purposes.

Any unexpended balances as of August 31, 2010, out of the appropriations made herein are hereby appropriated to the Trusteed Programs Within the Office of the Governor for the fiscal year beginning September 1, 2010, for the same purposes.

14. Texas Economic Development Bank. Included in amounts appropriated above in Strategy A.1.9, Economic Development and Tourism, the Trusteed Programs Within the Office of the Governor is hereby appropriated all revenue (estimated to be $4,266,774 each fiscal year), fees, and investment earnings that the Texas Economic Development Bank is authorized to collect for the implementation and administration of the Texas Economic Development Bank Account No. 5106 to be spent in accordance with Government Code, Chapter 489.

15. Texas Emerging Technology Fund.[17, 18, 19] Included in amounts appropriated above in Strategy A.1.12, Texas Emerging Technology Fund, is $24,000,000 out of the General Revenue Fund and $70,000,000 out of Federal Funds in fiscal year 2010 to be transferred to the General Revenue-Dedicated Texas Emerging Technology Fund Account No. 5124, and are hereby appropriated out of the General Revenue- Dedicated Texas Emerging Technology Fund Account No. 5124 for the biennium beginning September 1, 2009 for the purposes of economic development initiatives in accordance with Government Code, Chapter 490.

Also, included in amounts appropriated above are any unexpended balances remaining in appropriations as of August 31, 2009 out of the General Revenue-Dedicated Texas Emerging Technology Fund Account No. 5124 (estimated to be $97,073,327) and all interest earnings

(estimated to be $5,648,000 in fiscal year 2010 and $6,317,000 in fiscal year 2011) for the biennium beginning September 1, 2009 for the purposes of economic development initiatives in accordance with Government Code, Chapter 490.

16. Assistance to Regional Planning Commissions. Included in amounts appropriated above in Strategy A.1.3, Criminal Justice is $2,500,000 per fiscal year to provide assistance to metropolitan

---

[17] Incorporates Article IX, § 17.21, of this Act, relating to funding for the Emerging Technology Fund in the amount of $24,000,000 in FY 2010 out of the General Revenue Fund to be transferred to the General Revenue-Dedicated Texas Emerging Technology Fund No. 5124.
[18] Incorporates Article IX, § 17.12, of this Act, relating to an estimated $70,000,000 in FY 2010 out of Federal Fund reimbursements received from the Federal Emergency Management Agency to be transferred to the General Revenue-Dedicated Texas Emerging Technology Fund No. 5124.
[19] HB 4586, § 79, 81st Legislature, Regular Session, relating to supplemental appropriations and reductions and giving direction and adjustment authority, authorizes amounts appropriated to the Trusteed Programs within the Office of the Governor for transfer to the Texas Emerging Technology Fund to be used for clean energy programs or projects.

and rural regional planning commissions exercising the planning functions authorized by Local Government Code § 391.001-391.014, and for administrative expenses (including salaries, professional fees and services, part-time and seasonal help, travel, consumable supplies and materials, current and recurring operating expenses, and capital outlay) relating to services to the regional planning agencies. Every recipient of funds appropriated for assistance to Regional Planning Commissions, shall annually publish a complete financial statement, including a listing of receipts and expenditures by accounts, together with an enumeration of each employee of the recipient, by job title, and the annual compensation of each, and such financial statement shall be made available to each member of the Legislature. The Trusteed Programs Within the Office of the Governor shall adopt procedures and requirements related to the operation and oversight of councils of governments, including restrictions on the expenditures of funds, annual reporting requirements, annual audit requirements, and performance and productivity evaluations of the councils.

17. Defense Economic Adjustment Assistance Grant Program. Out of amounts appropriated above in Strategy A.1.10, Military Preparedness, the Trusteed Programs Within the Office of the Governor shall allocate $5,000,000 for the 2010-11 biennium in General Revenue funds for the purpose of providing Defense Economic Adjustment Assistance Grants to defense dependent communities. The Texas Military Preparedness Commission shall administer the Defense Economic Adjustment Assistance Grant program.

18. Contingency Appropriation for Incentives for the Film, Television, and Multimedia Production Industries. Included in amounts appropriated above to Strategy A.1.4, Film and Music Marketing, is an amount estimated to be $11,000,000 in fiscal year 2010 and an amount estimated to be $11,000,000 in fiscal year 2011 out of the General Revenue Fund to the Office of the Governor, Trusteed Programs for purposes of funding the film grant program authorized under Chapter 485, Government Code. Appropriations are contingent upon the following two factors:

a. Sufficient revenue - Certification by the Comptroller of Public Accounts that sufficient revenue is generated from the moving image industry in Texas to offset the cost of the appropriation, including but not limited to tax revenues generated from wages paid to industry employees, new jobs created in the state, and other non-tax exempt taxes paid by the industry to the state's general revenue fund and other funds, as appropriate;

b. Prior approval in excess of estimate - Amounts for grants in excess of $10,000,000 in each fiscal year must receive the joint prior approval of the Legislative Budget Board and the Governor's Office of Budget and Planning. For each $5,000,000 increment in excess of the annual estimate, the Texas Film Commission and the Comptroller of Public Accounts shall submit a request and a financial plan to the Legislative Budget Board and the Governor's Office of Budget and Planning that outlines an amount of revenue and other fiscal activity that exceeds the cost of the additional grant amounts requested. Amounts in excess of the estimate may be processed in increments of $5,000,000, or in other amounts deemed appropriate by the Legislative Budget Board and the Office of the Governor. The manner in which the request for approval is processed is subject to the discretion of Legislative Budget Board and the Governor's Office of Budget and Planning, including but not limited to budget execution or a request-to-exceed format.

Administration, Archives and Training - It is the intent of the Legislature that an amount not to exceed $1,000,000 in fiscal year 2010 and $1,000,000 in fiscal year 2011 from funds appropriated above be expended on costs associated with administration of the film incentive program, moving image archives and film crew training as authorized by Government Code Sections 485.027 and 485.028.

19. Appropriation of Unexpended Balances, Revenue, and Interest Earnings.

Part I, Unexpended Balances

Included in amounts appropriated above in fiscal year 2010, are all estimated unexpended and unobligated account balances remaining as of August 31, 2009 out of the following accounts:

a. Texas Enterprise Fund Account No. 5107 (estimated to be $41,289,000) in Strategy A.1.8, Texas Enterprise Fund.

Part II, Revenue and Interest Earnings

Included in amounts appropriated above for the biennium beginning September 1, 2009 are all estimated revenue and interest earnings accruing during the 2010-11 biennium, to the Trusteed Programs Within the Office of the Governor out of the following accounts:

a. General Revenue-Dedicated Criminal Justice Planning Account No. 421 in Strategy A.1.3, Criminal Justice, $28,129,120 in fiscal year 2010 and $28,258,120 in fiscal year 2011;

b. General Revenue-Dedicated Crime Stoppers Assistance Account No. 5012 in Strategy A.1.3, Criminal Justice, $576,000 in fiscal year 2010 and $587,000 in fiscal year 2011;

c. General Revenue-Dedicated Texas Enterprise Fund Account No. 5107 in Strategy A.1.8, Texas Enterprise Fund, $3,004,000 in fiscal year 2010 and $3,283,000 in fiscal year 2011;

d. Small Business Incubator Fund Account No. 588 in Strategy A.1.9, Economic Development and Tourism, $1,021,000 in fiscal year 2010 and $1,952,000 in fiscal year 2011;

e. Texas Product Development Fund Account No. 589 in Strategy A.1.9, Economic Development and Tourism, $1,228,000 in fiscal year 2010 and $2,047,000 in fiscal year 2011;

f. General Revenue - Hotel Occupancy Tax for Economic Development Account No. 5003 in Strategy A.1.9, Economic Development and Tourism, $30,259,417 in fiscal year 2010 and $31,960,417 in fiscal year 2011.

20. Drug Court Grants. Included in amounts appropriated above in Strategy A.1.3, Criminal Justice is $1,593,500 in fiscal year 2010 and $1,593,500 in fiscal year 2011 out of the General Revenue Fund from revenue collected on or after September 1, 2009 and deposited to Revenue Object Code 3704, Court Costs, for the purpose of making grants to counties for drug courts in accordance with Subchapter A, Chapter 102, Code of Criminal Procedure, Article 102.0178(g).

21. Texas Child ID Kit Grants. Out of funds appropriated above in Strategy A.1.3, Criminal Justice, $1,266,880 each fiscal year of the biennium out of the General Revenue Fund shall be used to provide grants to an organization representing county-wide law enforcement to deliver Child ID kits to the kindergarten-aged children of Texas.

22. Texas Enterprise Fund.[20] Included in amounts appropriated above in Strategy A.1.8, Texas Enterprise Fund, is $20,000,000 out of the General Revenue Fund in fiscal year 2010 to be transferred to the General Revenue-Dedicated Texas Enterprise Fund Account No. 5107, and is hereby appropriated out of the General Revenue-Dedicated Texas Enterprise Fund Account No. 5107 for the biennium beginning September 1, 2009 for the purposes of economic development initiatives in accordance with Government Code § 481.078.

23. Requirements for House Bill 2086.[21] In accordance with House Bill 2086, Eighty-first Legislature, Regular Session, 2009, relating to the prevention, investigation, prosecution, and punishment for certain gang-related and other criminal offenses and to the consequences and costs of engaging in certain activities of a criminal street gang or certain other criminal activity, it is the intent of the Legislature that at least $5,500,000 in appropriations by this Act for the Trusteed Programs within the Office of the Governor, including federal Byrne grant allocations, be used to implement the provisions of the legislation.

24. Cost of Living Salary Supplement.[22] The Trusteed Programs within the Office of the Governor is hereby authorized to pay a salary supplement, not to exceed $1,200 per month, to each Office of

---

[20] Incorporates Article IX, § 17.21, of this Act, relating to funding for the Enterprise Fund in the amount of $20,000,000 in FY 2010 out of the General Revenue Fund to be transferred to the General Revenue-Dedicated Texas Enterprise Fund No. 5107.

[21] Incorporates Article IX, § 17.80, of this Act, relating to providing at least $5,500,000 out of existing appropriations for gang related activities.

[22] Incorporates the passage of SB 1003, 81st Legislature, Regular Session, which transfers the funding for the Office of State-Federal Relations (OSFR) to the Trusteed Programs Within the Office of the Governor, including the transfer of General Revenue Funds in the amount of $615,630 in FY 2010 and $615,426 in FY 2011 and Interagency Contracts in the amount of $168,000 each fiscal year, for a total of $1,567,056 and 7.0 FTEs each fiscal year. Applicable riders and performance measures associated with OSFR have been transferred to the Trusteed Programs Within the Office of the Governor and noted herein. As appropriate, certain riders have been modified. See also Article IX, § 17.99, of this Act.

State-Federal Relations employee whose duty station is located in Washington, DC. This salary supplement shall be in addition to the salary rate authorized for that position by this Act.

Any state agency or any institution which assigns an employee to work in the Washington, DC, office of the OSFR on a permanent basis and which also designates that employee's duty station as Washington, DC, is hereby authorized to pay such an employee a salary supplement not to exceed $1,200 per month. This salary supplement shall be in addition to the salary rate authorized by this Act.

In the event that an employee so assigned works on a less than full-time basis, the maximum salary supplement shall be set on a proportionate basis.

25. Information and Assistance Requirements.[23] It is the intent of the Legislature that funds appropriated above in Strategy A.1.13, State-Federal Relations be expended in a manner which provides information and assistance to both the legislative and executive branches of Texas State Government and that the funds be used to operate the office in a manner which is politically non-partisan.

26. Reports on Increasing Federal Funds.[23] It is the intent of the Legislature that the Office of State-Federal Relations work with state agencies to identify and report to the Legislature on possible changes in state laws which could increase the amount of federal funds received by the state, and on changes to federal laws which could impact state funding of federal programs or the state's receipt of federal funds.

27. Interagency Contracts.[23] Consistent with the method of financing for the Office of State-Federal Relations (OSFR), state agencies and institutions of higher education that are represented by their employees in the Washington, DC, office of the OSFR shall be charged for their portion of operating expenses, rent, and administrative staff costs, not to exceed $2,000 per month, per legislative liaison.

[23] Incorporates the passage of SB 1003, 81st Legislature, Regular Session, which transfers the funding for the Office of State-Federal Relations (OSFR) to the Trusteed Programs Within the Office of the Governor, including the transfer of General Revenue Funds in the amount of $615,630 in FY 2010 and $615,426 in FY 2011 and Interagency Contracts in the amount of $168,000 each fiscal year, for a total of $1,567,056 and 7.0 FTEs each fiscal year. Applicable riders and performance measures associated with OSFR have been transferred to the Trusteed Programs Within the Office of the Governor and noted herein. As appropriate, certain riders have been modified. See also Article IX, § 17.99, of this Act.

HISTORICAL COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund		
General Revenue Fund[2]	$ 11,679,696	$ 8,478,372
Sporting Goods Sales Tax	7,230,920	7,230,920
Fees from Historic Sites	164,000	164,000
Subtotal, General Revenue Fund	$ 19,074,616	$ 15,873,292
GR Dedicated - Texas Preservation Trust Fund Account No. 664	396,000	424,000
Federal Funds	938,851	938,851

[1] Appropriations identified herein do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a Federal Funds increase of $1,000,000 in FY 2010 resulting in a net All Funds appropriation of $80,885,219 in FY 2010.
[2] Incorporates Article IX, § 17.87, of this Act, due to the enactment of SB 482, 81st Legislature, Regular Session, relating to creation of a Holocaust and Genocide Commission, resulting in an increase in General Revenue Funds of $86,397 in FY 2010 and $81,397 in FY 2011 and an increase of 0.5 FTE in each fiscal year.

Other Funds		
Appropriated Receipts	440,184	440,185
Interagency Contracts	2,595,568	2,595,568
Bond Proceeds - General Obligation Bonds	55,500,000	UB
Bond Proceeds - Revenue Bonds	940,000	UB
Subtotal, Other Funds	$ 59,475,752	$ 3,035,753
Total, Method of Financing	$ 79,885,219	$ 20,271,896
This bill pattern represents an estimated 92.5% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[3]	221.5	221.5
Schedule of Exempt Positions:		
Executive Director, Group 4	$125,000	$125,000
Items of Appropriation:		
A. Goal: HISTORICAL PRESERVATION		
Preserve the State's Historic Landmarks and Artifacts.		
A.1.1. Strategy: ARCHITECTURAL ASSISTANCE Property Rehabilitation/Preservation Technical Assistance.	$ 1,345,042	$ 845,042
A.1.2. Strategy: PRESERVATION TRUST FUND Provide Financial Assistance through the Preservation Trust Fund.	$ 396,000	$ 424,000
A.1.3. Strategy: ARCHEOLOGICAL HERITAGE PROTECTION Archeological Protection through Reviews, Outreach & Other Programs.	$ 2,641,171	$ 1,633,081
A.1.4. Strategy: EVALUATE/INTERPRET RESOURCES[3] Programs & Services for Historic Resources Evaluation & Interpretation.	$ 3,486,418	$ 2,026,260
A.1.5. Strategy: COURTHOUSE PRESERVATION Courthouse Preservation Assistance.	$ 23,163,276	$ 463,276
A.1.6. Strategy: HISTORIC SITES Operation and Maintenance of Historic Sites.	$ 43,048,690	$ 9,075,616
A.2.1. Strategy: DEVELOPMENT ASSISTANCE Technical Assistance for Heritage Development/Economic Revitalization.	$ 4,047,577	$ 4,047,577
Total, Goal A: HISTORICAL PRESERVATION	$ 78,128,174	$ 18,514,852
B. Goal: INDIRECT ADMINISTRATION		
B.1.1. Strategy: CENTRAL ADMINISTRATION	$ 1,757,045	$ 1,757,044
Grand Total, HISTORICAL COMMISSION	$ 79,885,219	$ 20,271,896
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 10,025,111	$ 10,025,111
Other Personnel Costs	236,782	236,782
Professional Fees and Services	424,053	424,053
Fuels and Lubricants	106,850	106,850
Consumable Supplies	168,412	168,412
Utilities	325,242	325,242
Travel	510,788	510,788
Rent - Building	92,000	92,000
Rent - Machine and Other	136,732	136,732
Debt Service	978,839	905,711
Other Operating Expense	7,614,265	5,036,070
Grants	24,106,145	1,434,145
Capital Expenditures	35,160,000	870,000
Total, Object-of-Expense Informational Listing	$ 79,885,219	$ 20,271,896

[3] Incorporates Article IX, § 17.87, of this Act, due to the enactment of SB 482, 81st Legislature, Regular Session, relating to creation of a Holocaust and Genocide Commission, resulting in an increase in General Revenue Funds of $86,397 in FY 2010 and $81,397 in FY 2011 and an increase of 0.5 FTE in each fiscal year.

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 417,335	$ 423,595
Group Insurance	920,013	988,449
Social Security	536,871	544,924
Benefits Replacement	25,352	24,085
Subtotal, Employee Benefits	$ 1,899,571	$ 1,981,053
Debt Service		
TPFA GO Bond Debt Service	$ 7,919,794	$ 13,149,259
Lease Payments	3,222	3,091
Subtotal, Debt Service	$ 7,923,016	$ 13,152,350
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 9,822,587	$ 15,133,403

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Historical Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Historical Commission. In order to achieve the objectives and service standards established by this Act, the Historical Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: HISTORICAL PRESERVATION		
Outcome (Results/Impact):		
Number of Properties Designated Annually	2,745	2,791
Number of Individuals Provided Training and Assistance in Historic and Archeological Preservation	45,400	46,600
A.1.1. Strategy: ARCHITECTURAL ASSISTANCE		
Output (Volume):		
Number of Historic Properties Provided Technical Assistance, Monitoring, and Mandated State and/or Federal Architectural Reviews in Order to Encourage Preservation	1,825	1,850
A.1.2. Strategy: PRESERVATION TRUST FUND		
Output (Volume):		
Number of Preservation Trust Fund Grants Awarded	27	27
A.1.3. Strategy: ARCHEOLOGICAL HERITAGE PROTECTION		
Output (Volume):		
Number of Construction Projects Reviewed for Archeological Impact	5,000	5,000
Number of Outreach and Technical Materials Distributed Through Print or Electronic Media	194,000	194,000
A.1.4. Strategy: EVALUATE/INTERPRET RESOURCES		
Output (Volume):		
Number of Sites, Properties, and Other Historical Resources Evaluated	6,600	6,800
A.2.1. Strategy: DEVELOPMENT ASSISTANCE		
Output (Volume):		
Number of Properties and Sites Assisted	2,500	2,600

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	2010	2011
a. Construction of Buildings and Facilities		
(1) Debt Service for National Museum of the Pacific War	$ 878,808	$ 849,659

(2) National Museum of the Pacific War	940,000	UB
Total, Construction of Buildings and Facilities	$ 1,818,808	$ 849,659
b. Repair or Rehabilitation of Buildings and Facilities		
(1) Capitol Complex Buildings	500,000	UB
(2) Renovation and Repair of Historic Sites	416,500	416,500
(3) Historic Sites - Unexpended Balances	33,000,000	UB
(4) Debt Service for Historic Sites (HB12, 80th Legis.)	92,012	56,052
(5) Repair and Renovation of Courthouses	20,000,000	UB
(6) Repair and Renovation of Courthouses - Unexpended Balances	2,500,000	UB
Total, Repair or Rehabilitation of Buildings and Facilities	$ 56,508,512	$ 472,552
c. Acquisition of Information Resource Technologies		
(1) Personal Computers, Laptops, Printers, and Servers	100,000	100,000
d. Transportation Items		
(1) Purchase of Replacement Automobiles	200,000	250,000
e. Acquisition of Capital Equipment and Items		
(1) Historic Sites Equipment	183,500	183,500
(2) La Belle Conservation Equipment and Items	1,000,000	UB
Total, Acquisition of Capital Equipment and Items	$ 1,183,500	$ 183,500
f. Other Lease Payments to the Master Lease Purchase Program (MLPP)		
(1) MLPP Acquisition (2006-07)	8,019	0
Total, Capital Budget	$ 59,818,839	$ 1,855,711
Method of Financing (Capital Budget):		
General Revenue Fund		
General Revenue Fund	$ 2,608,839	$ 1,035,711
Sporting Goods Sales Tax	770,000	820,000
Subtotal, General Revenue Fund	$ 3,378,839	$ 1,855,711
Other Funds		
Bond Proceeds - General Obligation Bonds	55,500,000	UB
Bond Proceeds - Revenue Bonds	940,000	UB
Subtotal, Other Funds	$ 56,440,000	$ UB
Total, Method of Financing	$ 59,818,839	$ 1,855,711

3. **Cost Recovery of Historical Markers.** It is the intent of the Legislature that the Historical Commission recover the full costs of historical markers, estimated to be $282,457 in Appropriated Receipts for each fiscal year of the biennium and included above in Strategy A.1.4, Evaluate/Interpret Resources.

4. **Promotional Materials.** The Texas Historical Commission is hereby authorized to purchase promotional educational materials for resale or donation purposes during the biennium beginning September 1, 2009. All receipts received from the sale of these materials are hereby appropriated to the Commission for the administration and operation of agency programs. Any unexpended balances on hand as of August 31, 2010, from the sale of these materials are appropriated for the fiscal year beginning September 1, 2010.

5. **Registration of Historic Cemeteries.** The Texas Historical Commission is hereby authorized to collect funds for the registration of historic cemeteries. All fees collected pursuant to registration of historic cemeteries (estimated at $3,800 in Appropriated Receipts in each fiscal year and included above in Strategy A.1.4, Evaluate/Interpret Resources) are appropriated to the Texas

Historical Commission for the purpose of administering the Historic Cemetery Program for the biennium beginning September 1, 2009. In addition to amounts identified herein and included above, all receipts collected on or after September 1, 2009, are hereby appropriated for the same purpose.

6. **Texas Preservation Trust Fund, No. 664.** Included in the amounts appropriated above in Strategy A.1.2, Preservation Trust Fund, from the General Revenue-Dedicated Texas Preservation Trust Fund Account No. 664 are amounts estimated to be $396,000 in fiscal year 2010 and $424,000 in fiscal year 2011 in annual distributions made by the Comptroller from the account during the fiscal year not to exceed an amount equal to seven percent of the average net fair market value of the investment assets of the account as determined by the Comptroller. In addition, any gifts and donations deposited in the General Revenue-Dedicated Texas Preservation Trust Fund Account No. 664 on or after September 1, 2009, are hereby appropriated to Strategy A.1.2, Preservation Trust Fund.

   Any unexpended balances as of August 31, 2010, out of the appropriations made herein are hereby appropriated to the Historical Commission for the fiscal year beginning September 1, 2010.

7. **Tourism: Promotion of Historical Sites.** Out of amounts included above in Strategy A.2.1, Development Assistance, the Texas Historical Commission, pursuant to Government Code, Chapter 481.172 and Chapter 442.005(s), shall expend $300,000 during the biennium beginning September 1, 2009, transferred from the Office of the Governor, Economic Development and Tourism, and $1,000,000 during the biennium beginning September 1, 2009, transferred from the Texas Department of Transportation through interagency contract, to showcase historical sites in order to promote tourism and to encourage travel to the state's historical attractions.

8. **Cultural Diversity Scholarships.** Gifts and donations received by the Historical Commission, not to exceed $5,000 in each fiscal year of the biennium, may be expended for scholarships of up to $500 per recipient for travel expenses, including meals and lodging, in order to encourage diversity among participants at agency sponsored conferences, seminars, and workshops.

9. **Military Sites Program.** Included in amounts appropriated above in Strategy A.1.4, Evaluate/Interpret Resources, is $22,500 in General Revenue funds in each fiscal year of the biennium for the purpose of continuing and further developing a military sites program and restoring Texas military monuments in and outside the state. Appropriation of these amounts is contingent upon receipt by the Historical Commission, or by the Friends of the Texas Historical Commission, of private contributions, gifts, and donations, included above in Strategy A.1.4, Evaluate/Interpret Resources, for the same purpose, in the amount of $45,000 over the biennium. In the event that private contributions, gifts, and donations received total less than $45,000 over the biennium, the appropriation is reduced to an amount which equals the total contributions, gifts, and donations received. Any unexpended balances of these funds remaining as of August 31, 2010, are hereby appropriated to the Historical Commission for the fiscal year beginning September 1, 2010, for the same purpose.

10. **La Salle Artifacts.**

    a. Included in amounts appropriated above in Strategy A.1.3, Archeological Heritage Protection, is $250,000 in General Revenue funds for the biennium for the conservation, analysis, interpretation, and display of artifacts from the Belle Shipwreck, Fort St. Louis archeological site, and other La Salle sites. Of this amount, $125,000 is contingent upon receipt of additional matching funds by the Historical Commission in private contributions, gifts, and donations, for the same purpose. In the event that private contributions, gifts, and donations received by the Historical Commission total less than $125,000 over the biennium, the matching General Revenue appropriation is reduced to an amount which equals the total private contributions, gifts, and donations received.

    b. Any unexpended balances of these funds remaining as of August 31, 2010, are hereby appropriated to the Historical Commission for the fiscal year beginning September 1, 2010, for the same purpose.

    c. In the event any additional Federal Funds are available for the purposes of this rider, the Commission is hereby appropriated the amounts necessary of the $125,000 contingency appropriation identified in Subsection (a) to obtain the additional Federal Funds. Any

reference to additional Federal Funds in this subsection means Federal Funds received by the Commission that are not anticipated at the time of passage of this Act and are not appropriated above.

d. In the event that the agency receives funding not identified in this rider to be used for the same purpose, the Commission may expend these funds for that purpose only with the approval of the Governor and the Legislative Budget Board.

11. Appropriation of Receipts. All fees that the Texas Historical Commission is authorized by statute to collect are hereby appropriated for the specific purpose named in the statute for the biennium beginning September 1, 2009.

In accordance with this provision and included in amounts appropriated above in Strategy A.1.6, Historic Sites is an amount estimated to be $164,000 each fiscal year out of the General Revenue Fund — Fees from Historic Sites, generated from entrance fees at historic sites established in accordance with Government Code § 442.0051. Any unexpended balances as of August 31, 2010 out of the appropriations made herein are appropriated to the Commission for the fiscal year beginning September 1, 2010.

12. Acquisition of Historical Artifacts. The Historical Commission shall use funds appropriated above to develop a plan and process for the purchase and acquisition of documents, records, and/or other historical artifacts relating to Texas history prior to the purchase or acquisition of any such items, and shall coordinate with the State Preservation Board and the Texas State Library and Archives Commission. In addition, the Commission shall coordinate the purchase or acquisition of the historical artifacts with institutions involved in historic preservation programs reflective of racial, ethnic, and cultural diversity throughout the state. The Historical Commission must also report on the status of acquisitions to the Governor and the Legislative Budget Board within 30 days after such acquisition.

13. Advertisements in Agency Publications. In accordance with Government Code § 442.005 (u)(3) the Texas Historical Commission is hereby authorized to accept advertisements at prescribed rates in selected agency newsletters and publications (both print and electronic) to offset production costs. All amounts collected by the Historical Commission pursuant to acceptance of advertisements are hereby appropriated to the Historical Commission for the purpose of offsetting costs associated with production of agency newsletters and publications.

14. Unexpended Balances: Courthouse Preservation Program. Included in the amounts appropriated above in Strategy A.1.5, Courthouse Preservation, are any unobligated and unexpended balances remaining as of August 31, 2009, from the appropriation made to Strategy A.1.5, Courthouse Preservation, (estimated to be $200,000 in General Revenue funds) for the biennium beginning September 1, 2009, solely for the purpose of awarding grants for courthouse preservation. In addition to amounts identified herein and included above, all unexpended balances remaining as of August 31, 2009, are hereby appropriated for the same purpose. Any unexpended balances of these funds remaining as of August 31, 2010, are hereby appropriated to the Historical Commission for the fiscal year beginning September 1, 2010, for the same purpose.

15. Historical Preservation Program. Out of funds appropriated above, the Historical Commission shall develop a program to assist schools and community colleges with historical preservation. It is the intent of the Legislature that the Commission evaluate and award grants based on merit. Grants awarded by the Historical Commission for the proposing school or community college are contingent upon receipt of a matching amount of funds by the school or community college.

16. Unexpended Balances: Texas Emancipation Juneteenth Cultural and Historical Commission Memorial Monument. Included in amounts appropriated above in Strategy A.1.4, Evaluate/Interpret Resources is an amount estimated to be $112,938 in General Revenue in fiscal year 2010 for the Juneteenth Memorial Monument for the 2010-11 biennium out of unexpended and unobligated balances as of August 31, 2009. Appropriations made herein for the Juneteenth Memorial Monument are for the sole purpose of perpetual care for the Juneteenth Memorial Monument.

17. Unexpended Balances: Tejano Monument. Included in amounts appropriated above in Strategy A.1.4, Evaluate/Interpret Resources is an amount estimated to be $1,086,857 in General Revenue in fiscal year 2010 for the Tejano Monument for the 2010-11 biennium out of unexpended and unobligated balances as of August 31, 2009. Appropriations made herein for the Tejano Monument are for the purpose of completion and perpetual care for the Tejano Monument.

18. **El Camino Heritage Trail.** From funds appropriated above, the Texas Historical Commission shall include the El Camino Real de los Tejas in travel brochures, Internet website, and other materials, as are provided by the agency for the Texas Heritage Trails Program.

19. **Unexpended Balances and Debt Service: National Museum of the Pacific War.** Included in amounts appropriated above in Strategy A.1.6, Historic Sites, are any unexpended balances in Revenue Bond proceeds for the National Museum of the Pacific War remaining as of August 31, 2009 (estimated to be $940,000) for the biennium beginning September 1, 2009, for the same purpose. Any unexpended balances of these funds remaining as of August 31, 2010, are hereby appropriated to the Historical Commission for the fiscal year beginning September 1, 2010, for the same purpose.

    Included in the amounts appropriated above out of the General Revenue Fund for Strategy A.1.6, Historic Sites, the amounts of $878,808 for fiscal year 2010 and $849,659 for fiscal year 2011 are to be used for lease payments to the Texas Public Finance Authority for debt service payments on the revenue bonds or other revenue obligations issued for the National Museum of the Pacific War.

20. **African Americans in Texas: Historical & Cultural Legacies.** Out of the funds appropriated above, the Commission shall print sufficient copies for public distribution of the booklet entitled African Americans in Texas: Historical & Cultural Legacies.

21. **Unexpended Balances of Bond Proceeds for the Repair and Renovation of Courthouses, Capitol Complex Projects and Historic Sites.** Included in amounts appropriated above in Strategy A.1.1, Architectural Assistance, are unexpended and unobligated balances of General Obligation Bond Proceeds that have been approved under the provisions of Article IX, Section 19.70 of House Bill 1, Eightieth Legislature, Regular Session, 2007, remaining as of August 31, 2009, (estimated to be $0) for the Texas Historical Commission for the repair and renovation of Capital Complex Buildings for the 2010-2011 biennium.

    Also included in amounts appropriated above in Strategies A.1.5, Courthouse Preservation, and A.1.6, Historic Sites, are unexpended and unobligated balances of General Obligation Bond Proceeds that have been approved under the provisions of Article IX, Sections 19.70 and 19.71 of House Bill 1, Eightieth Legislature, Regular Session, 2007, remaining as of August 31, 2009, (estimated to be $35,500,000) for the Texas Historical Commission for the repair and renovation of Courthouses and Historic Sites for the 2010-2011 biennium.

    Any unexpended balances in General Obligation Bond Proceeds described herein and remaining as of August 31, 2010, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

22. **Appropriation: State-owned Housing Authorized.** Notwithstanding the provisions of Article IX, Section 11.05, of this Act, the Texas Historical Commission (THC) 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 THC requires an employee to live on-site in state-owned housing as a condition of employment, then the THC shall recover at least 20 percent of the established fair market rental value of housing regardless of the date of employment.

    Included in the amounts appropriated above is rental income collected from employee housing (estimated to be $12,235 in fiscal year 2010 and $12,236 in fiscal year 2011) in Appropriated Receipts in Strategy A.1.6, Historic Sites. The recovered funds are appropriated to THC for maintenance and replacement of employee housing.

    Additionally, notwithstanding the provisions of Article IX, Section 11.05, of this Act, the THC 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.

23. **Texas Heritage Trails Program: Match for Federal Funding.** Included in the amounts appropriated above is $356,000 in fiscal year 2010 and $356,000 in fiscal year 2011 in General Revenue - Sporting Goods Sales Tax in Strategy A.2.1, Development Assistance, to provide matching funds for federal surface transportation enhancement funds for the Texas Heritage Trails Program.

24. Appropriation Authority for General Obligation Bond Proceeds.[4] Appropriated above in Strategy A.1.5, Courthouse Preservation, in fiscal year 2010 is $20,000,000 in General Obligation Bond Proceeds for projects for the Texas Historical Commission as described in Article IX, Sec. 17.11, Informational Listing General Obligation Bond Proceeds.

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 purpose.

25. La Salle County and Hamilton County Courthouse Restoration. Out of the General Obligation Bond Proceeds appropriated above in Strategy A.1.5, Courthouse Preservation, the Historical Commission shall provide to the La Salle County and Hamilton County courthouse preservation projects grants of up to $3,500,000 each in fiscal year 2010, in accordance with Government Code § 442.0081 et seq.

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

[4] Modified to correct reference error.

DEPARTMENT OF INFORMATION RESOURCES

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 792,677	$ 792,678
Other Funds[1]		
Appropriated Receipts		
Clearing Fund Account - Appropriated Receipts	8,172,782	6,923,738
Telecommunications Revolving Account - Appropriated Receipts	16,949,854	10,511,782
Interagency Contracts		
Clearing Fund Account - Interagency Contracts	3,671,706	3,139,767
Telecommunications Revolving Account - Interagency Contracts	66,876,036	65,765,464
Statewide Technology Account - Interagency Contracts	183,064,342	168,389,252
Subtotal, Other Funds	$ 278,734,720	$ 254,730,003
Total, Method of Financing	$ 279,527,397	$ 255,522,681
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	234.9	234.9
Schedule of Exempt Positions:		
Executive Director, Group 6	$175,000	$175,000
Items of Appropriation:		
A. Goal: PROMOTE EFFIC. IR POLICIES/SYSTEMS		
Promote Statewide IR Policies & Innovative, Productive, & Eff Info Sys.		

[1] Incorporates Article IX, §17.03(f), of this Act, relating to enterprise resource planning systems, which appropriates $1,500,000 in Other Funds each fiscal year of the 2010-11 biennium.

A.1.1. Strategy: STATEWIDE PLANNING Produce Statewide IR Strategic Plan/Conduct Collaborative Workshops.	$ 541,350	$ 555,826
A.1.2. Strategy: RULE AND GUIDELINE DEVELOPMENT Develop Rules & Guidelines to Establish Statewide Technology Standards.	$ 511,677	$ 526,153
A.1.3. Strategy: STATEWIDE SECURITY Plan Statewide Security for IR Assets.	$ 668,281	$ 676,710
Total, Goal A: PROMOTE EFFIC. IR POLICIES/SYSTEMS	$ 1,721,308	$ 1,758,689
B. Goal: MANAGE COST-EFF SVC DEL OF IT Assist Agys & Govt Entities in Cost-Eff Acqu/Svc Del of IT Comm & Svcs.		
B.1.1. Strategy: CONTRACT ADMIN OF IT COMM & SVCS Manage Procurement Infrastructure for IT Commodities and Services.	$ 8,574,129	$ 6,861,046
B.2.1. Strategy: DATA CENTER SERVICES	$ 180,913,649	$ 166,285,930
B.2.2. Strategy: TEXAS ONLINE	$ 510,744	$ 510,744
B.2.3. Strategy: SHARED SVCS AND/OR TECHNOLOGY CTRS Implement and Maintain Shared Services and/or Technology Centers.	$ 208,029	$ 211,978
Total, Goal B: MANAGE COST-EFF SVC DEL OF IT	$ 190,206,551	$ 173,869,698
C. Goal: TELECOMMUNICATIONS		
C.1.1. Strategy: CAPITOL COMPLEX TELEPHONE Maintain and Increase the Capabilities of the CCTS.	$ 4,508,787	$ 4,254,954
C.2.1. Strategy: NETWORK SERVICES Maintain Legacy TEX-AN and Provide Enhanced TEX-AN Network Services.	$ 68,573,351	$ 60,954,172
C.2.2. Strategy: NETWORK & TELECOM SECURITY SERVICES Provide Network and Telecommunications Security Services.	$ 4,608,186	$ 5,069,250
Total, Goal C: TELECOMMUNICATIONS	$ 77,690,324	$ 70,278,376
D. Goal: INDIRECT ADMINISTRATION		
D.1.1. Strategy: CENTRAL ADMINISTRATION	$ 2,914,234	$ 2,962,107
D.1.2. Strategy: INFORMATION RESOURCES[2]	$ 6,152,977	$ 5,797,076
D.1.3. Strategy: OTHER SUPPORT SERVICES	$ 842,003	$ 856,735
Total, Goal D: INDIRECT ADMINISTRATION	$ 9,909,214	$ 9,615,918
Grand Total, DEPARTMENT OF INFORMATION RESOURCES	$ 279,527,397	$ 255,522,681
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 17,015,048	$ 17,317,539
Other Personnel Costs	301,920	301,920
Professional Fees and Services	191,796,592	177,473,564
Fuels and Lubricants	7,763	8,927
Consumable Supplies	37,844	40,713
Utilities	1,745,933	1,745,933
Travel	268,003	268,003
Rent - Building	22,640	22,640
Rent - Machine and Other	8,028	10,028
Other Operating Expense	67,587,826	58,052,614
Capital Expenditures	735,800	280,800
Total, Object-of-Expense Informational Listing	$ 279,527,397	$ 255,522,681

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

[2] Incorporates Article IX, §17.03(f), of this Act, relating to enterprise resource planning systems, which appropriates $1,500,000 in Other Funds each fiscal year of the 2010-11 biennium.

Employee Benefits		
Retirement	$ 854,143	$ 866,955
Group Insurance	1,394,466	1,501,974
Social Security	1,060,661	1,076,571
Benefits Replacement	72,184	68,575
Subtotal, Employee Benefits	$ 3,381,454	$ 3,514,075
Debt Service		
Lease Payments	$ 616,270	$ 500,564
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 3,997,724	$ 4,014,639

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Information Resources. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of Information Resources. In order to achieve the objectives and service standards established by this Act, the Department of Information Resources shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: PROMOTE EFFIC. IR POLICIES/SYSTEMS		
A.1.2. Strategy: RULE AND GUIDELINE DEVELOPMENT		
Efficiencies:		
Average Cost Per Rule, Guideline, and Standard Reviewed and Produced	332.92	332.92
B. Goal: MANAGE COST-EFF SVC DEL OF IT		
Outcome (Results/Impact):		
Percent of Monthly Minimum Service Level Targets Achieved for Data Center Services	92	92
Percentage of Customers Satisfied with Data Center Services Contract Management	95%	95%
B.1.1. Strategy: CONTRACT ADMIN OF IT COMM & SVCS		
Output (Volume):		
Total Contract Savings and Cost Avoidance Provided through DIR Contracts	120,000,000	120,000,000
C. Goal: TELECOMMUNICATIONS		
Outcome (Results/Impact):		
Percent of Customers Satisfied with CCTS	99%	99%
Percent of Customers Satisfied with TEX-AN	96%	96%
C.2.1. Strategy: NETWORK SERVICES		
Efficiencies:		
Average Price Per Intrastate Minute on TEX-AN	0.05	0.05
Average Price Per Toll-free Minute on TEX-AN	0.04	0.04

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

The appropriation transfer provision in Article IX, Section 14.03, subsection (i)(1)(C) does not apply to the Department of Information Resources and therefore it is the intent of the Legislature that DIR may not add a new capital budget item to those shown below during the 2010-11 biennium.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Daily Operations - Capital Budget	$ 50,000	$ 50,000
(2) Data Center Consolidation	1,389,845	1,017,057
(3) Asset Control - Malware Deployment	165,800	165,800
(4) Website Upgrade	410,000	410,000
(5) Communication and Collaboration Infrastructure and Integration Support Tool	780,000	780,000
(6) Standardization of Business Intelligence Platform	240,000	240,000

(7) Enterprise Resource Planning (ERP) System[3]	$ 1,500,000	$ 1,500,000
Total, Acquisition of Information Resource Technologies	$ 4,535,645	$ 4,162,857
Total, Capital Budget	$ 4,535,645	$ 4,162,857
Method of Financing (Capital Budget):		
Other Funds		
Appropriated Receipts		
DIR Clearing Fund Account - AR	$ 761,958	$ 696,150
Telecommunications Revolving Account - AR	376,017	348,628
Interagency Contracts		
DIR Clearing Fund Account - IAC	409,389	372,086
Telecommunications Revolving Account - IAC	1,934,463	1,761,577
Statewide Technology Account - IAC	1,053,818	984,416
Subtotal, Other Funds	$ 4,535,645	$ 4,162,857
Total, Method of Financing	$ 4,535,645	$ 4,162,857

3. **DIR Clearing Fund Account.**[3] The Comptroller shall establish in the state treasury the Department of Information Resources Clearing Fund Account for the administration of cost recovery activities pursuant to authority granted under Chapters 771, 791, 2054, 2055, and 2177, Government Code. The account shall be used:

   a. As a depository for funds received as payments from state agencies and units of local government for services provided;

   b. As a source of funds for the department to purchase, lease, or acquire in any other manner services, supplies, software products, and equipment necessary for carrying out the department's duties relating to services provided to state agencies and units of local government for which the department receives payment from state agencies and local governmental units; and

   c. To pay salaries, wages, and other costs directly attributable to the services provided to state agencies and units of local government for which the department receives payment from those agencies and governmental units. However, the maximum amount for all administrative costs to be applied to state agency receipts and local government receipts shall not exceed 2.0 percent per receipt. The Department of Information Resources shall report the amount of all administrative costs allocated to each agency and unit of local government annually to the Legislative Budget Board.

   The balance of the account at the end of the fiscal year shall not exceed more than 10 percent of the total revenue processed through the account in the prior fiscal year. Included in the amounts appropriated above are all balances as of August 31, 2009 (estimated to be $5,838,787), and all revenues accruing during the 2010-11 biennium (estimated to be $6,005,701 in fiscal year 2010 and $10,063,505 in fiscal year 2011 in Strategies A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; A.1.3, Statewide Security; B.1.1, Contract Administration of IT Commodities and Services; B.2.3, Shared Services and/or Technology Centers; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services) to the Department of Information Resources Clearing Fund Account. In addition to amounts identified herein and included above, all unexpended balances remaining as of August 31, 2009, and all revenue generated on or after September 1, 2009, are hereby appropriated for the same purposes.

   As part of its Comprehensive Annual Financial Report showing the use of appropriated funds, the Department of Information Resources shall include information showing the costs avoided and/or savings obtained through its cooperative activities and a list of the agencies or units of local government for which the clearing fund account was used.

4. **Capital Purchases on Behalf of Other Government Entities.** Any capital items related to information resources and telecommunications technologies purchased by the Department of Information Resources for use by other state agencies and governmental entities for which the

[3] Incorporates Article IX, §17.03(f), of this Act, relating to enterprise resource planning systems, which appropriates $1,500,000 in Other Funds each fiscal year of the 2010-11 biennium.

department is reimbursed do not apply to the department for the purpose of the capital budget rider limitations specified in Article IX, Limitation on Expenditures - Capital Budget, of the General Provisions of this Act.

5. **Cash Flow Contingency.** Contingent upon receipt of reimbursements from state agencies, other governmental entities, and vendors for direct services provided and procurements of goods or services, the department may temporarily utilize additional general revenue funds in an amount not to exceed 10 percent of projected non-Go DIRect Cooperative Contract annual sales or $4.0 million, whichever is greater. These funds shall be utilized only for the purpose of temporary cash flow needs. The transfer and reimbursement of funds shall be made under procedures established by the Comptroller of Public Accounts to ensure all borrowed funds are reimbursed to the Treasury on or before August 31, 2011.

6. **TexasOnline Project.** Included in the amounts appropriated above in Strategies B.2.2, Texas Online; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services are amounts not to exceed $792,677 for fiscal year 2010 and $792,678 for fiscal year 2011 out of General Revenue generated by the TexasOnline Project for the 2010-11 biennium for the continued operation, expansion, and administration of the TexasOnline Project.

   Any unexpended balances as of August 31, 2010, out of the appropriations made herein are hereby appropriated to the Department of Information Resources for the fiscal year beginning September 1, 2010.

   The Department of Information Resources shall provide the Legislative Budget Board monthly financial reports and expenditures on the TexasOnline project within 60 days of the close of each month.

7. **Telecommunications Capital Budget Purchases.** The Department of Information Resources is hereby authorized to expend funds appropriated elsewhere in this Act to acquire equipment that may be necessary to facilitate cost savings or technical advancements associated with the Capital Complex Telephone System (CCTS) or TEX-AN Statewide Telecommunications System. The Department of Information Resources shall coordinate any equipment acquisitions associated with the TEX-AN Statewide Telecommunications System with the Telecommunications Planning and Oversight Council. The Department of Information Resources shall notify the Legislative Budget Board and the Governor prior to such acquisition.

8. **Telecommunications Revolving Account.**[4] Out of the funds appropriated above in Strategies A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; B.2.3, Shared Services and/or Technology Centers; C.1.1, Capitol Complex Telephone; C.2.1, Network Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services, are all unexpended and unobligated balances as of August 31, 2009, (estimated to be $9,525,631 in Appropriated Receipts and Interagency Contracts) and all revenue estimated to be $69,354,591 in fiscal year 2010 and $70,866,257 in fiscal year 2011 in Appropriated Receipts and Interagency Contracts for the purpose of planning, development of requests for information and proposals, and contract negotiations, and any other purpose set out in Chapter 2170, Government Code.

   In addition, out of funds appropriated above in Strategies A.1.3, Statewide Security, and C.2.2, Network and Telecommunication Security Services, is $4,945,668 in fiscal year 2010 and $5,410,989 in fiscal year 2011 in Appropriated Receipts and Interagency Contracts for the purpose of providing network security services and any other purpose set out in Chapter 2059, Government Code.

   Any unexpended balances remaining as of August 31, 2010 in the appropriation made herein are hereby appropriated for the fiscal year beginning September 1, 2010 for the same purposes.

9. **Statewide Technology Account.**[4] In accordance with Government Code, Chapter 403.011, the Comptroller of Public Accounts shall establish within the state treasury an operational account, called the statewide technology center account for all transactions relating to the operation and management of statewide technology centers. The statewide technology center account may maintain a two month operating reserve and may also be utilized to perform operations authorized by Government Code, Chapter 2054, Subchapter L.

---

[4] Incorporates Article IX, §17.03(f), of this Act, relating to enterprise resource planning systems, which appropriates $1,500,000 in Other Funds each fiscal year of the 2010-11 biennium.

Included in amounts appropriated above are all revenues accruing during the 2010-11 biennium to the statewide technology center account, estimated to be $183,064,342 in fiscal year 2010 and $168,389,252 in fiscal year 2011 out of Interagency Contracts, and any amounts received in Appropriated Receipts (estimated to be $0 each fiscal year) in Strategies A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; A.1.3, Statewide Security; B.2.1, Data Center Services; B.2.3, Shared Services and/or Technology Centers; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services, for purposes authorized by Government Code Chapter 2054, Subchapter L relating to the operation and management of Statewide Technology Centers. In addition, amounts remaining in the account as of August 31, 2010 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

The Department of Information Resources shall report all administrative costs collected and the administrative cost percentage charged to each state agency and other users of statewide technology centers as defined in Government Code, Chapter 2054, Section 2054.380 to the Governor and Legislative Budget Board no later than April 1 for the first six month period of the fiscal year and by October 1 for the second six month period of the fiscal year. By the same deadlines, the Department of Information Resources shall submit the proposed administrative costs collected and the proposed administrative cost percentage for the next six month period. The Legislative Budget Board and Governor's Office shall consider the incremental change to administrative percentages submitted. Without the written approval of the Governor and the Legislative Budget Board, the Department of Information Resources may not expend funds appropriated to the Department if those appropriated funds are associated with the statewide technology center account.

10. **TexasOnline Plan for Closed Loop Event Management Technology.** It is the intent of the Legislature that out of funds appropriated above for the TexasOnline project, the Department of Information Resources shall purchase or develop a plan to provide closed loop event management technology that secures, logs, and provides audit management of baseboard management controllers and consoles of cyber assets. The plan shall be developed and implemented no later than January 1, 2010.

11. **Data Center Efficiencies.** It is the intent of the Legislature that out of funds appropriated above for Strategy B.2.1, Data Center Services, the Department of Information Resources shall utilize energy efficient multi-core servers wherever possible.

LIBRARY & ARCHIVES COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 20,620,182	$ 20,315,025
GR Dedicated - Texas Reads Plate Account No. 5042	6,263	4,000
Federal Funds		
Federal Public Library Service Fund No. 118	10,728,600	10,842,750
Federal Funds	234,028	119,015
Subtotal, Federal Funds	$ 10,962,628	$ 10,961,765
Other Funds		
Appropriated Receipts	172,500	177,500
Interagency Contracts	3,819,013	3,792,873
Subtotal, Other Funds	$ 3,991,513	$ 3,970,373
Total, Method of Financing	$ 35,580,586	$ 35,251,163

This bill pattern represents an estimated 92.4% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE):	193.0	193.0
Schedule of Exempt Positions:		
Director-Librarian, Group 3	$104,500	$104,500
Items of Appropriation:		
A. Goal: DELIVERY OF SERVICES		
Improve the Availability of Library and Information Services.		
A.1.1. Strategy: LIBRARY RESOURCE SHARING SERVICES	$ 12,310,128	$ 12,284,265
Share Library Resources Among Libraries Statewide.		
A.1.2. Strategy: AID TO LOCAL LIBRARIES	$ 14,830,763	$ 14,853,500
Aid in the Development of Local Libraries.		
A.2.1. Strategy: DISABLED SERVICES	$ 2,015,500	$ 2,029,500
Provide Direct Library Services by Mail to Texans with Disabilities.		
Total, Goal A: DELIVERY OF SERVICES	$ 29,156,391	$ 29,167,265
B. Goal: PUBLIC ACCESS TO GOV'T INFORMATION		
Public Access to Government Information.		
B.1.1. Strategy: PROVIDE ACCESS TO INFO & ARCHIVES	$ 1,505,800	$ 1,505,800
Provide Access to Information and Archives.		
C. Goal: MANAGE STATE/LOCAL RECORDS		
Cost-effective State/Local Records Management.		
C.1.1. Strategy: MANAGE STATE/LOCAL RECORDS	$ 2,222,827	$ 2,196,687
Records Management Services for State/Local Government Officials.		
D. Goal: INDIRECT ADMINISTRATION		
D.1.1. Strategy: INDIRECT ADMINISTRATION	$ 2,695,568	$ 2,381,411
Grand Total, LIBRARY & ARCHIVES COMMISSION	$ 35,580,586	$ 35,251,163
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 7,204,006	$ 7,204,016
Other Personnel Costs	252,646	265,036
Professional Fees and Services	1,180,216	945,694
Fuels and Lubricants	11,515	11,515
Consumable Supplies	156,216	152,551
Utilities	60,718	60,571
Travel	110,696	109,054
Rent - Building	14,479	14,979
Rent - Machine and Other	46,990	46,990
Other Operating Expense	9,706,968	9,775,634
Grants	16,354,386	16,434,523
Capital Expenditures	481,750	230,600
Total, Object-of-Expense Informational Listing	$ 35,580,586	$ 35,251,163
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 397,051	$ 403,007
Group Insurance	1,246,554	1,350,748
Social Security	523,268	531,117
Benefits Replacement	58,182	55,273
Subtotal, Employee Benefits	$ 2,225,055	$ 2,340,145
Debt Service		
Lease Payments	$ 696,503	$ 698,044
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 2,921,558	$ 3,038,189

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Library & Archives Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Library & Archives Commission. In order to achieve the objectives and service standards established by this Act, the Library & Archives Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: DELIVERY OF SERVICES		
Outcome (Results/Impact):		
Percent of Eligible Population Registered for Talking Book Program Services	6.23%	6.28%
A.1.1. Strategy: LIBRARY RESOURCE SHARING SERVICES		
Output (Volume):		
Number of Persons Provided Project-sponsored Services by Shared Resources	26,660,000	26,010,000
A.1.2. Strategy: AID TO LOCAL LIBRARIES		
Output (Volume):		
Number of Persons Provided Library Project-sponsored Services	5,428,000	6,132,000
A.2.1. Strategy: DISABLED SERVICES		
Output (Volume):		
Number of Persons Served	19,500	20,000
B. Goal: PUBLIC ACCESS TO GOV'T INFORMATION		
Outcome (Results/Impact):		
Percent of Customers Satisfied with State Library Reference and Information Services	96%	96%
B.1.1. Strategy: PROVIDE ACCESS TO INFO & ARCHIVES		
Output (Volume):		
Number of Assists with Information Resources	80,000	90,000

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Acquisition of New or Replacement Computer Resources for Desktop Workstations and Maintenance of the Agency Network	$ 116,750	$ 87,600
(2) Data Center Consolidation	595,709	533,552
Total, Acquisition of Information Resource Technologies	$ 712,459	$ 621,152
b. Acquisition of Capital Equipment and Items		
(1) Library Collection Materials and Public Access Information Resources (including Content Databases)	5,381,164	5,381,165
(2) Digital Duplication Equipment for Talking Books	48,000	48,000
(3) Archival Storage and Mobile Shelving for Sam Houston Regional Library and Research Center	250,000	UB
Total, Acquisition of Capital Equipment and Items	$ 5,679,164	$ 5,429,165
Total, Capital Budget	$ 6,391,623	$ 6,050,317
Method of Financing (Capital Budget):		
General Revenue Fund	$ 4,924,373	$ 4,609,217

Federal Public Library Service Fund No. 118	1,372,000	1,372,000
Other Funds		
Appropriated Receipts	55,200	55,200
Interagency Contracts	40,050	13,900
Subtotal, Other Funds	$ 95,250	$ 69,100
Total, Method of Financing	$ 6,391,623	$ 6,050,317

3. **Unexpended Balances: Imaging and Storage Fees.** Any unexpended balances on hand as of August 31, 2010, from fees collected by the Texas State Library and Archives Commission for the purpose of cost recovery of imaging state and local government records on film and/or electronic storage media, and from state agencies for the storage of state records, as authorized by Government Code § 441.182, are hereby appropriated to the Texas State Library and Archives Commission for the fiscal year beginning September 1, 2010.

4. **Appropriation of Receipts and Unexpended Balances of TexShare Membership Fees and Reimbursements.** The Library and Archives Commission is hereby authorized to collect fees from the members of the TexShare Library Resource Sharing consortium (estimated to be $2,000 each fiscal year and included above in Strategy A.1.1, Library Resource Sharing Services) from revenue generated from the fiscal year beginning September 1, 2009, as authorized by Government Code § 441.224 for costs associated with the TexShare program.

   Any unexpended balances as of August 31, 2009 (estimated to be $0), in amounts collected from TexShare members for TexShare services or programs are hereby appropriated for the same purpose for the biennium beginning September 1, 2009. Any unexpended balances as of August 31, 2010, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

5. **Cash Flow Contingency.** Contingent upon reimbursements from state agencies and other governmental and private entities for imaging and records storage services, the agency may temporarily utilize General Revenue funds, not to exceed $200,000. These funds shall be utilized only for the purpose of temporary cash flow needs. The transfer and reimbursements of funds shall be made under procedures established by the Comptroller of Public Accounts to ensure all borrowed funds are reimbursed to the Treasury on or before August 31, 2011.

6. **Texas Reads License Plates: Appropriation of All License Plate Unexpended Balances and Receipts.** Included in the amounts appropriated above in Strategy A.1.2, Aid to Local Libraries, are all estimated balances collected prior to the effective date of this Act (estimated to be $2,263 and included in fiscal year 2010) and revenue collected on or after September 1, 2009 (estimated to be $4,000 in fiscal year 2010 and $4,000 in fiscal year 2011), from the sale of license plates as provided by Transportation Code § 504.616 and deposited to the credit of the General Revenue-Dedicated Texas Reads Plate Account No. 5042. In addition to amounts identified herein and included above, all unexpended balances remaining as of August 31, 2009, and all revenue collected on or after September 1, 2009, are hereby appropriated for the same purpose.

   Any unexpended balances as of August 31, 2010, out of the appropriations made herein are hereby appropriated to the State Library and Archives Commission for the fiscal year beginning September 1, 2010.

7. **Report of Reports.** By January 1, 2011, the Texas State Library and Archives Commission, with the assistance of all agencies, shall prepare a complete and detailed written report indexing all statutorily required reports and providing detail about the preparing agency, title of report, legal authority, due date, recipient, and a brief description. The report shall provide indexes by (1) preparing agency, (2) title of report, and (3) report recipient, and the detail section shall be arranged by preparing agency. This report shall include an assessment from each receiving agency for each statutorily required report affirming or denying its continued usefulness to that agency. This report shall be provided to the Governor and the Legislative Budget Board and be made available to the public.

8. **Loan Star Libraries Grants.** Out of amounts appropriated above in Strategy A.1.2, Aid to Local Libraries, the agency shall expend $7,400,000 in fiscal year 2010 and $7,400,000 in fiscal year 2011 from the General Revenue Fund for Loan Star Libraries grants.

9. **Unexpended Balances: Grants to Libraries.** Included in amounts appropriated above are any unexpended balances in appropriations to Strategy A.1.2, Aid to Local Libraries for the Loan Star

Libraries grants (estimated to be $0 in General Revenue) as of August 31, 2009 and are hereby appropriated for the same purpose for the biennium beginning September 1, 2009. Any unexpended balances as of August 31, 2010 in appropriations to Strategy A.1.2, Aid to Local Libraries for the Loan Star Libraries grants are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

10. **Renovation of the Lorenzo de Zavala State Archives and Library Building.** Amounts appropriated elsewhere in this Act to the Texas Facilities Commission are for the renovation and repair of the Lorenzo de Zavala State Archives and Library Building and do not include amounts for expansion of the existing Lorenzo de Zavala State Archives and Library Building.

11. **Funds to Public Libraries from the American Recovery and Reinvestment Act of 2009.** Out of funds appropriated above, the Texas State Library and Archives Commission shall track the use of funds awarded to public libraries through the American Recovery and Reinvestment Act of 2009.

PENSION REVIEW BOARD

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 742,968	$ 692,968
Appropriated Receipts	10,000	10,000
Total, Method of Financing	$ 752,968	$ 702,968
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	13.0	13.0
Schedule of Exempt Positions:		
Executive Director, Group 1	$70,000	$70,000
Items of Appropriation:		
A. Goal: SOUND RETIREMENT SYSTEMS		
Ensure Actuarially Sound Retirement Systems.		
A.1.1. Strategy: RETIREMENT SYSTEM REVIEWS	$ 407,424	$ 390,335
Conduct Reviews of Texas Public Retirement Systems.		
A.2.1. Strategy: TECHNICAL ASSISTANCE AND EDUCATION	$ 345,544	$ 312,633
Provide Technical Assistance; Issue Impact Statements; Educate.		
Total, Goal A: SOUND RETIREMENT SYSTEMS	$ 752,968	$ 702,968
Grand Total, PENSION REVIEW BOARD	$ 752,968	$ 702,968
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 604,592	$ 604,592
Other Personnel Costs	11,860	11,860
Professional Fees and Services	75,000	25,000
Consumable Supplies	6,000	6,000
Utilities	1,865	1,865
Travel	15,000	15,000
Rent - Building	500	500
Rent - Machine and Other	5,000	5,000
Other Operating Expense	33,151	33,151
Total, Object-of-Expense Informational Listing	$ 752,968	$ 702,968

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 22,286	$ 22,620
Group Insurance	76,138	82,517
Social Security	41,176	41,794
Benefits Replacement	2,669	2,536
Subtotal, Employee Benefits	$ 142,269	$ 149,467
Debt Service		
Lease Payments	$ 45,151	$ 45,253
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 187,420	$ 194,720

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Pension Review Board. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Pension Review Board. In order to achieve the objectives and service standards established by this Act, the Pension Review Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: SOUND RETIREMENT SYSTEMS		
Outcome (Results/Impact):		
Percent of Actuarially Funded Defined Benefit Texas Public Retirement Systems That Are Actuarially Sound	98%	98%
Percent of Plan Administrators Satisfied with PRB Educational Services	98%	98%
A.1.1. Strategy: RETIREMENT SYSTEM REVIEWS		
Output (Volume):		
Number of Reviews Completed	600	600
A.2.1. Strategy: TECHNICAL ASSISTANCE AND EDUCATION		
Output (Volume):		
Number of Technical Assistance Reports Provided by Staff	150	150

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purpose shown and are not available for expenditure for other purposes.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) New Database	$ 60,000	$ UB
Total, Capital Budget	$ 60,000	$ UB
Method of Financing (Capital Budget):		
General Revenue Fund	$ 60,000	$ UB
Total, Method of Financing	$ 60,000	$ UB

PRESERVATION BOARD

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1]	$ 22,928,792	$ 11,004,386
Other Funds		
Appropriated Receipts	15,000	15,000
Interagency Contracts	6,745	6,745
Bond Proceeds - General Obligation Bonds	35,500	UB
Subtotal, Other Funds	$ 57,245	$ 21,745
Total, Method of Financing	$ 22,986,037	$ 11,026,131
This bill pattern represents an estimated 43.4% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	97.5	97.5
Schedule of Exempt Positions:		
Executive Director, Group 4[2]	$160,000	$160,000
Items of Appropriation:		
A. Goal: MANAGE CAPITOL AND OTHER BUILDINGS		
Manage Capitol and Other Buildings/Grounds and Promote Texas History.		
A.1.1. Strategy: PRESERVE BUILDINGS AND CONTENTS	$ 389,051	$ 395,567
Preserve State Capitol and Other Designated Buildings and Grounds.		
A.1.2. Strategy: BUILDING MAINTENANCE[1]	$ 14,910,530	$ 3,009,813
Maintain State Capitol and Other Designated Buildings and Grounds.		
A.2.1. Strategy: MANAGE EDUCATIONAL PROGRAM	$ 584,690	$ 597,847
Manage Educational Program for State Capitol and Visitors Center.		
A.2.2. Strategy: MANAGE STATE HISTORY MUSEUM	$ 6,206,075	$ 6,107,200
Manage and Operate the Bob Bullock Texas State History Museum.		
A.3.1. Strategy: MANAGE ENTERPRISES	$ 36,797	$ 37,647
Manage Events, Exhibits, Activities & Operate Profitable Enterprises.		
Total, Goal A: MANAGE CAPITOL AND OTHER BUILDINGS	$ 22,127,143	$ 10,148,074
B. Goal: INDIRECT ADMINISTRATION		
B.1.1. Strategy: INDIRECT ADMINISTRATION	$ 858,894	$ 878,057
Grand Total, PRESERVATION BOARD	$ 22,986,037	$ 11,026,131
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 3,433,627	$ 3,505,531
Other Personnel Costs	88,300	96,820
Professional Fees and Services	18,000	21,000
Fuels and Lubricants	8,600	8,600
Consumable Supplies	73,500	74,000
Utilities	22,900	22,900
Travel	1,500	1,500
Rent - Building	990	990
Rent - Machine and Other	31,500	31,500
Debt Service	6,156,075	6,057,200
Other Operating Expense	2,021,728	1,206,090
Capital Expenditures	11,129,317	0
Total, Object-of-Expense Informational Listing	$ 22,986,037	$ 11,026,131

[1] Incorporates Article IX, § 17.20, of this Act, relating to the repair of the Governor's Mansion, which appropriates $11,000,000 in General Revenue in FY 2010.
[2] Incorporates authority provided in Article IX, § 3.05(c), of this Act, reflecting an increase from $125,000 each year.

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 372,195	$ 377,778
Group Insurance	824,984	885,074
Social Security	470,843	477,905
Benefits Replacement	24,483	23,259
Subtotal, Employee Benefits	$ 1,692,505	$ 1,764,016
Debt Service		
TPFA GO Bond Debt Service	$ 3,123	$ 3,057
Lease Payments	1,426,488	1,364,778
Subtotal, Debt Service	$ 1,429,611	$ 1,367,835
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 3,122,116	$ 3,131,851

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Preservation Board. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Preservation Board. In order to achieve the objectives and service standards established by this Act, the Preservation Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: MANAGE CAPITOL AND OTHER BUILDINGS		
Outcome (Results/Impact):		
Percent of Maintenance Tasks Completed Correctly	99%	99%
A.1.1. Strategy: PRESERVE BUILDINGS AND CONTENTS		
Output (Volume):		
Number of Repairs and Restorations of Historical Items Completed	270	510
A.1.2. Strategy: BUILDING MAINTENANCE		
Efficiencies:		
Cost Per Building Square Foot of Custodial Care	2.07	2.07
A.2.1. Strategy: MANAGE EDUCATIONAL PROGRAM		
Output (Volume):		
Number of School-age Tours Conducted at the Visitors Center	1,200	1,200
A.2.2. Strategy: MANAGE STATE HISTORY MUSEUM		
Explanatory:		
Number of Visitors to the Museum	430,000	450,000
A.3.1. Strategy: MANAGE ENTERPRISES		
Explanatory:		
Income from Parking Meters	525,000	575,000

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

	2010	2011
a. Construction of Buildings and Facilities		
(1) Capitol Security Project	$ 93,817	$ UB
Total, Construction of Buildings and Facilities	$ 93,817	$ UB
b. Repair or Rehabilitation of Buildings and Facilities		
(1) Carriage House at the Governor's Mansion (Proposition 8)	35,500	UB

(2) Restoration of the Governor's Mansion[3]	11,000,000	UB
Total, Repair or Rehabilitation of Buildings and Facilities	$ 11,035,500	$ UB
Total, Capital Budget	$ 11,129,317	$ UB
Method of Financing (Capital Budget):		
General Revenue Fund	$ 11,093,817	$ UB
Bond Proceeds - General Obligation Bonds	35,500	UB
Total, Method of Financing	$ 11,129,317	$ UB

3. **Appropriation: Debt Service for Construction of State History Museum.** Included in the amounts appropriated above out of the General Revenue Fund for Strategy A.2.2, Manage State History Museum, the amounts of $6,156,075 for fiscal year 2010 and $6,057,200 for fiscal year 2011 are to be used for lease payments to the Texas Public Finance Authority for debt service payments on the revenue bonds or other revenue obligations issued to construct the State History Museum, and the amounts of $50,000 each fiscal year of the 2010-11 biennium are to be used for insurance payments as required by the Texas Public Finance Authority.

4. **Unexpended Balances: Between Fiscal Years.** Any unexpended balances as of August 31, 2010, from the appropriations made above are hereby appropriated to the State Preservation Board for the same purpose for the fiscal year beginning September 1, 2010.

5. **Unexpended Balances of Bond Proceeds for the Carriage House at the Governor's Mansion (Proposition 8).** Included in the amounts appropriated above are unexpended and unobligated balances remaining as of August 31, 2009, (estimated to be $35,500) for the Carriage House at the Governor's Mansion, for the 2010-11 biennium to Strategy A.1.2, Building Maintenance in General Obligation Bond proceeds.

   Any unobligated balances remaining as of August 31, 2010, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

6. **Infrastructure Repair and Replacement.** Included in amounts appropriated above in Strategy A.1.2, Building Maintenance is $500,000 in General Revenue in fiscal year 2010 for the repair and replacement of infrastructure of buildings and structures managed by the State Preservation Board (SPB) as authorized by Government Code, Chapters 443, 445, and 2165. Any unexpended balances as of August 31, 2010, out of appropriations made herein are hereby appropriated to the SPB for the fiscal year beginning September 1, 2010 for the same purpose.

7. **Unexpended Balances Between Biennia.** Included in amounts appropriated above are unexpended and unobligated balances remaining as of August 31, 2009, (estimated to be $93,817 in General Revenue) for the Capitol Security Project, for the 2010-11 biennium to Strategy A.1.2, Building Maintenance.

   Any unobligated balances remaining as of August 31, 2010, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

---

[3] Incorporates Article IX, § 17.20, of this Act, relating to the repair of the Governor's Mansion, which appropriates $11,000,000 in General Revenue in FY 2010.

STATE OFFICE OF RISK MANAGEMENT

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Interagency Contracts	$ 9,033,914	$ 8,777,914
Total, Method of Financing	$ 9,033,914	$ 8,777,914
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	126.0	126.0
Schedule of Exempt Positions:		
Executive Director, Group 3	$104,500	$104,500
Items of Appropriation:		
A. Goal: MANAGE RISK AND ADMINISTER CLAIMS		
Manage Workers' Compensation Costs.		
A.1.1. Strategy: RISK MANAGEMENT PROGRAM Assist/Review/Monitor Agencies' Risk Management Programs.	$ 2,135,271	$ 2,133,771
A.2.1. Strategy: PAY WORKERS' COMPENSATION Review Claims, Determine Liability and Pay Eligible Claims.	$ 6,898,643	$ 6,644,143
Total, Goal A: MANAGE RISK AND ADMINISTER CLAIMS	$ 9,033,914	$ 8,777,914
Grand Total, STATE OFFICE OF RISK MANAGEMENT	$ 9,033,914	$ 8,777,914
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 5,518,185	$ 5,518,185
Other Personnel Costs	127,168	138,429
Professional Fees and Services	2,415,520	2,415,520
Consumable Supplies	50,000	50,000
Utilities	4,330	4,330
Travel	150,234	150,234
Rent - Building	916	916
Rent - Machine and Other	31,000	31,000
Other Operating Expense	486,561	469,300
Capital Expenditures	250,000	0
Total, Object-of-Expense Informational Listing	$ 9,033,914	$ 8,777,914
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 313,065	$ 317,761
Group Insurance	728,458	783,578
Social Security	407,803	413,920
Benefits Replacement	18,392	17,472
Subtotal, Employee Benefits	$ 1,467,718	$ 1,532,731
Debt Service		
Lease Payments	$ 280,558	$ 281,190
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 1,748,276	$ 1,813,921

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the State Office of Risk Management. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the State Office of Risk Management. In order to achieve the objectives and

service standards established by this Act, the State Office of Risk Management shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: MANAGE RISK AND ADMINISTER CLAIMS		
Outcome (Results/Impact):		
Incident Rate of Injuries and Illnesses Per 100 Covered Full-time State Employees	4%	4%
Cost of Workers' Compensation Per Covered State Employee	311.31	316.97
Cost of Workers' Compensation Coverage per $100 State Payroll	0.91	0.93
A.1.1. Strategy: RISK MANAGEMENT PROGRAM		
Output (Volume):		
Number of Written Risk Management Program Reviews Conducted	32	32
Number of On-site Consultations Conducted	250	250
A.2.1. Strategy: PAY WORKERS' COMPENSATION		
Output (Volume):		
Number of Medical Bills Processed	120,000	120,000
Number of Indemnity Bills Paid	38,500	38,500
Efficiencies:		
Average Cost to Administer Claim	618.13	618.13

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Scanner Upgrade	$ 70,000	$ UB
(2) Workstations Upgrade	180,000	UB
Total, Acquisition of Information Resource Technologies	$ 250,000	$ UB
Total, Capital Budget	$ 250,000	$ UB
Method of Financing (Capital Budget):		
Interagency Contracts	$ 250,000	$ UB
Total, Method of Financing	$ 250,000	$ UB

3. **Appropriation of Unexpended Balances.** Any unexpended balances remaining as of August 31, 2010, out of appropriations made to Strategy A.1.1, Risk Management Program and to Strategy A.2.1, Pay Workers' Compensation, are hereby appropriated to the State Office of Risk Management for the fiscal year beginning September 1, 2010, to be applied toward assessments charged to state agencies for the administration of the workers' compensation and risk management programs including, the medical cost containment vendor and workers' compensation network contracts for fiscal year 2011.

   Any unobligated balances remaining as of August 31, 2009, estimated to be $250,000 in Interagency Contracts, are hereby appropriated for the same purposes to Strategy A.1.1, Risk Management Program and Strategy A.2.1, Pay Workers' Compensation for the fiscal year beginning September 1, 2009.

4. **Insurable State Asset Study.** By January 1, 2011, the State Office of Risk Management with the assistance of all agencies, shall prepare a proposal recommending a statewide strategy for ensuring that state assets are adequately insured. The proposal shall comment on the advisability of various insurance options, including self-insurance, privately placed insurance, and stop-loss insurance. This report shall be provided to the Legislative Budget Board and be made available to the public.

WORKERS' COMPENSATION PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Other Funds		
Interagency Contracts	$ 48,000,000	$ 49,000,000
Subrogation Receipts	567,750	567,750
Subtotal, Other Funds	$ 48,567,750	$ 49,567,750
Total, Method of Financing	$ 48,567,750	$ 49,567,750
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Items of Appropriation:		
A. Goal: WORKERS' COMPENSATION PAYMENTS		
A.1.1. Strategy: WORKERS' COMPENSATION PAYMENTS	$ 48,567,750	$ 49,567,750 & UB
Grand Total, WORKERS' COMPENSATION PAYMENTS	$ 48,567,750	$ 49,567,750
Object-of-Expense Informational Listing:		
Other Operating Expense	$ 48,567,750	$ 49,567,750
Total, Object-of-Expense Informational Listing	$ 48,567,750	$ 49,567,750

1. **Appropriation - Subrogation Receipts.** All sums of money recovered by the State Office of Risk Management from third parties by way of subrogation are hereby appropriated to the State Office of Risk Management during the biennium of receipt to be used for the payment of workers' compensation benefits to state employees.

2. **Cost Containment.** The State Office of Risk Management shall submit a report detailing the effectiveness of various cost containment measures undertaken and proposing additional measures to reduce workers' compensation costs. This report shall be submitted to the legislative and executive budget offices, in the form those offices require, within 45 days after the close of each fiscal year.

3. **Reporting of Workers' Compensation Claims.** For the purpose of reporting expenditures to the Uniform Statewide Accounting System (USAS), the State Office of Risk Management (SORM) shall account for payments of workers' compensation claims based on the date on which the bill for services is presented for payment to SORM.

   In addition, not later than November 1 of each year, the State Office of Risk Management shall submit a report to the Comptroller of Public Accounts, the Governor's Office, and the Legislative Budget Board which accounts for workers' compensation expenditures for the preceding appropriation year based on the date on which the injury occurred and the medical or related service was performed.

SECRETARY OF STATE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 27,492,934	$ 10,754,002
GR Dedicated - Election Improvement Fund No. 5095	1,891,000	2,119,000
Federal Funds	34,959,095	5,105,905
Appropriated Receipts	6,876,026	6,898,540
Total, Method of Financing	$ 71,219,055	$ 24,877,447
This bill pattern represents an estimated 99.8% of this agency's estimated total available funds for the biennium.		

Number of Full-Time-Equivalents (FTE):	244.9	244.9
Schedule of Exempt Positions:		
Secretary of State, Group 5	$125,880	$125,880
Items of Appropriation:		
A. Goal: INFORMATION MANAGEMENT		
Provide and Process Information Efficiently; Enforce Laws/Rules.		
A.1.1. Strategy: DOCUMENT FILING	$ 11,417,757	$ 11,004,693
File/Reject Statutory Filings.		
A.2.1. Strategy: DOCUMENT PUBLISHING	$ 990,857	$ 847,746 & UB
Publish the Texas Register, Texas Administrative Code and Session Laws.		
Total, Goal A: INFORMATION MANAGEMENT	$ 12,408,614	$ 11,852,439
B. Goal: ADMINISTER ELECTION LAWS		
Maintain Uniformity & Integrity of Elections; Oversee Election Process.		
B.1.1. Strategy: ELECTIONS ADMINISTRATION	$ 3,993,691	$ 3,780,363
Provide Statewide Elections Administration.		
B.1.2. Strategy: ELECTION/VOTER REGISTRATION FUNDS	$ 15,480,319	$ 675,929 & UB
Manage Primary Election Funds; Reimburse Voter Registration Postage.		
B.1.3. Strategy: CONSTITUTIONAL AMENDMENTS	$ 1,220,975	$ 69,439 & UB
Publish and Interpret Constitutional Amendments.		
B.1.4. Strategy: ELECTIONS IMPROVEMENT	$ 36,850,095	$ 7,224,905
Administer the Federal Help America Vote Act (HAVA).		
Total, Goal B: ADMINISTER ELECTION LAWS	$ 57,545,080	$ 11,750,636
C. Goal: INTERNATIONAL PROTOCOL		
C.1.1. Strategy: PROTOCOL/BORDER AFFAIRS	$ 458,505	$ 461,233
Provide Protocol Services and Representation on Border Issues.		
C.1.2. Strategy: COLONIAS INITIATIVES	$ 806,856	$ 813,139
Improve Physical Living Conditions in Colonias.		
Total, Goal C: INTERNATIONAL PROTOCOL	$ 1,265,361	$ 1,274,372
Grand Total, SECRETARY OF STATE	$ 71,219,055	$ 24,877,447
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 11,337,097	$ 11,345,798
Other Personnel Costs	849,407	853,198
Professional Fees and Services	5,543,991	2,854,092
Fuels and Lubricants	350	351
Consumable Supplies	157,333	162,052
Utilities	15,535	15,535
Travel	217,386	223,909
Rent - Building	32,151	32,151
Rent - Machine and Other	79,697	82,087
Other Operating Expense	12,231,902	8,753,582
Grants	39,480,518	0
Capital Expenditures	1,273,688	554,692
Total, Object-of-Expense Informational Listing	$ 71,219,055	$ 24,877,447
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 657,215	$ 667,073
Group Insurance	1,611,510	1,740,573
Social Security	859,437	872,328

Benefits Replacement	98,814	93,873
Subtotal, Employee Benefits	$ 3,226,976	$ 3,373,847
Debt Service		
Lease Payments	$ 727,934	$ 704,307
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 3,954,910	$ 4,078,154

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Secretary of State. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Secretary of State. In order to achieve the objectives and service standards established by this Act, the Secretary of State shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INFORMATION MANAGEMENT		
Outcome (Results/Impact):		
Percent of Business, Commercial, and Public Filings and Information Requests Completed in Three Days	99%	99%
A.1.1. Strategy: DOCUMENT FILING		
Output (Volume):		
Number of Business, Commercial, and Public Filings Transactions Processed	2,150,000	2,150,000
Number of Processed Requests for Information on Business, Commercial, and Public Filings	4,600,000	4,600,000
Efficiencies:		
Average Cost Per Business, Commercial, and Public Filings Transaction and Public Information Request	1.68	1.61
B. Goal: ADMINISTER ELECTION LAWS		
B.1.1. Strategy: ELECTIONS ADMINISTRATION		
Output (Volume):		
Number of Election Officials Assisted or Advised	76,152	60,922
Efficiencies:		
Average Cost per Election Authority Assisted or Advised	29.34	37
B.1.3. Strategy: CONSTITUTIONAL AMENDMENTS		
Output (Volume):		
Number of Constitutional Amendment Translations Mailed	1,310,000	0
C. Goal: INTERNATIONAL PROTOCOL		
C.1.2. Strategy: COLONIAS INITIATIVES		
Output (Volume):		
Count of Collaborative Meetings Coordinated	185	185

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Acquisition of Information Resource Technologies	$ 640,000	$ 390,000
(2) Upgrade Business Entity Web	500,000	UB
(3) Data Center Consolidation	2,423,119	2,290,960
Total, Acquisition of Information Resource Technologies	$ 3,563,119	$ 2,680,960
Total, Capital Budget	$ 3,563,119	$ 2,680,960
Method of Financing (Capital Budget):		
General Revenue Fund	$ 1,542,858	$ 1,318,276
Federal Funds	1,130,261	972,684

Appropriated Receipts	890,000	390,000
Total, Method of Financing	$ 3,563,119	$ 2,680,960

3. **Contingency Appropriation for Constitutional Amendments.** The amounts appropriated above in Strategy B.1.3, Constitutional Amendments, are intended to cover the costs of fulfilling the requirements of Election Code, Chapter 274, Subchapter B, and Article 17 § 1 of the Texas Constitution for 11 proposed constitutional amendments or referendum items. In the event that the number of proposed constitutional amendments or referendum items exceeds 11, or if the actual costs exceed the amounts appropriated herein, the Secretary of State is hereby appropriated from General Revenue the additional funds necessary to fulfill the aforementioned requirements.

4. **Travel Expenditures.** The Secretary of State is hereby authorized to expend funds from the above appropriations to reimburse state inspectors for travel expenses pursuant to Election Code, § 34.003.

5. **Limitation, Primary Finance.** Of the funds appropriated in Strategy B.1.2, Election/Voter Registration Funds, not more than $250,000 may be distributed to the executive committees of the state parties for the operation of the primary and runoff elections. Funds distributed to the executive committees shall be distributed to the respective parties in the ratio of the total number of primary and runoff voters in the 2010 elections.

6. **Distribution of Session Laws.** None of the funds appropriated above may be expended for the printing or distribution of session laws except for the following: (1) one copy to the Governor, (2) one copy to the Lieutenant Governor, (3) one copy to the Speaker of the House, (4) one copy to each Court of Appeals, (5) one copy to each County Law Library, (6) 10 copies to the Texas Legislative Council, (7) 15 copies to the Legislative Reference Library, (8) 30 copies to the State Law Library, (9) 60 copies to the Texas State Library, (10) one copy to each member of the Legislature upon request, and (11) one copy to the Legislative Budget Board.

7. **Use of Excess Registration Fees Authorization.** Any registration fee collected by the Office of the Secretary of State to pay the expenses of a conference, seminar, or meeting in excess of the actual costs of such conference, seminar, or meeting may be used to pay the expenses of any other conference, seminar, or meeting for which no registration fees were collected or for which registration fees collected were insufficient to cover the total expenses.

8. **General Revenue-Dedicated Election Improvement Fund No. 5095.** Included in amounts appropriated above, in Strategy B.1.4, Elections Improvement, are all balances (including interest earned in the account) remaining in the General Revenue-Dedicated Election Improvement Fund No. 5095 as of August 31, 2009 (estimated to be $40,065,000 in Federal Funds and $1,891,000 in fiscal year 2010 and $2,119,000 in fiscal year 2011 in interest earnings), for the biennium beginning September 1, 2009, to carry out provisions of the Help America Vote Act (HAVA) as codified in Election Code § 31.011.

9. **Travel Cap Exemption for the Secretary of State and the Secretary of State's Staff.** Travel expenses incurred by the Secretary of State or the Secretary of State's staff to carry out the duties of the Secretary of State are exempt from the requirements of Article IX, Sec. 5.08, Limitation on Travel Expenditures, and the limitations on such expenditures as set forth therein.

10. **Limitation of Reimbursement for Non-Joint Primary Elections.** Funds appropriated above in Strategy B.1.2, Election/Voter Registration Funds may not be used to reimburse counties for amounts that exceed the costs to conduct a joint primary election.

11. **Software Revisions.** Included in the amounts appropriated above in Strategy B.1.1, Elections Administration is $250,000 in General Revenue funds in fiscal year 2010 for software revisions to improve the accuracy of the verification of the identification numbers submitted on voter registration applications. Any unexpended balances remaining in appropriations to implement software revisions as of August 31, 2010, are hereby appropriated for the fiscal year beginning September 1, 2010.

OFFICE OF STATE-FEDERAL RELATIONS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 0	$ 0
Interagency Contracts	0	0
Total, Method of Financing	$ 0	$ 0
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Schedule of Exempt Positions:[1]		
Items of Appropriation:[1]		
A. Goal: INFLUENCE FEDERAL ACTION		
Increase Influence over Federal Action.		
A.1.1. Strategy: ACTION PLANS	$ 0	$ 0
Monitor Issues and Recommend Action, Implement Action Plans.		
A.1.2. Strategy: REGULAR REPORTS	$ 0	$ 0
Distribute Timely Information and Regular Reports.		
Total, Goal A: INFLUENCE FEDERAL ACTION	$ 0	$ 0
B. Goal: INDIRECT ADMINISTRATION		
B.1.1. Strategy: INDIRECT ADMINISTRATION	$ 0	$ 0
Grand Total, OFFICE OF STATE-FEDERAL RELATIONS	$ 0	$ 0
Object-of-Expense Informational Listing:		
Total, Object-of-Expense Informational Listing	$ 0	$ 0

1. **Performance Measure Targets.**[1] The following is a listing of the key performance target levels for the Office of State-Federal Relations. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Office of State-Federal Relations. In order to achieve the objectives and service standards established by this Act, the Office of State-Federal Relations shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INFLUENCE FEDERAL ACTION		
Outcome (Results/Impact):		
Texas' Prior Year Proportionate Share of Federal Funding		
Percent of Customers Satisfied with OSFR Services		
A.1.2. Strategy: REGULAR REPORTS		
Efficiencies:		
Percentage of Responses within Two Business Days		

2. **Cost of Living Salary Supplement.**[1] The Office of State-Federal Relations (OSFR) is hereby authorized to pay a salary supplement, not to exceed $1,200 per month, to each OSFR employee whose duty station is located in Washington, DC. This salary supplement shall be in addition to the salary rate authorized for that position by this Act.

   Any state agency or any institution which assigns an employee to work in the Washington, DC, office of the OSFR on a permanent basis and which also designates that employee's duty station as Washington, DC, is hereby authorized to pay such an employee a salary supplement not to exceed $1,200 per month. This salary supplement shall be in addition to the salary rate authorized by this Act.

[1] Incorporates the passage of SB 1003, 81st Legislature, Regular Session, which transfers the funding for the Office of State-Federal Relations (OSFR) to the Trusteed Programs Within the Office of the Governor, including the transfer of General Revenue Funds in the amount of $615,630 in FY 2010 and $615,426 in FY 2011 and Interagency Contracts in the amount of $168,000 each fiscal year, for a biennial total of $1,567,056 and 7.0 FTEs each fiscal year. Applicable riders and performance measures associated with OSFR have been transferred to the Trusteed Programs Within the Office of the Governor and noted herein.

In the event that an employee so assigned works on a less than full-time basis, the maximum salary supplement shall be set on a proportionate basis.

3. **Information and Assistance Requirements.**[2] It is the intent of the Legislature that funds appropriated above be expended in a manner which provides information and assistance to both the legislative and executive branches of Texas State Government and that the funds be used to operate the office in a manner which is politically non-partisan.

4. **Reports on Increasing Federal Funds.**[2] It is the intent of the Legislature that the Office of State-Federal Relations work with state agencies to identify and report to the Legislature on possible changes in state laws which could increase the amount of federal funds received by the state, and on changes to federal laws which could impact state funding of federal programs or the state's receipt of federal funds.

5. **Interagency Contracts.**[2] Consistent with the method of financing for the Office of State-Federal Relations (OSFR), state agencies and institutions of higher education that are represented by their employees in the Washington, DC, office of the OSFR shall be charged for their portion of operating expenses, rent, and administrative staff costs, not to exceed $2,000 per month, per legislative liaison.

6. **Unexpended Balances: Between Fiscal Years Within The Biennium.** Any unexpended balances as of August 31, 2010, in the appropriations made herein to the Office of State-Federal Relations are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

7. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 for the Office of State-Federal Relations are made contingent on the continuation of the Office of State-Federal Relations by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

---

[2] Incorporates the passage of SB 1003, 81st Legislature, Regular Session, which transfers the funding for the Office of State-Federal Relations (OSFR) to the Trusteed Programs Within the Office of the Governor, including the transfer of General Revenue Funds in the amount of $615,630 in FY 2010 and $615,426 in FY 2011 and Interagency Contracts in the amount of $168,000 each fiscal year, for a biennial total of $1,567,056 and 7.0 FTEs each fiscal year. Applicable riders and performance measures associated with OSFR have been transferred to the Trusteed Programs Within the Office of the Governor and noted herein.

VETERANS COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 7,152,702	$ 7,087,768
General Revenue Fund - Dedicated		
Air Force Association of Texas Plates, No. 5123	5,000	3,000
American Legion License Plate, No. 5141	2,000	1,000
Subtotal, General Revenue Fund - Dedicated	$ 7,000	$ 4,000
Federal Funds	9,931,438	9,931,438
Veterans' Assistance Fund	11,255	UB
Total, Method of Financing	$ 17,102,395	$ 17,023,206
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	338.2	338.2

Schedule of Exempt Positions:		
Executive Director, Group 4	$115,000	$115,000
Items of Appropriation:		
A. Goal: ASSIST VETS W/RECEIVING BENEFITS		
Ensure Veterans, Their Dependents & Survivors Receive All Due Benefits.		
A.1.1. Strategy: CLAIMS REPRESENTATION & COUNSELING	$ 4,762,099	$ 4,725,182
Claims Representation & Counseling to Veterans and their Families.		
A.1.2. Strategy: VETERANS EMPLOYMENT SERVICES	$ 9,310,870	$ 9,304,270
A.1.3. Strategy: VETERANS EDUCATION	$ 1,047,482	$ 1,037,225
A.1.4. Strategy: OUTREACH AND MARKETING	$ 588,835	$ 563,420
Total, Goal A: ASSIST VETS W/RECEIVING BENEFITS	$ 15,709,286	$ 15,630,097
B. Goal: INDIRECT ADMINISTRATION		
B.1.1. Strategy: CENTRAL ADMINISTRATION	$ 1,393,109	$ 1,393,109
Grand Total, VETERANS COMMISSION	$ 17,102,395	$ 17,023,206
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 12,313,310	$ 12,334,263
Other Personnel Costs	635,212	637,182
Professional Fees and Services	431,725	427,211
Consumable Supplies	75,935	75,635
Utilities	26,770	26,770
Travel	692,986	706,331
Rent - Building	2,042,500	2,042,600
Rent - Machine and Other	46,050	46,100
Other Operating Expense	737,952	641,414
Client Services	25,000	25,000
Grants	18,255	4,000
Capital Expenditures	56,700	56,700
Total, Object-of-Expense Informational Listing	$ 17,102,395	$ 17,023,206
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 711,310	$ 721,979
Group Insurance	2,216,944	2,410,656
Social Security	932,389	946,375
Benefits Replacement	74,004	70,304
Subtotal, Employee Benefits	$ 3,934,647	$ 4,149,314
Debt Service		
Lease Payments	$ 6,797	$ 6,834
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 3,941,444	$ 4,156,148

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Veterans Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Veterans Commission. In order to achieve the objectives and service standards established by this Act, the Veterans Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ASSIST VETS W/RECEIVING BENEFITS		
Outcome (Results/Impact):		
Amount of VA Monetary Awards (in Millions of Dollars) Paid Because of Commission Advocacy in Claims Representation of Veterans with Service-connected Disabilities	1,274	1,274

Amount of VA Monetary Awards (in Millions of Dollars) Paid Because of Commission Advocacy in Claims Representation for Widows or Orphans of Veterans	215	215
A.1.1. Strategy: CLAIMS REPRESENTATION & COUNSELING		
Output (Volume):		
Number of Claims for Veterans Benefits Filed and Developed on Behalf of Veterans with Service-connected Disabilities	75,550	77,400
Number of Active Veterans Benefits Cases for Veterans, Their Widows, or Their Orphans Represented by the Texas Veterans Commission	160,000	160,000
Number of Appeals of Unfavorable Veterans Affairs Decisions Filed on Behalf of Veterans, Their Widows, or Their Orphans	16,010	16,395
A.1.2. Strategy: VETERANS EMPLOYMENT SERVICES		
Output (Volume):		
Veterans Employment Services Customers Served	105,300	105,300

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Equipment Replacement Cycle	$ 56,700	$ 56,700
(2) Data Center Services	$ 28,006	$ 33,954
Total, Acquisition of Information Resource Technologies	$ 84,706	$ 90,654
Total, Capital Budget	$ 84,706	$ 90,654
Method of Financing (Capital Budget):		
General Revenue Fund	$ 84,706	$ 90,654
Total, Method of Financing	$ 84,706	$ 90,654

3. **Appropriation of All License Plate Unexpended Balances and Receipts.** Included in amounts appropriated above in Strategy A.1.1, Claims Representation and Counseling, are all estimated balances collected prior to the effective date of this Act (estimated to be $1,000 for General Revenue-Dedicated American Legion License Plate Account No. 5141 and $2,000 for General Revenue-Dedicated Air Force Association of Texas Plates Account No. 5123) and revenue collected on or after September 1, 2009 (estimated to be $1,000 in fiscal year 2010 and $1,000 in fiscal year 2011 for General Revenue-Dedicated American Legion License Plate Account No. 5141 and $3,000 in fiscal year 2010 and $3,000 in fiscal year 2011 for General Revenue-Dedicated Air Force Association of Texas Plates Account No. 5123), from the sale of license plates as provided by Transportation Code §§ 504.413 and 504.630 for the purpose of making grants to each organization, respectively. In addition to amounts identified herein and included above, all unexpended balances remaining as of August 31, 2009, and all revenue collected on or after September 1, 2009 are hereby appropriated for the same purpose.

   Any unexpended balances remaining as of August 31, 2010, in the appropriation made herein are hereby appropriated for the fiscal year beginning September 1, 2010.

4. **Visitation Program to Wounded and Disabled Veterans.** Included in the amounts appropriated above in Strategy A.1.1, Claims Representation and Counseling, is the amount of $52,000 in General Revenue each fiscal year, to provide a program for the visitation of wounded and disabled veterans who are returning from Operation Iraqi Freedom and other war zone areas that Texas veterans have served.

5. **Cash Flow Contingency.** Contingent upon the receipt of Federal Funds appropriated in Strategy A.1.1, Claims Representation and Counseling, Strategy A.1.2, Veterans Employment Services, and Strategy A.1.3, Veterans Education, the Commission may temporarily utilize General Revenue funds, pending the receipt of federal reimbursement, in an amount not to exceed 75 percent of the amount as specified in the Notification Letter of Federal Award or contract to be received in each fiscal year of the biennium. The General Revenue amounts utilized above the

Commission's General Revenue method of finance must be repaid upon receipt of federal reimbursement and shall be utilized only for the purpose of temporary cash flow needs. The transfer and reimbursement of funds shall be made under procedures established by the Comptroller of Public Accounts to ensure all borrowed funds are reimbursed to the Treasury on or before August 31, 2011. All transfers of General Revenue shall be reported by the Commission to the Legislative Budget Board and the Governor.

6. **Out of State Travel Cap Exemption.** Travel expenses incurred by the Texas Veterans Commission staff associated with federal programs and paid out of federal funds and /or earned federal funds are exempt from the requirements of Article IX, Section 5.08, Limitations on Travel Expenditures, and the limitations on such expenditures as set forth therein.

7. **Fund for Veterans Assistance.** Included in amounts appropriated above, are all estimated balances and revenues collected on or after September 1, 2009 in the Fund for Veterans Assistance No. 0368 (estimated to be $11,255 in Other Funds) in Strategy A.1.1, Claims Assistance to enhance or improve veterans' assistance programs and to make grants to local communities to address veterans' needs in accordance with Government Code § 434.017.

   Any unexpended balances remaining as of August 31, 2010 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

8. **Interagency Contract with the Texas Veterans Commission.** Included in the amounts appropriated above to the General Land Office and Veterans' Land Board out of Interagency Contracts in Strategy C.1.1, Veterans' Loan Programs, is $68,626 in each fiscal year of the 2010-11 biennium derived from a contract between the General Land Office and Veterans' Land Board and the Texas Veterans Commission (TVC) to fund operations of the TVC Call Center. Pursuant to House Bill 3140, Eightieth Legislature, 2007, the General Land Office and Veterans Land Board and the Texas Veterans Commission shall enter into a memorandum of understanding regarding the funding and operations of the Veterans Commission Call Center.

RETIREMENT AND GROUP INSURANCE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund, estimated	$ 71,458,605	$ 75,876,684
General Revenue Dedicated Accounts, estimated	2,559,800	2,708,013
Federal Funds, estimated	20,509,381	21,631,110
Other Funds		
Other Special State Funds, estimated	566,977	597,241
State Highway Fund No. 006, estimated	684,249	720,694
Subtotal, Other Funds	$ 1,251,226	$ 1,317,935
Total, Method of Financing	$ 95,779,012	$ 101,533,742
Items of Appropriation:		
A. Goal: EMPLOYEES RETIREMENT SYSTEM		
A.1.1. Strategy: RETIREMENT CONTRIBUTIONS Retirement Contributions. Estimated.	$ 28,972,883	$ 29,400,025
A.1.2. Strategy: GROUP INSURANCE Group Insurance. Estimated.	$ 66,806,129	$ 72,133,717
Total, Goal A: EMPLOYEES RETIREMENT SYSTEM	$ 95,779,012	$ 101,533,742
Grand Total, RETIREMENT AND GROUP INSURANCE	$ 95,779,012	$ 101,533,742

SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund, estimated	$ 30,969,456	$ 31,347,690
General Revenue Dedicated Accounts, estimated	1,061,362	1,072,907
Federal Funds, estimated	6,944,362	6,928,574
Other Funds		
Other Special State Funds, estimated	247,447	251,086
State Highway Fund No. 006, estimated	353,111	357,251
Subtotal, Other Funds	$ 600,558	$ 608,337
Total, Method of Financing	$ 39,575,738	$ 39,957,508
Items of Appropriation:		
A. Goal: SOCIAL SECURITY/BENEFIT REPLACEMENT		
Comptroller - Social Security.		
A.1.1. Strategy: STATE MATCH -- EMPLOYER	$ 36,452,177	$ 36,990,125
State Match — Employer. Estimated.		
A.1.2. Strategy: BENEFIT REPLACEMENT PAY	$ 3,123,561	$ 2,967,383
Benefit Replacement Pay. Estimated.		
Total, Goal A: SOCIAL SECURITY/BENEFIT REPLACEMENT	$ 39,575,738	$ 39,957,508
Grand Total, SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY	$ 39,575,738	$ 39,957,508

BOND DEBT SERVICE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 24,755,006	$ 50,733,831
GR Dedicated - Texas Military Revolving Loan Account No. 5114	2,504,063	2,945,063
Total, Method of Financing	$ 27,259,069	$ 53,678,894
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: BOND DEBT SERVICE	$ 27,259,069	$ 53,678,894 & UB
To Texas Public Finance Authority for Payment of Bond Debt Service.		
Grand Total, BOND DEBT SERVICE PAYMENTS	$ 27,259,069	$ 53,678,894

LEASE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 11,861,135	$ 11,293,942
Total, Method of Financing	$ 11,861,135	$ 11,293,942
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: LEASE PAYMENTS	$ 11,861,135	$ 11,293,942 & UB
To TFC for Payment to TPFA.		
Grand Total, LEASE PAYMENTS	$ 11,861,135	$ 11,293,942

RECAPITULATION - ARTICLE I
GENERAL GOVERNMENT
(General Revenue)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Commission on the Arts	$ 1,024,769	$ 309,678
Office of the Attorney General	193,389,462	192,626,784
Bond Review Board	612,540	612,541
Comptroller of Public Accounts	220,010,743	220,010,743
Rider Appropriations	10,298,000	10,062,000
Total	230,308,743	230,072,743
Fiscal Programs - Comptroller of Public Accounts	501,977,415	297,128,451
Employees Retirement System	7,610,976	7,610,977
Texas Ethics Commission	2,064,324	2,066,625
Facilities Commission	29,339,215	29,339,214
Public Finance Authority	563,601	563,601
Fire Fighters' Pension Commissioner	800,573	675,573
Office of the Governor	11,944,727	10,844,726
Trusteed Programs Within the Office of the Governor	158,957,489	58,858,393
Historical Commission	19,074,616	15,873,292
Department of Information Resources	792,677	792,678
Library & Archives Commission	20,620,182	20,315,025
Pension Review Board	742,968	692,968
Preservation Board	22,928,792	11,004,386
Secretary of State	27,492,934	10,754,002
Veterans Commission	7,152,702	7,087,768
Subtotal, General Government	$ 1,237,398,705	$ 897,229,425
Retirement and Group Insurance	71,458,605	75,876,684
Social Security and Benefit Replacement Pay	30,969,456	31,347,690
Subtotal, Employee Benefits	$ 102,428,061	$ 107,224,374
Bond Debt Service Payments	24,755,006	50,733,831
Lease Payments	11,861,135	11,293,942
Subtotal, Debt Service	$ 36,616,141	$ 62,027,773
TOTAL, ARTICLE I - GENERAL GOVERNMENT	$ 1,376,442,907	$ 1,066,481,572

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE I
GENERAL GOVERNMENT
(General Revenue - Dedicated)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Commission on the Arts	$ 7,098,221	$ 2,381,016
Office of the Attorney General	93,847,659	93,812,770
Cancer Prevention and Research Institute of Texas	30,000	12,000
Fiscal Programs - Comptroller of Public Accounts	46,658,405	19,822,981
Commission on State Emergency Communications	74,110,596	67,944,476
Facilities Commission	5,510,920	2,642,069
Public Finance Authority	2,145,000	2,691,000
Trusteed Programs Within the Office of the Governor	193,465,221	42,817,894
Historical Commission	396,000	424,000
Library & Archives Commission	6,263	4,000
Secretary of State	1,891,000	2,119,000
Veterans Commission	7,000	4,000
Subtotal, General Government	$ 425,166,285	$ 234,675,206
Retirement and Group Insurance	2,559,800	2,708,013
Social Security and Benefit Replacement Pay	1,061,362	1,072,907
Subtotal, Employee Benefits	$ 3,621,162	$ 3,780,920
Bond Debt Service Payments	2,504,063	2,945,063
Subtotal, Debt Service	$ 2,504,063	$ 2,945,063
TOTAL, ARTICLE I - GENERAL GOVERNMENT	$ 431,291,510	$ 241,401,189

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE I
GENERAL GOVERNMENT
(Federal Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Commission on the Arts	$ 884,450	$ 884,450
Office of the Attorney General	187,243,836	188,554,318
Fiscal Programs - Comptroller of Public Accounts	1,641,366	1,641,366
Trusteed Programs Within the Office of the Governor	121,790,801	50,097,884
Historical Commission	938,851	938,851
Library & Archives Commission	10,962,628	10,961,765
Secretary of State	34,959,095	5,105,905
Veterans Commission	9,931,438	9,931,438
Subtotal, General Government	$ 368,352,465	$ 268,115,977
Retirement and Group Insurance	20,509,381	21,631,110
Social Security and Benefit Replacement Pay	6,944,362	6,928,574
Subtotal, Employee Benefits	$ 27,453,743	$ 28,559,684
TOTAL, ARTICLE I - GENERAL GOVERNMENT	$ 395,806,208	$ 296,675,661

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE I
GENERAL GOVERNMENT
(Other Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Commission on the Arts	$ 1,132,000	$ 1,132,000
Office of the Attorney General	29,877,284	30,239,349
Cancer Prevention and Research Institute of Texas	224,125,000	224,000,000
Comptroller of Public Accounts	2,008,740	2,008,740
Commission on State Emergency Communications	240,000	240,000
Texas Ethics Commission	8,190	8,190
Facilities Commission	49,610,825	20,213,825
Public Finance Authority	361,477	361,477
Fire Fighters' Pension Commissioner	38,000	38,000
Office of the Governor	465,000	465,000
Trusteed Programs Within the Office of the Governor	2,985,500	4,735,500
Historical Commission	59,475,752	3,035,753
Department of Information Resources	278,734,720	254,730,003
Library & Archives Commission	3,991,513	3,970,373
Pension Review Board	10,000	10,000
Preservation Board	57,245	21,745
State Office of Risk Management	9,033,914	8,777,914
Workers' Compensation Payments	48,567,750	49,567,750
Secretary of State	6,876,026	6,898,540
Veterans Commission	11,255	0
Subtotal, General Government	$ 717,610,191	$ 610,454,159
Retirement and Group Insurance	1,251,226	1,317,935
Social Security and Benefit Replacement Pay	600,558	608,337
Subtotal, Employee Benefits	$ 1,851,784	$ 1,926,272
Less Interagency Contracts	$ 344,845,703	$ 328,692,296
TOTAL, ARTICLE I - GENERAL GOVERNMENT	$ 374,616,272	$ 283,688,135

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE I
GENERAL GOVERNMENT
(All Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Commission on the Arts	$ 10,139,440	$ 4,707,144
Office of the Attorney General	504,358,241	505,233,221
Bond Review Board	612,540	612,541
Cancer Prevention and Research Institute of Texas	224,155,000	224,012,000
Comptroller of Public Accounts	222,019,483	222,019,483
Rider Appropriations	10,298,000	10,062,000
Total	232,317,483	232,081,483
Fiscal Programs - Comptroller of Public Accounts	550,277,186	318,592,798
Commission on State Emergency Communications	74,350,596	68,184,476
Employees Retirement System	7,610,976	7,610,977
Texas Ethics Commission	2,072,514	2,074,815
Facilities Commission	84,460,960	52,195,108
Public Finance Authority	3,070,078	3,616,078
Fire Fighters' Pension Commissioner	838,573	713,573
Office of the Governor	12,409,727	11,309,726
Trusteed Programs Within the Office of the Governor	477,199,011	156,509,671
Historical Commission	79,885,219	20,271,896
Department of Information Resources	279,527,397	255,522,681
Library & Archives Commission	35,580,586	35,251,163
Pension Review Board	752,968	702,968
Preservation Board	22,986,037	11,026,131
State Office of Risk Management	9,033,914	8,777,914
Workers' Compensation Payments	48,567,750	49,567,750
Secretary of State	71,219,055	24,877,447
Veterans Commission	17,102,395	17,023,206
Subtotal, General Government	$ 2,748,527,646	$ 2,010,474,767
Retirement and Group Insurance	95,779,012	101,533,742
Social Security and Benefit Replacement Pay	39,575,738	39,957,508
Subtotal, Employee Benefits	$ 135,354,750	$ 141,491,250
Bond Debt Service Payments	27,259,069	53,678,894
Lease Payments	11,861,135	11,293,942
Subtotal, Debt Service	$ 39,120,204	$ 64,972,836
Less Interagency Contracts	$ 344,845,703	$ 328,692,296
TOTAL, ARTICLE I - GENERAL GOVERNMENT	$ 2,578,156,897	$ 1,888,246,557
Number of Full-Time-Equivalents (FTE)	10,082.6	10,094.3

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

ARTICLE II

HEALTH AND HUMAN SERVICES

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated health and human services agencies.

DEPARTMENT OF AGING AND DISABILITY SERVICES

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund		
General Revenue Fund[2]	$ 202,881,097	$ 196,224,062
GR Match for Federal Funds (Older Americans Act)	4,282,380	4,282,380
GR Certified as Match for Medicaid[3, 4]	280,148,495	218,020,585
GR Match for Medicaid[5, 6]	2,241,304,276	2,351,962,379
Subtotal, General Revenue Fund	$ 2,728,616,248	$ 2,770,489,406
General Revenue Fund - Dedicated		
Texas Capital Trust Fund Account No. 543	289,803	289,802
Home Health Services Account No. 5018	1,948,343	1,948,343
Texas Special Olympic License Plates Account No. 5055	5,000	5,000
Quality Assurance Account No. 5080	52,821,479	52,321,479
Subtotal, General Revenue Fund - Dedicated	$ 55,064,625	$ 54,564,624
Federal Funds[3, 4, 5, 6]	3,817,692,334	3,831,655,712
Other Funds		
Interagency Contracts	3,587,498	3,637,499
Bond Proceeds - General Obligation Bonds	56,563,263	0
MR Collections for Patient Support and Maintenance	22,469,135	22,469,137
MR Appropriated Receipts	754,449	754,449
MR Revolving Fund Receipts	82,160	82,160
Appropriated Receipts	4,094,428	4,094,425

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency, Article XII includes a General Revenue Funds decrease of $4,200,000 in FY 2010 and a Federal Funds increase of $10,200,000 in FY 2010, resulting in a net All Funds appropriation of $6,696,575 in FY 2010.

[2] Incorporates the passage of HB 802, 81st Legislature, Regular Session, relating to establishing a lifespan respite services program. $500,000 in FY 2010 and $500,000 in FY 2011 in General Revenue Funds are included above, pursuant to Article IX, § 17.38.

[3] Incorporates HB 4586, § 68, 81st Legislature, Regular Session, relating to a settlement agreement with the Department of Justice. $45,069,658 in General Revenue Funds and $56,096,471 in Federal Funds in FY 2010 and 1,160 FTEs in both FY 2010 and 2011 are included above. Appropriations related to HB 4586 are subject to appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to General Provisions contained in Article IX of SB 1, 81st Legislature, 2009.

[4] Incorporates HB 4586, § 73, 81st Legislature, Regular Session, relating to a contingency for SB 643 (protection and care of persons with mental retardation). $19,000,000 in General Revenue Funds and $19,000,000 in Federal Funds are included above for FY 2010; 186.0 FTEs are included above for each fiscal year. Appropriations related to HB 4586 are subject to appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to General Provisions contained in Article IX of SB 1, 81st Legislature, 2009.

[5] Incorporates the passage of SB 705, 81st Legislature, Regular Session, relating to long-term care consumer information and Medicaid waiver programs. $337,744 in All Funds with $168,872 in General Revenue Funds in FY 2010 and $368,448 in All Funds with $184,224 in General Revenue Funds in FY 2011 are reduced above. See Rider 42.

[6] SB 7, 81st Legislature, Regular Session, did not pass. See HB 1218, 81st Legislature, Regular Session, which did pass, creating an incentive payment program for nursing facilities. $1,250,000 per year in General Revenue Match for Medicaid and $1,250,000 per year in Federal Funds are included above, pursuant to Article IX § 17.78.

Medicare Part D Receipts	1,651,058	1,651,058
Subtotal, Other Funds	$ 89,201,991	$ 32,688,728
Total, Method of Financing	$ 6,690,575,198	$ 6,689,398,470
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 638,922	$ 664,465
This bill pattern represents an estimated 99.9% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	17,989.4	18,006.9
Schedule of Exempt Positions:		
Commissioner, Group 7	$163,200	$163,200
Items of Appropriation:		
A. Goal: LONG-TERM SERVICES AND SUPPORTS		
A.1.1. Strategy: INTAKE, ACCESS, & ELIGIBILITY[7] Intake, Access, and Eligibility to Services and Supports.	$ 187,442,417	$ 179,721,892
A.1.2. Strategy: GUARDIANSHIP	$ 6,995,223	$ 6,995,223
A.2.1. Strategy: PRIMARY HOME CARE	$ 517,844,767	$ 529,228,332
A.2.2. Strategy: COMMUNITY ATTENDANT SERVICES	$ 383,803,513	$ 381,531,375
A.2.3. Strategy: DAY ACTIVITY & HEALTH SERVICES Day Activity and Health Services (DAHS).	$ 110,609,583	$ 114,033,620
A.3.1. Strategy: COMMUNITY-BASED ALTERNATIVES Community-based Alternatives (CBA).	$ 483,896,360	$ 492,463,523
A.3.2. Strategy: HOME AND COMMUNITY-BASED SERVICES Home and Community-based Services (HCS).	$ 704,444,465	$ 833,201,931
A.3.3. Strategy: COMMUNITY LIVING ASSISTANCE (CLASS) Community Living Assistance and Support Services (CLASS).	$ 192,090,654	$ 230,258,588
A.3.4. Strategy: DEAF-BLIND MULTIPLE DISABILITIES Deaf-Blind Multiple Disabilities (DBMD).	$ 7,347,798	$ 7,498,275
A.3.5. Strategy: MEDICALLY DEPENDENT CHILDREN PGM Medically Dependent Children Program (MDCP).	$ 49,159,848	$ 52,214,333
A.3.6. Strategy: CONSOLIDATED WAIVER PROGRAM[8]	$ 3,285,865	$ 3,261,081
A.3.7. Strategy: TEXAS HOME LIVING WAIVER	$ 10,946,151	$ 11,001,177
A.4.1. Strategy: NON-MEDICAID SERVICES	$ 149,987,839	$ 150,583,389
A.4.2. Strategy: MR COMMUNITY SERVICES Mental Retardation Community Services.	$ 103,006,761	$ 103,573,446
A.4.3. Strategy: PROMOTING INDEPENDENCE PLAN Promoting Independence through Outreach, Awareness, and Relocation.	$ 2,739,780	$ 2,739,781
A.4.4. Strategy: IN-HOME AND FAMILY SUPPORT	$ 4,818,914	$ 5,160,901
A.4.5. Strategy: MENTAL RETARDATION IN-HOME SERVICES	$ 5,721,740	$ 5,721,740
A.5.1. Strategy: ALL-INCLUSIVE CARE - ELDERLY (PACE) Program of All-inclusive Care for the Elderly (PACE).	$ 37,498,146	$ 38,281,781
A.6.1. Strategy: NURSING FACILITY PAYMENTS[9]	$ 2,008,503,002	$ 1,996,355,020

[7] Incorporates the passage of HB 802, 81st Legislature, Regular Session, relating to establishing a lifespan respite services program. $500,000 in FY 2010 and $500,000 in FY 2011 in General Revenue Funds are included above, pursuant to Article IX, § 17.38.

[8] Incorporates the passage of SB 705, 81st Legislature, Regular Session, relating to long-term care consumer information and Medicaid waiver programs. $337,744 in All Funds with $168,872 in General Revenue Funds in FY 2010 and $368,448 in All Funds with $184,224 in General Revenue Funds in FY 2011 are reduced above. See Rider 42.

[9] SB 7, 81st Legislature, Regular Session, did not pass. See HB 1218, 81st Legislature, Regular Session, which did pass, creating an incentive payment program for nursing facilities. $1,250,000 per year in General Revenue Match for Medicaid and $1,250,000 per year in Federal Funds are included above, pursuant to Article IX § 17.78.

A.6.2. Strategy: MEDICARE SKILLED NURSING FACILITY	$ 164,901,946	$ 181,364,820
A.6.3. Strategy: HOSPICE	$ 208,856,141	$ 215,527,931
A.6.4. Strategy: PROMOTING INDEPENDENCE SERVICES Promote Independence by Providing Community-based Services.	$ 103,326,498	$ 111,058,987
A.7.1. Strategy: INTERMEDIATE CARE FACILITIES - MR Intermed Care Facilities - for Persons w/ Mental Retardation (ICF/MR).	$ 332,518,441	$ 323,582,318
A.8.1. Strategy: MR STATE SCHOOLS SERVICES[10, 11]	$ 712,052,533	$ 571,782,946
A.9.1. Strategy: CAPITAL REPAIRS AND RENOVATIONS	$ 56,995,094	$ 431,830
Total, Goal A: LONG-TERM SERVICES AND SUPPORTS	$ 6,548,793,479	$ 6,547,574,240
B. Goal: REGULATION, CERTIFICATION, OUTREACH Regulation, Certification, and Outreach.		
B.1.1. Strategy: FACILITY/COMMUNITY-BASED REGULATION Facility and Community-Based Regulation.	$ 65,888,946	$ 66,372,407
B.1.2. Strategy: CREDENTIALING/CERTIFICATION	$ 1,296,740	$ 1,296,740
B.1.3. Strategy: LTC QUALITY OUTREACH Long-Term Care Quality Outreach.	$ 5,571,748	$ 5,571,750
Total, Goal B: REGULATION, CERTIFICATION, OUTREACH	$ 72,757,434	$ 73,240,897
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: CENTRAL ADMINISTRATION	$ 31,809,041	$ 31,809,041
C.1.2. Strategy: IT PROGRAM SUPPORT Information Technology Program Support.	$ 35,289,761	$ 34,848,809
C.1.3. Strategy: OTHER SUPPORT SERVICES	$ 1,925,483	$ 1,925,483
Total, Goal C: INDIRECT ADMINISTRATION	$ 69,024,285	$ 68,583,333
Grand Total, DEPARTMENT OF AGING AND DISABILITY SERVICES	$ 6,690,575,198	$ 6,689,398,470
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 534,001,516	$ 535,407,518
Other Personnel Costs	22,750,601	22,750,602
Professional Fees and Services	27,995,960	27,995,962
Fuels and Lubricants	1,437,450	1,437,450
Consumable Supplies	6,372,901	6,372,901
Utilities	13,602,578	13,602,576
Travel	12,734,957	12,919,598
Rent - Building	298,042	298,052
Rent - Machine and Other	4,283,953	4,283,953
Other Operating Expense	372,558,537	176,810,295
Client Services	5,465,133,408	5,663,764,223
Food for Persons - Wards of State	9,854,454	9,854,454
Grants	206,682,226	198,242,799
Capital Expenditures	12,868,615	15,658,087
Total, Object-of-Expense Informational Listing	$ 6,690,575,198	$ 6,689,398,470

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

---

[10] Incorporates HB 4586, § 68, 81st Legislature, Regular Session, relating to a settlement agreement with the Department of Justice. $45,069,658 in General Revenue Funds and $56,096,471 in Federal Funds in FY 2010 and 1,160 FTEs in both FY 2010 and 2011 are included above. Appropriations related to HB 4586 are subject to appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to General Provisions contained in Article IX of SB 1, 81st Legislature, 2009.

[11] Incorporates HB 4586, § 73, 81st Legislature, Regular Session, relating to a contingency for SB 643 (protection and care of persons with mental retardation). $19,000,000 in General Revenue Funds and $19,000,000 in Federal Funds are included above for FY 2010; 186.0 FTEs are included above for each fiscal year. Appropriations related to HB 4586 are subject to appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to General Provisions contained in Article IX of SB 1, 81st Legislature, 2009.

Employee Benefits		
Retirement	$ 28,949,803	$ 29,525,672
Group Insurance	121,136,126	132,043,438
Social Security	39,485,017	40,113,572
Benefits Replacement	3,823,878	3,632,684
Subtotal, Employee Benefits	$ 193,394,824	$ 205,315,366
Debt Service		
TPFA GO Bond Debt Service	$ 16,160,153	$ 15,307,246
Lease Payments	151,175	151,612
Subtotal, Debt Service	$ 16,311,328	$ 15,458,858
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 209,706,152	$ 220,774,224

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Aging and Disability Services. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of Aging and Disability Services. In order to achieve the objectives and service standards established by this Act, the Department of Aging and Disability Services shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: LONG-TERM SERVICES AND SUPPORTS		
Outcome (Results/Impact):		
Percent of Long-term Care Individuals Served in Community Settings	74.15%	74.3%
Average Number of Individuals Served Per Month: Medicaid Non-waiver Community Services and Supports	110,754	110,971
Average Number of Clients Served Per Month: Waivers	52,131	56,651
Number of Persons Receiving Services at the End of the Fiscal Year: Waivers	54,375	58,896
A.1.1. Strategy: INTAKE, ACCESS, & ELIGIBILITY		
Output (Volume):		
Average Monthly Number of Individuals with Mental Retardation (MR) Receiving Assessment and Service Coordination	8,023	8,023
A.2.1. Strategy: PRIMARY HOME CARE		
Output (Volume):		
Average Number of Individuals Served Per Month: Primary Home Care	52,277	52,599
Efficiencies:		
Average Monthly Cost Per Individual Served: Primary Home Care	825.48	838.46
A.2.2. Strategy: COMMUNITY ATTENDANT SERVICES		
Output (Volume):		
Average Number of Individuals Served Per Month: Community Attendant Services	40,925	40,341
Efficiencies:		
Average Monthly Cost Per Individual Served: Community Attendant Services	781.52	788.14
A.2.3. Strategy: DAY ACTIVITY & HEALTH SERVICES		
Output (Volume):		
Average Number of Individuals Served Per Month: Day Activity and Health Services	17,552	18,031
Efficiencies:		
Average Monthly Cost Per Individual Served: Day Activity and Health Services	525.15	527.03
A.3.1. Strategy: COMMUNITY-BASED ALTERNATIVES		
Output (Volume):		
Average Number of Individuals Served Per Month: Medicaid Community-based Alternatives (CBA) Waiver	26,302	26,732
Efficiencies:		
Average Monthly Cost Per Individual Served: Medicaid Community-based Alternatives (CBA) Waiver	1,533.14	1,535.19
Explanatory:		
Number of Persons Receiving Services at the End of the Fiscal Year: Community-based Alternatives (CBA) Waiver	26,517	26,948

A.3.2. Strategy: HOME AND COMMUNITY-BASED SERVICES		
Output (Volume):		
Average Number of Individuals Served Per Month: Home and Community Based Services (HCS)	17,017	19,985
Efficiencies:		
Average Monthly Cost Per Individual Served: Home and Community Based Services (HCS)	3,449.71	3,474.28
Explanatory:		
Number of Individuals Receiving Services at the End of the Fiscal Year: Home and Community Based Services (HCS)	18,484	21,452
A.3.3. Strategy: COMMUNITY LIVING ASSISTANCE (CLASS)		
Output (Volume):		
Average Number of Individuals Served Per Month: Medicaid Related Conditions Waiver (CLASS)	4,671	5,616
Efficiencies:		
Average Monthly Cost Per Individual Served: Medicaid Related Conditions Waiver (CLASS)	3,427.01	3,416.71
Explanatory:		
Number of Persons Receiving Services at the End of the Fiscal Year: Community Living Assistance & Support Services Waiver (CLASS)	5,144	6,089
A.3.4. Strategy: DEAF-BLIND MULTIPLE DISABILITIES		
Output (Volume):		
Average Number of Individuals Served Per Month: Medicaid Deaf-blind with Multiple Disabilities Waiver	155	158
Efficiencies:		
Average Monthly Cost Per Individual Served: Medicaid Deaf-blind with Multiple Disabilities Waiver	3,950.43	3,954.79
Explanatory:		
Number of Persons Receiving Services at the End of the Fiscal Year: Medicaid Deaf-blind with Multiple Disabilities Waiver	157	160
A.3.5. Strategy: MEDICALLY DEPENDENT CHILDREN PGM		
Output (Volume):		
Average Number of Individuals Served Per Month: Medically Dependent Children Program	2,832	3,006
Efficiencies:		
Average Monthly Cost Per Individual Served: Medically Dependent Children Program	1,446.56	1,447.5
Explanatory:		
Number of Persons Receiving Services at the End of the Fiscal Year: Medically Dependent Children's Program	2,919	3,093
A.3.6. Strategy: CONSOLIDATED WAIVER PROGRAM		
Output (Volume):		
Average Number of Individuals Served Per Month: Medicaid Consolidated Waiver Program	160	160
Efficiencies:		
Average Monthly Cost Per Individual Served: Medicaid Consolidated Waiver Program	1,887.3	1,890.38
Explanatory:		
Number of Persons Receiving Services at the End of the Fiscal Year: Medicaid Consolidated Waiver Program	160	160
A.3.7. Strategy: TEXAS HOME LIVING WAIVER		
Output (Volume):		
Average Number of Individuals Served Per Month: Texas Home Living Waiver	994	994
Efficiencies:		
Average Monthly Cost Per Individual Served: Texas Home Living Waiver	917.69	922.3
Explanatory:		
Number of Individuals Receiving Services at the End of the Fiscal Year: Texas Home Living Waiver	994	994
A.4.1. Strategy: NON-MEDICAID SERVICES		
Output (Volume):		
Average Number of Individuals Served Per Month: Non Medicaid Community Care (XX/GR)	39,130	39,379

Explanatory:		
Number of Individuals Receiving Services at the End of the Fiscal Year: Non Medicaid Community Care (XX / GR)	39,254	39,503
A.4.2. Strategy: MR COMMUNITY SERVICES		
Output (Volume):		
Average Monthly Number of Individuals with Mental Retardation (MR) Receiving Community Services	12,927	12,927
Efficiencies:		
Average Monthly Cost Per Individual with Mental Retardation (MR) Receiving Community Services	661.1	664.59
Explanatory:		
Number of Individuals with Mental Retardation (MR) Receiving Community Services at the End of the Fiscal Year	12,927	12,927
A.4.4. Strategy: IN-HOME AND FAMILY SUPPORT		
Output (Volume):		
Average Number of Individuals Per Month Receiving In-home Family Support (IHFS)	4,753	5,079
Efficiencies:		
Average Monthly Cost of In-home Family Support Per Individual	84.49	84.68
Explanatory:		
Number of Individuals Receiving Services at the End of the Fiscal Year: In-Home and Family Support	4,916	5,241
A.4.5. Strategy: MENTAL RETARDATION IN-HOME SERVICES		
Output (Volume):		
Number of Individuals with Mental Retardation (MR) Receiving In-Home and Family Support Per Year	3,060	3,060
Efficiencies:		
Average Annual Grant Per Individual with Mental Retardation (MR) Receiving In-home and Family Support Per Year	1,869.85	1,869.85
Explanatory:		
Number of Individuals with Mental Retardation (MR) Receiving Services at the End of the Fiscal Year: In-Home and Family Support	3,060	3,060
A.5.1. Strategy: ALL-INCLUSIVE CARE - ELDERLY (PACE)		
Output (Volume):		
Average Number of Recipients Per Month: Program for All Inclusive Care (PACE)	1,137	1,202
Efficiencies:		
Average Monthly Cost Per Recipient: Program for All Inclusive Care (PACE)	2,748.32	2,654.03
Explanatory:		
Number of Persons Receiving Services at the End of the Fiscal Year: Program of All-inclusive Care for the Elderly (PACE)	1,202	1,202
A.6.1. Strategy: NURSING FACILITY PAYMENTS		
Output (Volume):		
Average Number of Individuals Receiving Medicaid - Funded Nursing Facility Services per Month	54,269	53,827
Efficiencies:		
Net Nursing Facility Cost Per Medicaid Resident Per Month	3,077.35	3,077.27
A.6.2. Strategy: MEDICARE SKILLED NURSING FACILITY		
Output (Volume):		
Average Number of Individuals Receiving Copaid Medicaid/Medicare Nursing Facility Services Per Month	7,014	7,319
Efficiencies:		
Net Payment Per Individual for Copaid Medicaid/Medicare Nursing Facility Services Per Month	1,959.2	2,065
A.6.3. Strategy: HOSPICE		
Output (Volume):		
Average Number of Individuals Receiving Hospice Services Per Month	6,221	6,370
Efficiencies:		
Average Net Payment Per Individual Per Month for Hospice	2,797.73	2,819.57

A.6.4. Strategy: PROMOTING INDEPENDENCE SERVICES		
Output (Volume):		
Average Number of Individuals Served Through Promoting Independence Per Month	5,702	6,140
Efficiencies:		
Average Monthly Cost Per Individual Served: Promoting Independence	1,510.09	1,507.32
A.7.1. Strategy: INTERMEDIATE CARE FACILITIES - MR		
Output (Volume):		
Average Number of Persons in ICF/MR Medicaid Beds Per Month	6,037	5,871
Efficiencies:		
Monthly Cost Per ICF/MR Medicaid Eligible Individual	4,590.01	4,592.95
A.8.1. Strategy: MR STATE SCHOOLS SERVICES		
Output (Volume):		
Average Monthly Number of Mental Retardation (MR) Campus Residents	4,512	4,354
Efficiencies:		
Average Monthly Cost Per Mental Retardation (MR) Campus Resident[12]	10,580.79	10,943.63
B. Goal: REGULATION, CERTIFICATION, OUTREACH		
Outcome (Results/Impact):		
Percent of Facilities Complying with Standards at Time of Inspection for Licensure and/or Medicare/Medicaid Certification	64.16%	64.16%
B.1.1. Strategy: FACILITY/COMMUNITY-BASED REGULATION		
Output (Volume):		
Total Dollar Amount Collected from Fines	1,520,256	1,520,256
B.1.2. Strategy: CREDENTIALING/CERTIFICATION		
Output (Volume):		
Number of Licenses Issued or Renewed Per Year: Nursing Facility Administrators	1,225	1,225

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	2010	2011
a. Repair or Rehabilitation of Buildings and Facilities		
(1) Repairs of State Owned Bond Homes and State Schools	$ 56,995,094	$ 431,830 & UB
b. Acquisition of Information Resource Technologies		
(1) Lease of Personal Computers	3,193,374	3,508,374
(2) Software Licenses	1,701,400	1,701,400
(3) Data Center Consolidation	3,815,460	3,543,960
(4) Messaging and Collaboration	1,605,939	1,605,939
(5) Telecommunications Enhancements	1,082,445	0
(6) State School Telecommunication	1,430,312	1,430,312
(7) SAS/CARE Consolidation	1,948,800	6,171,200
(8) Data Encryption and Security	300,000	300,000
Total, Acquisition of Information Resource Technologies	$ 15,077,730	$ 18,261,185
c. Transportation Items		
(1) Replacement of Transportation Items (MLPP)	965,494	0

[12] Pursuant to the appropriations made by HB 4586, § 68 and § 73, the average monthly cost targets will be reevaluated.

d. Other Lease Payments to the Master Lease Purchase Program (MLPP)		
(1) Payment of MLPP - Furniture & Equipment	497,682	0
(2) Payment of MLPP - Utility Savings or Energy Conservation	3,030,257	2,766,922
(3) Payment of MLPP - Telecommunications	200,730	0
(4) Payment of MLPP - Transportation	516,742	765,813
Total, Other Lease Payments to the Master Lease Purchase Program (MLPP)	$ 4,245,411	$ 3,532,735
Total, Capital Budget	$ 77,283,729	$ 22,225,750
Method of Financing (Capital Budget):		
General Revenue Fund		
General Revenue Fund	$ 6,258,754	$ 4,480,021
GR Match for Medicaid	2,388,275	2,976,822
GR Certified as Match for Medicaid	2,700,758	2,744,543
Subtotal, General Revenue Fund	$ 11,347,787	$ 10,201,386
Texas Capital Trust Fund Account No. 543	289,803	289,802
Federal Funds	8,865,411	11,509,208
Other Funds		
Appropriated Receipts	4,495	4,562
Interagency Contracts	702	697
Bond Proceeds - General Obligation Bonds	56,563,263	0
MR Collections for Patient Support and Maintenance	203,673	211,183
MR Appropriated Receipts	8,595	8,912
Subtotal, Other Funds	$ 56,780,728	$ 225,354
Total, Method of Financing	$ 77,283,729	$ 22,225,750

3. **Appropriation of Local Funds.** All funds received by the department from counties, cities, and from any other local source and all balances from such sources as of August 31, 2009, are hereby appropriated for the biennium ending August 31, 2011, for the purpose of carrying out the provisions of this Act.

4. **Nursing Home Program Provisions.**

   a. Nursing Home Income Eligibility Cap. It is the intent of the Legislature that the income eligibility cap for nursing home care shall be maintained at the federal maximum level of 300 percent of Supplemental Security Income (SSI).

   b. Establishment of a Swing-bed Program. Out of the funds appropriated above for nursing home vendor payments, the department shall maintain a "swing-bed" program, in accordance with federal regulations, to provide reimbursement for skilled nursing patients who are served in hospital settings in counties with a population of 100,000 or less. If the swing beds are used for more than one 30-day length of stay per year per patient, the hospital must comply with the regulations and standards required for nursing home facilities.

   c. Nursing Home Bed Capacity Planning. It is the intent of the Legislature that the department shall establish by rule procedures for controlling the number of Medicaid beds and for the decertification of unused Medicaid beds and for reallocating some or all of the decertified Medicaid beds. The procedures shall take into account a facility's occupancy rate.

   d. Nursing Facility Competition. It is the intent of the Legislature that the department encourage competition among contracted nursing facilities.

5. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines, and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made above for the Nursing Facility Administrator program in Strategy B.1.2, Credentialing/Certification, and the Home Health and Community Support Services Agencies program in Strategy B.1.1, Facility & Community-Based Regulation,

as well as the "other direct and indirect costs" associated with this program, appropriated elsewhere in this Act. Direct costs for the Nursing Facility Administrator program are estimated to be $494,191 for fiscal year 2010 and $494,191 for fiscal year 2011. Direct costs for the Home and Community Support Services Agencies program are estimated to be $1,939,322 for fiscal year 2010 and $1,939,322 for fiscal year 2011. "Other direct and indirect costs" for the Nursing Facility Administrator program are estimated to be $109,728 for fiscal year 2010 and $113,769 for fiscal year 2011. "Other direct and indirect costs" for the Home and Community Support Services Agencies program are estimated to be $529,194 for fiscal year 2010 and $550,696 for fiscal year 2011. 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.

6. **Accounting of Support Costs.** The State Comptroller shall establish separate accounts from which certain support costs shall be paid. The Department of Aging and Disability Services is hereby authorized to make transfers into these separate accounts from line item strategies in order to pay for these expenses in an efficient and effective manner. Only costs not directly attributable to a single program may be budgeted in or paid from these accounts. Items to be budgeted in and paid from these accounts include, but are not limited to: postage, occupancy costs, equipment repair, telephones, office printing costs, supplies, freight and transport costs, telephone system costs, and salary and travel costs of staff whose function supports several programs. The department shall be responsible for quarterly allocations of these costs to the original strategies.

7. **Fund Transfers for Funds Consolidation.** For the purpose of funds consolidation, federal and other funds may be transferred into the General Revenue Fund from the Department of Aging and Disability Services Fund No. 117. The initial deposit of federal funds shall be made into Fund No. 117 and no direct expenditures shall be made from this fund.

8. **Pediatric Care in Nursing Facilities.** When using funds appropriated above in addition to consideration of expense in determining the appropriate placement for children who currently receive care in nursing facilities, the department shall, within the requirements of state and federal law, consider the requests of parents concerning either a continued stay in a nursing facility providing skilled pediatric care or an alternate placement.

9. **Limitation: Medicaid Transfer Authority.** Notwithstanding the transfer provisions in the General Provisions (general transfer provisions) and other transfer provisions of this Act, funds appropriated by this Act to the Department of Aging and Disability Services (DADS) for the following Medicaid strategies shall be governed by the specific limitations included in this provision.

   a. **Limitations on Transfers.**

      (1) **Waivers**. Transfers may not be made between appropriation items listed in this subsection or from appropriation items listed in this subsection to appropriation items not listed in this subsection without prior written approval from the Legislative Budget Board and the Governor. Any transfer approval requests shall be submitted pursuant to subsection (c) of this provision.

      A.3.1. Community-based Alternatives (CBA)
      A.3.2. Home and Community-based Services (HCS)
      A.3.3. Community Living Assistance and Support Services (CLASS)
      A.3.4. Deaf-Blind Multiple Disabilities (DBMD)
      A.3.5. Medically Dependent Children Program (MDCP)
      A.3.6. Consolidated Waiver Program
      A.3.7. Texas Home Living Waiver
      A.6.4. Promoting Independence Services

      (2) **Community Entitlement**. Transfers may be made between appropriation items listed in this subsection. Transfers may not be made from appropriation items listed in this subsection to appropriation items not listed in this subsection without prior written approval from the Legislative Budget Board and the Governor. DADS shall provide notification of all transfers pursuant to subsection (b) of this provision, and any transfer approval requests shall be submitted pursuant to subsection (c) of this provision.

      A.2.1. Primary Home Care

A.2.2. Community Attendant Services (formerly Frail Elderly)
A.2.3. Day Activity and Health Services (DAHS)
A.5.1. Program of All-inclusive Care for the Elderly (PACE)

(3) **Nursing Facility and Related Care**. Transfers may be made between appropriation items listed in this subsection. Transfers may not be made from appropriation items listed in this subsection to appropriation items not listed in this subsection without prior written approval from the Legislative Budget Board and the Governor. DADS shall provide notification of all transfers pursuant to subsection (b) of this provision, and any transfer approval requests shall be submitted pursuant to subsection (c) of this provision.

A.6.1. Nursing Facility Payments
A.6.2. Medicare Skilled Nursing Facility
A.6.3. Hospice

(4) **Mental Retardation Services**. Transfers may be made between appropriation items listed in this subsection. Transfers may not be made from appropriation items listed in this subsection to appropriation items not listed in this subsection without prior written approval from the Legislative Budget Board and the Governor. DADS shall provide notification of all transfers pursuant to subsection (b) of this provision, and any transfer approval requests shall be submitted pursuant to subsection (c) of this provision.

A.7.1. Intermediate Care Facilities - Mental Retardation (ICF/MR)
A.8.1. MR State Schools Services

b. **Notification Regarding Transfers that Do not Require Approval**. Authority granted by this provision to transfer funds is contingent upon a written notification from DADS to the Legislative Budget Board and the Governor at least 30 days prior to the transfer, which includes the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

c. **Requests for Transfers that Require Approval**. To request a transfer, DADS shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

d. **Transfers into Items of Appropriation**. Transfers may be made from any appropriation item to the appropriation items in section (a), subject to the limitations established in section (a) for each appropriation item.

e. **Cost Pools**. Notwithstanding the above limitations, transfers may be made from the appropriation items in section (a) to separate accounts authorized by agency rider and established by the State Comptroller for payment of certain support costs not directly attributable to a single program.

f. **Cash Management**. Notwithstanding the above limitations, DADS may temporarily utilize funds appropriated to the strategies listed in section (a) for cash flow purposes. All funding used in this manner shall be promptly returned to the originating strategy. This authorization is subject to limitations established by the Comptroller of Public Accounts.

The Comptroller of Public Accounts shall not allow the transfer of funds authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

In the case of disaster or other emergency, this provision is superseded by the emergency-related transfer authority in Article IX of this Act.

10. Other Reporting Requirements.

a. **Federal Reports.** The Department of Aging and Disability Services shall submit the following information to the Legislative Budget Board and the Governor no later than the date the respective report is submitted to the federal government:

(1) Notification of proposed State Plan amendments or waivers for strategies in Goal A, Long-term Services and Supports and any other federal grant requiring a state plan. State Plan amendments and waiver submission shall also be provided to the Senate Health and Human Services, House Human Services, and House Public Health committees.

(2) A copy of each report or petition submitted to the federal government relating to Goal A, Long-term Care Continuum.

b. **Federal Issues.** The Department of Aging and Disability Services shall notify the Legislative Budget Board and the Governor on a timely basis about emerging issues that could result in the loss of more than $1 million in federal revenue assumed in the appropriations act.

c. **Monthly Financial Reports.** The Department of Aging and Disability Services shall submit the following information to the Legislative Budget Board and the Governor on a monthly basis:

(1) Information on appropriated, budgeted, expended, and projected funds, by strategy and method of finance.

(2) Information on appropriated, budgeted, expended, and projected revenues including Earned Federal Funds.

(3) Collections, expenditures, and balances for revenues generated by the department as of the last day of the prior month.

(4) Narrative explanations of significant budget adjustments, ongoing budget issues, and other items as appropriate.

(5) Any other information requested by the Legislative Budget Board or the Governor.

The monthly financial reports shall be prepared in a format specified by the Legislative Budget Board.

11. Appropriation Transfer Between Fiscal Years. In addition to the transfer authority provided elsewhere in this Act, the Department of Aging and Disability Services may transfer appropriations made for fiscal year ending August 31, 2011 to fiscal year ending August 31, 2010, subject to the following conditions provided by this section:

a. Transfers under this section may be made only:

(1) if costs associated with providing Long Term Care Medicaid services exceed the funds appropriated for these services for fiscal year 2010, or

(2) for any other emergency expenditure requirements, including expenditures necessitated by public calamity, or

(3) if appropriated receipts generated through the MR related programs required to fund appropriations contained in this Act for fiscal year 2010 are less than those contained in the method of finance for the department for fiscal year 2010.

b. Transfers may not exceed $50,000,000 in General Revenue.

c. A transfer authorized by this section must receive the prior approval of the Governor and the Legislative Budget Board.

d. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.

12. Reimbursement of Advisory Committees. Pursuant to Government Code § 2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above, not to exceed $8,000 per fiscal year is limited to the following advisory committee:

Nursing Facility Administrators Advisory Committee

To the maximum extent possible, the department shall encourage the use of videoconferencing and teleconferencing and shall schedule meetings and locations to facilitate the travel of participants so that they may return the same day and reduce the need to reimburse members for overnight stays.

13. Survey of Nursing Facility Residents. Out of funds appropriated above, the Department of Aging and Disability Services is allocated the following:

a. up to $360,000 in All Funds, of which up to $180,000 is General Revenue Funds, in fiscal year 2010 to conduct surveys of nursing facility residents and individuals receiving other long-term services and supports. The surveys shall assess how satisfied individuals are with their quality of care and quality of life. Not later than January 15, 2011, the department shall submit a written report on the survey to the Legislature, Governor, and Health and Human Services Commissioner; and

b. up to $1,000,000 in All Funds, of which up to $500,000 is General Revenue Funds, to perform on-site case reviews of the care of nursing home residents and individuals receiving other long-term care services and supports. These reviews will identify preventable occurrences of adverse outcomes. The result of these reviews will be included in the report to the Legislature, Governor and Health and Human Services Commissioner described in (a) above.

14. Nursing Facility Beds for Medicaid Eligible Veterans. Contingent upon a request from the Texas Veterans Land Board, it is the intent of the Legislature that the Department of Aging and Disability Services maintain a program for Medicaid-eligible veterans that will enable those individuals to be placed in State Veterans Homes. It is further the intent of the Legislature that the department amend its nursing facility bed allocation rules to create sufficient certified beds to accommodate the requirements of such a program.

15. Limitation on MR State School Strategy Transfers. The transfer of appropriations from Strategy A.8.1, MR State Schools Services, to any other strategy is limited to 5 percent without the prior approval of the Legislative Budget Board and the Governor.

16. State School Medicaid Revenues.

a. **Proportionality of Funds.** Pursuant to Article IX, Sec 6.08, Benefits Paid Proportional by Fund, payment for salaries, wages, and benefits for ICF/MR state school employees shall be proportional to the source of funds. The department shall develop a plan for the 2010-11 biennium which identifies the appropriate portion of state and federal funds for salaries, wages, and benefits for ICF/MR state school employees. This plan is subject to review by the Comptroller of Public Accounts and the Legislative Budget Board and shall be certified by the Chief Financial Officer of the department by October 1, 2009 prior to submission to the Legislative Budget Board.

The Department of Aging and Disability Services shall report quarterly to the Legislative Budget Board and the Governor on the distribution of ICF/MR state school revenues to other state agencies. This report shall be submitted no later than 25 days after the close of each quarter. The format and content of the report shall be prescribed by the Legislative Budget Board.

b. **Quality Assurance Fee Funds - Informational Item.** Appropriations from the Quality Assurance Fee Funds in this Act total $57,957,357 in fiscal year 2010 (including a UB from fiscal year 2009 estimated to be $472,495) and $57,468,049 in fiscal year 2011. Out of funds appropriated above in Strategy A.7.1, ICF/MR and A.8.1, State Schools Services, $ 52,821,479 in fiscal year 2010 and $52,321,479 in fiscal year 2011 in Quality Assurance Fee Funds are provided for mental retardation services. Estimated amounts of $5,135,878 in fiscal year 2010 and $5,146,570 in fiscal year 2011 are appropriated elsewhere in this Act for employee benefits for State School employees. Pursuant to Article IX, Sec. 6.08, Benefits Paid Proportional by Fund, benefits for State School Employees reflect the proportion by fund type as used for salaries.

17. MR Residential Services Funded by General Revenue. The Department of Aging and Disability Services shall refinance, with Medicaid funding, mental retardation residential services to Medicaid-eligible clients that are currently funded with general revenue. This refinancing effort shall include both public and private general revenue-funded programs. The department shall accomplish this refinancing through the use of Medicaid waiver programs, or, if necessary, the Intermediate Care Facility for the Mentally Retarded program. The department shall submit a report by October 1 of each year of the biennium to the Legislative Budget Board and the Governor that documents the number of persons and residential sites converted to Medicaid funding. The format of this report shall be prescribed by the Legislative Budget Board.

18. State School Funding. It is the intent of the Legislature that the department implement a single funding methodology for state schools which funds all state schools equitably and at a level which is adequate to maintain compliance with applicable federal standards. A primary consideration to be used by the department in determining an acceptable funding methodology should be consideration of the number of residents in each school and the needs of those residents. Staffing patterns at state schools shall not reflect a census decline until a campus has realized a decline in census.

19. Disposition of Construction Appropriation Related to Mental Retardation. Construction appropriations may be used to pay salaries and travel expenses of department engineers and architects and administrative expenses of construction projects (but shall not exceed $300,000 in a fiscal year that are paid out of G.O. Bonds); architect's and engineer's fees; and the actual travel expenses incurred by them or their representatives in making trips of inspection at the discretion of the department during construction, renovation, or repair of buildings and systems or the installation of fixed equipment. Job titles and rates of pay for such salaried positions of department personnel paid from construction appropriations shall conform with the Position Classification Plan and Classification Salary Schedule.

20. Unexpended Balances: ICF/MR Standards. Except as otherwise provided, unexpended and unobligated balances, not to exceed $5 million in General Revenue, remaining from appropriations for the first year of the biennium to the Department of Aging and Disability Services are appropriated to the department for the purpose of complying with Intermediate Care Facilities for the Mentally Retarded (ICF-MR) standards dealing with residential, non-residential, and community based mental retardation services. This paragraph does not apply to those unexpended and unobligated balances remaining from appropriations for the first year of the biennium that the department is authorized by this Act to retain for specific purposes in the second year of the biennium. The department shall notify the Legislative Budget Board and the Governor as to when the appropriation originated, why it is not needed, and how it will be used prior to budgeting and expending these balances.

21. Unexpended Construction Balances. Any unexpended construction, repair, or renovation balances from previous appropriations, estimated to be $29,576,263 from fiscal year 2009 to fiscal year 2010 and included in the method of finance above as General Obligation Bond proceeds and in Strategy A.9.1, Capital Repairs and Renovations, are hereby appropriated to the Department of Aging and Disability Services for the same purposes.

Authorization to expend the unexpended balances is contingent upon submission of the following reports to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the reports to the Comptroller of Public Accounts.

a. a report by September 1, 2009 providing actual expenditures for fiscal years 2008 and 2009, and planned expenditures for fiscal years 2010 and 2011 at the project/state school level; and

b. a report by March 1 and September 1 of each fiscal year reflecting actual expenditures by project/state school for the previous six months.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The notification and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The planned expenditures shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the use of unexpended balances if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

22. MR Residential Placement Options. Pursuant to § 533.038 of the Health and Safety Code, an individual with mental retardation or an individual's legally authorized representative seeking residential services shall receive a clear explanation of programs and services for which the individual is determined to be eligible, including state schools, community ICFs-MR, 1915(c) waiver services or other services, in order to ensure consumer choice. The programs and services that are explained shall be documented in the individual's record and acknowledged in writing by the individual or the individual's legally authorized representative. If the chosen programs or services are not available, the individual or the individual's legally authorized representative shall be given assistance in gaining access to alternative services and the selected waiting lists.

The department shall keep a central list of the number of openings available for each type of residential service. The department shall honor the program and services preferences of the person or the person's legally authorized representative to the maximum extent openings are available in a residential program or service for which the individual meets program criteria.

23. Expenditures on Bond Homes. Expenditures made for the provision of client services in bond homes operated by the Department of Aging and Disability Services shall not exceed the approved reimbursement rates.

24. Appropriation and Unexpended Balances: Affordable Housing for the Elderly. General Revenue Funds appropriated above include fees collected pursuant to § 394.902, Local Government Code, and § 101.022, Human Resources Code, as amended, for the purpose of promoting affordable housing for the elderly ($454,000 for the biennium).

Any unexpended balances in fees collected to promote affordable housing for the elderly for the fiscal year ending August 31, 2010, may be carried forward into fiscal year 2011, and such balances are hereby appropriated.

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.

25. Reimbursement of Advisory Council Members. Pursuant to Human Resources Code § 161.027, reimbursement of travel expenses for Aging and Disability Services Council members, out of funds appropriated above, is hereby authorized such that the sum total of all reimbursements for members of the council shall not exceed $10,825 per fiscal year, at the rates specified in the general provisions of this Act.

26. Mexia State School Medicaid-decertified Beds. It is the intent of the Legislature that all funds appropriated in Strategy A.8.1, MR State Schools Services, to fund beds at Mexia State School that have been decertified from Medicaid and related costs shall be distributed to Mexia State School.

27. Appropriation: GR-Dedicated License Plates Account No. 5055. Included in funds appropriated above in Strategy A.4.2, MR Community Services, is $8,000 for the biennium in revenue generated from the sale of specialized "Special Olympics Texas" license plates and collected in GR-Dedicated Account No. 5055 during the 2010-11 biennium. Any balances on hand

(estimated to be $2,000) as well as any additional revenues generated in fiscal years 2010 and 2011 by the sale of specialized "Special Olympics Texas" plates above $8,000 are hereby appropriated to the agency for the 2010-11 biennium. It is the intent of the Legislature that these funds be expended for costs associated with training and with area and regional competitions of the Special Olympics Texas.

28. Revolving Fund Services: Canteen Services and Sheltered Workshops. Out of funds appropriated above in Strategy A.8.1, MR State Schools Services, $2,724,957 per fiscal year in General Revenue shall be allocated for the operation of canteen and sheltered workshops. In addition, DADS may also utilize agency-generated collections from Revenue Object Code 3767 Supplies/Equipment/Services - Federal/Other (estimated to be $82,160 per fiscal year) and which are appropriated above as MR Revolving Fund Receipts (Other Funds) for the operation of canteen and sheltered workshops. The department shall provide information on related revenues, balances, contracts and profits to the Legislative Budget Board, Governor and Comptroller of Public Accounts. These revenues, expenditures and balances shall be reported and included in agency Operating Budgets, Legislative Appropriation Requests, and Annual Financial Reports. The timetable, format and content for additional monthly reports related to canteen operations and sheltered workshops shall be prescribed by the Legislative Budget Board.

29. Guardianship Services. Out of the funds appropriated above, the Department of Aging and Disability Services shall pay guardianship program caseworkers, supervisors and directors an amount not to exceed $50 per month for work-related use of the personal cellular telephones.

30. Senior Corps Program. Out of funds appropriated above in Strategy A.4.1, Non-Medicaid Services, the Department of Aging and Disability Services shall use $150,000 in General Revenue Funds per fiscal year to support the Texas Senior Corps Programs.

31. Cost Comparison Report. Out of funds appropriated above, the Department of Aging and Disability Services (DADS) shall develop a report for the Legislature analyzing state and federally funded residential and nonresidential services in Home and Community-based Services (HCS), Texas Home Living, and Intermediate Care Facilities for individuals with Mental Retardation and Related Conditions (ICF-MR/RC).

a. The report shall include the following:

(1) the monthly average cost to the state per person for individuals residing in state-operated and non-state operated ICF-MR/RC, HCS waiver program, and Texas Home Living waiver program by Level of Need (LON), and facility size (private ICF-MR only);

(2) a comparison of severity across settings.

(3) the total number of persons, by LON, who transitioned from state-operated ICF-MR/RC to the HCS residential waiver program for the previous biennium, and their average monthly cost of service in the HCS waiver program.

b. With respect to the cost to the state per person residing in a state operated ICF-MR/RC facility, the department shall include all costs, such as Statewide Indirect Cost Allocation Plan (SWICAP), Departmental Indirect Cost Allocation Plan (DICAP), maintenance and construction costs, employee benefit costs and other federally allowable administrative, medical and overhead costs. With respect to the cost to the state per person in state-operated ICF-MR/RC facilities, non-state operated ICF-MR/RC facilities, and the HCS and Texas Home Living waivers, the department shall include all Medicaid costs including acute care costs that are not included in the waiver rate for those programs and all costs to administer and license those programs. For state-operated ICF-MR/RC facilities, the average monthly administrative and overhead costs shall be reported separately from the average monthly client care costs. The department shall identify the types of costs included in each category.

c. Cost for waiver recipients will cover the time a person enrolled in the waiver through the time they are terminated from waiver services. The cost for ICF/MR services will cover the time a person is admitted to the facility to the time of discharge unless the person is admitted to an ICF/MR or waiver within 60 days of discharge. In that case the Medicaid costs incurred during discharge will be counted toward the ICF/MR costs.

The report shall be submitted to the Eighty-first Legislature no later than August 31, 2010.

32. Services Under a 1915c Waiver. It is the intent of the Legislature that, from the funds appropriated above, the Department of Aging and Disability Services shall provide services under a Section 1915(c) waiver program, other than a nursing facility waiver program to an individual, 21 years and younger, leaving a nursing facility if the individual:

a. meets the eligibility requirements for that Section 1915(c) waiver program; and

b. in order to leave the nursing facility, requires services that are available only under that Section 1915(c) waiver program.

33. Services Under HCS Waiver Program. It is the intent of the Legislature that, from the funds appropriated above, if an individual 21 years and younger, seeking to leave an intermediate care facility for the mentally retarded, has been offered services under the HCS (Home and Community-based Services) waiver program, the Department of Aging and Disability Services may provide services to the individual under another Section 1915(c) waiver program if the individual leaving the facility:

a. is determined to be ineligible for the services provided under the HCS waiver program; and

b. meets the eligibility requirements for and needs services provided under another Section 1915(c) waiver program.

34. Promoting Community Services for Children. It is the intent of the Legislature, out of funds appropriated above, to provide opportunities for children (under the age of 22) residing in community intermediate care facilities for the mentally retarded to transition to families during the 2010-11 biennium. To facilitate such transitions when requested by parent/guardian, funding for up to 50 children residing in community intermediate care facilities for the mentally retarded may be transferred from the Strategy A.7.1, Intermediate Care Facilities - MR, to Community Care Services strategies to cover the cost of the shift in services. In accordance with all applicable laws the Executive Commissioner may develop rules that would allow decertification of the ICF/MR beds upon such transition to prevent additional costs being incurred.

35. Appropriation: Quality Assurance Fees. The Department of Aging and Disability Services is hereby appropriated revenue generated above the amounts identified in the Comptroller of Public Account's Biennial Revenue Estimate for General Revenue Dedicated - Quality Assurance Account No. 5080, for deposit in Strategy A.8.1, MR State Schools Services, for the purpose of funding state school services. At least 30 days prior to budgeting or expending the funds appropriated herein, the department must submit a plan to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts. The plan must indicate the purposes for which the funds will be used, the amounts that will be budgeted for each purpose, and the specific amount of any rate increase that will be given. The plan shall be submitted in a format specified by the Legislative Budget Board.

36. Waiver Program Cost Limits.

a. **Individual Cost Limits for Waiver Programs**. It is the intent of the Legislature that the Department of Aging and Disability Services comply with the cost-effectiveness requirements of the Centers for Medicare and Medicaid Services and set the individual cost limit for each waiver program as follows:

(1) Community-Based Alternatives Program: 200 percent of the reimbursement rate that would have been paid for that same individual to receive services in a nursing facility;

(2) Medically Dependent Children Program: 50 percent of the reimbursement rate that would have been paid for that same individual to receive services in a nursing facility;

(3) Consolidated Waiver Program: 200 percent of the reimbursement rate that would have been paid for that same individual to receive services in a nursing facility, or 200 percent of the estimated annualized per capita cost of providing services in an Intermediate Care Facility/Mental Retardation (ICF/MR), as applicable;

(4) Community Living Assistance and Support Services Program: 200 percent of the estimated annualized per capita cost of providing services in an ICF/MR to an individual qualifying for an ICF/MR Level of Care VIII;

(5) Deaf-Blind with Multiple Disabilities Program: 200 percent of the estimated annualized per capita cost of providing services in an ICF/MR to an individual qualifying for an ICF/MR Level of Care VIII; and

(6) Home and Community-based Services Program: 200 percent of the reimbursement rate that would have been paid for that same individual to receive services in an ICF/MR or 200 percent of the estimated annualized per capita cost for ICF/MR services, whichever is greater.

b. **Use of General Revenue Funds for Services**.

(1) Out of funds appropriated above, the department is authorized to use general revenue funds to pay for services if:

(i) the cost of such services exceeds the individual cost limit specified in a medical assistance waiver program listed above;

(ii) federal financial participation is not available to pay for such services; and

(iii) the department determines that:

(a) the person's health and safety cannot be protected by the services provided within the individual cost limit established for the program; and

(b) there is no other available living arrangement in which the person's health and safety can be protected, as evidenced by:

i) an assessment conducted by clinical staff of the department; and

ii) supporting documentation, including the person's medical and service records.

(2) Out of funds appropriated above, the department shall use general revenue funds to continue to provide services to a person who was receiving medical assistance waiver program services on September 1, 2005, at a cost that exceeded the individual cost limit specified in the medical assistance waiver program, if:

(i) federal financial participation is not available to pay for such services; and

(ii) continuation of those services is necessary for the person to live in the most integrated setting appropriate to the needs of the person.

(3) Notwithstanding the limitation of Medicaid transfer authority found elsewhere in this Act, the department is allowed to transfer funds from certain Medicaid strategies to non-Medicaid strategies A.4.1 and A.4.2.

(4) Authority provided in (b) above is contingent upon the agency submitting a report in writing to the Legislative Budget Board and Governor on October 1 of each year of the biennium. The report shall include the number of clients by program which exceeds cost limits and the unmatched General Revenue associated with each by fiscal year.

c. **Use of Utilization Management and Utilization Review Practices**. The department shall employ utilization management and utilization review practices as necessary to ensure that the appropriate scope and level of services are provided to individuals receiving services in Medicaid 1915(c) waivers administered by the department and to ensure compliance with the cost-effectiveness requirements of the Centers for Medicare and Medicaid Services.

37. Expenditure of Settlement Funds. The Department of Aging and Disability Services shall notify the Governor and the Legislative Budget Board 30 days prior to expenditure of any settlement funds during fiscal years 2010 and 2011. The department shall provide a detailed plan outlining the expenditure of the settlement funds in a format approved by the Legislative Budget Board.

Settlement funds may include, but are not limited to, the difference between allowable costs and the reimbursement paid under the interim rate, including applied income.

38. Delivery of Caregiver Support Services. Out of funds appropriated above in Goal A, Long-Term Services and Supports, the Department of Aging and Disability Services shall develop and submit a report on strategies implemented by the agency after the effective date of this Act to strengthen the delivery of informal caregiver support services. The report to the Legislative Budget Board and the Governor shall be submitted by September 1, 2010.

39. Administration of Medicaid 1915(c) Waiver Programs. Out of funds appropriated above in Goal A, Long-Term Services and Supports, the Department of Aging and Disability Services, in consultation with the Health and Human Services Commission, shall submit a report on efforts planned or implemented to streamline the administration and delivery of Medicaid 1915(c) long-term care waiver programs to the Legislative Budget Board and the Governor by December 1 of each year of the biennium.

40. Limits for Waivers and Other Programs. Notwithstanding other provisions included in this Act, this provision shall govern expenditure levels for the following strategies.

a. **Waivers and PACE**. The All Funds amounts included above for Department of Aging and Disability Services (DADS) for fiscal year 2010 and fiscal year 2011 in each individual strategy identified below shall not be exceeded without the prior written approval of the Legislative Budget Board and the Governor.

A.3.1. Medicaid Community-based Alternatives (CBA) Waiver
A.3.2. Home and Community Based Services (HCS)
A.3.3. Medicaid Related Conditions Waiver (CLASS)
A.3.4. Medicaid Deaf-blind with Multiple Disabilities Waiver
A.3.5. Medically Dependent Children Program
A.3.6. Medicaid Consolidated Waiver Program
A.3.7. Texas Home Living Waiver
A.5.1. All-Inclusive Care - Elderly (Pace)

Requests for Exemptions. To request an exemption from the limits established under section (a), DADS shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information: a detailed explanation of the reason for the requested exemption and whether and how the exemption would impact client and expenditure levels at the individual strategy level in the 2010-11 biennium and the 2012-13 biennium.

b. **Non-Medicaid Programs**. The All Funds amounts included above for DADS for fiscal year 2010 and fiscal year 2011 in each individual strategy identified below shall not be exceeded unless DADS notifies the Legislative Budget Board and the Governor it has received federal funding (primarily Title XX and Administration on Aging) that exceeds levels assumed in the 2010-11 GAA and specifies the following information: a detailed explanation how the increase would impact client and expenditure levels by method of finance at the individual strategy level in the 2010-11 biennium and the 2012-13 biennium.

A.4.1. Non-Medicaid Services
A.4.2. MR Community Services
A.4.4. In-Home and Family Support
A.4.5. Mental Retardation In-Home Services

The Comptroller of Public Accounts shall not allow any exemptions from the limits established by this provision if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

41. Contingency for Transferring Savings Related to State School Downsizing. Contingent on passage of Senate Bill 2407, or similar legislation relating to the Department of Aging and Disability Services' inclusion of strategies for downsizing state schools and transitioning more state school residents to community-based care in its biennial Long-Range Plan, by the Eighty-first Legislature, Regular Session, 2009, the Department of Aging and Disability Services is authorized, subject to the approval limitations in DADS Rider 9, to transfer savings from Strategy A.8.1, MR State School Services, to any of the following strategies:

A.1.1 Intake, Access, & Eligibility
A.3.2 Home and Community-Based Services

A.3.3 Community Living Assistance
A.3.7 Texas Home Living Waiver
A.4.1 Non-Medicaid Services
A.4.2 MR Community Services
A.4.3 Promoting Independence Plan
A.4.4 In-home and Family Support
A.4.5 Mental Retardation In-home Services
B.1.1 Facility/Community-based Regulation
C.1.1 Central Administration
C.1.2 IT Program Support
C.1.3 Other Support Services

Prior to the transfer of funds, the agency must obtain certification from the Health and Human Services Commission of the amount of savings related to the downsizing of state schools.

42. Contingency for Eliminating Consolidated Waiver Program.[13] Contingent on passage of Senate Bill 705, or similar legislation eliminating the Consolidated Waiver Program, by the Eighty-first Legislature, Regular Session, funding in Goal A, Long-Term Services and Supports is reduced by $706,192 in All Funds, and $353,096 in General Revenue Funds, and in addition, the Full-Time Equivalent (FTE) cap for the Department of Aging and Disability Services is hereby reduced by 7 for each year of the 2010-11 biennium. The Department of Aging and Disability Services is directed to transfer funding from Strategy A.3.6, Consolidated Waiver Program, to other strategies in Goal A, Long-Term Services and Supports, and to the Health and Human Services Commission, Goal B, Medicaid, to serve clients who otherwise would have received services through the Consolidated Waiver Program in the appropriate Medicaid 1915(c) long-term care waiver program with no break in service. Funds from Strategy A.3.6, Consolidated Waiver Program, should be allocated based on the client and cost mix in the Consolidated Waiver Program as follows:

a. 32.62 percent to Strategy A.3.3, Community Living Assistance;

b. 27.56 percent to Strategy A.3.2, Home and Community-Based Services;

c. 21.69 percent to the Health and Human Services Commission, Goal B, Medicaid, to serve clients receiving Medicaid 1915(c) long-term care waiver program services through the STAR+PLUS program;

d. 17.00 percent to Strategy A.3.5, Medically Dependent Children Program; and

e. 1.12 percent to Strategy A.3.4, Deaf-Blind Multiple Disabilities.

The Department of Aging and Disability Services is allowed to update the percentages used to allocate funds from the Consolidated Waiver Program based on the client and cost mix at the time of transfer and must receive approval for the reallocation pursuant to the Department of Aging and Disability Services Rider 9.

43. Behavioral Support Specialists in Educational Settings. Out of funds appropriated above in Strategy A.8.1. MR State Schools Services, Mexia State School shall provide behavioral support specialists to assist the alleged offender residents with any specialized educational needs.

44. Program of All-inclusive Care for the Elderly (PACE) Slots. Out of funds appropriated above for the Department of Aging and Disability Services (DADS) in Strategy A.5.1, All-inclusive Care for the Elderly (PACE), $1,600,000 in General Revenue and $2,282,553 in Federal Funds in fiscal year 2010 and $1,600,000 in General Revenue and $2,239,693 in Federal Funds in fiscal year 2011 shall be used for up to 150 additional slots at the El Paso, Amarillo, and Lubbock sites. The Commissioner of DADS is authorized to allocate the 150 slots to the appropriate locations.

45. Excellence in Nursing Homes. Out of the funds appropriated above, an amount not to exceed $2,500,000 in General Revenue Funds shall be set aside for the biennium to implement a system for data collection, analysis, and reporting of facility performance levels for all nursing homes in Texas during the second year of the biennium. The system shall begin operation no later than September 1, 2010. The system and the data collected, analyzed and reported for each facility shall be used as the basis for awarding incentive payments to nursing homes in Texas that meet or

[13] Incorporates the passage of SB 705, 81st Legislature, Regular Session, relating to long-term care consumer information and Medicaid waiver programs. $337,744 in All Funds with $168,872 in General Revenue Funds in FY 2010 and $368,448 in All Funds with $184,224 in General Revenue Funds in FY 2011 are reduced above.

exceed targets for superior performance. Domains of performance shall include but not be limited to quality of care, resident and family satisfaction. Participation is required in the first year of operation of the program for nursing homes to be eligible to receive future incentive payments once funds are appropriated for that purpose.

46. Program of All-inclusive Care for the Elderly (PACE): Limitations. Out of funds appropriated above for the Department of Aging and Disability Services in Strategy A.5.1, All-inclusive Care for the Elderly (PACE), all funding provided for PACE slots shall be used only for slots in currently operating sites or designated sites coming on line. Notwithstanding any other provision in this Act, funding appropriated to Strategy A.5.1 may not be transferred to another strategy or used for another purpose.

47. Appropriation Authority for General Obligation Bond Proceeds.[14] Appropriated above in Strategy A.9.1, Capital Repairs and Renovations, in fiscal year 2010 is $26,987,000 in general obligation bond proceeds for projects for the Department of Aging and Disability Services as described in Article IX, Section 17.11, Informational Listing General Obligation Bond Proceeds.

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 purpose.

48. Waiting List Reduction. Notwithstanding any other provision in this Act, the Department of Aging and Disability Services is directed to consider factors such as length of time on the interest/waiting list, size of waiting list, demographics, average cost, and crisis stabilization in providing services to waiting list clients on a program-specific basis.

49. Appropriation: Medicaid Estate Recovery. Funds deposited to the credit of Medicaid Estate Recovery (General Revenue - Dedicated Account No. 5109) above the Biennial Revenue Estimate are hereby appropriated to the Department of Aging and Disability Services for community-based care to individuals who are on a waiting or interest list.

This appropriation is contingent upon the department submitting a plan which details the number of clients to be served, estimated expenditures by method of financing by year, as well as any other information requested by the Legislative Budget Board. The plan shall be submitted to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts 30 days prior to any expenditure of the funds.

[14] Modified to correct reference error.

DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund		
General Revenue Fund[2]	$ 23,148,698	$ 22,453,712
GR Match for Medicaid	2,410,787	2,603,072

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency, Article XII includes a Federal Funds increase of $87,600,000 in FY 2010 resulting in a net All Funds appropriation of $710,764,536 in FY 2010.
[2] Incorporates the passage of HB 4586, 81st Legislature, Regular Session, which includes $6,600,000 in General Revenue Funds for the autism program (§ 67) for the two-year period beginning on the effective date of the bill. It is assumed that all of the expenditures would occur in the 2010-11 biennium, and the funding has been split evenly between FY 2010 and FY 2011. Appropriations related to HB 4586 are subject to the appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to General Provisions contained in Article IX of SB 1, 81st Legislature, 2009.

GR for Vocational Rehabilitation	56,082,694	56,082,693
GR Certified as Match for Medicaid	29,340,904	31,739,958
General Revenue for ECI	865,687	865,687
Subtotal, General Revenue Fund	$ 111,848,770	$ 113,745,122
General Revenue Fund - Dedicated		
Comprehensive Rehabilitation Account No. 107	11,942,335	11,942,335
Business Enterprise Program Account No. 492	1,850,090	1,850,090
Business Enterprise Program Trust Fund Acct. No. 5043	808,436	808,436
I Love Texas License Plate Acct. No. 5086	13,902	14,098
Subtotal, General Revenue Fund - Dedicated	$ 14,614,763	$ 14,614,959
Federal Funds	478,239,156	485,216,047
Other Funds		
Appropriated Receipts	300,058	300,058
Interagency Contracts	414,224	414,224
Blind Endowment Fund No. 493	5,669	11,077
Interagency Contracts - Transfer from Foundation School Fund No. 193	16,498,102	16,498,102
Universal Services Fund Reimbursements	976,422	976,422
Subrogation Receipts	246,000	246,000
Appropriated Receipts for VR	21,372	21,372
Subtotal, Other Funds	$ 18,461,847	$ 18,467,255
Total, Method of Financing	$ 623,164,536	$ 632,043,383
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 41,541	$ 42,025
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	3,247.7	3,279.4
Schedule of Exempt Positions:		
Commissioner, Group 7	$145,860	$145,860
Items of Appropriation:		
A. Goal: CHILDREN WITH DISABILITIES		
Ensure Children and Their Families Reach Their Developmental Goals.		
A.1.1. Strategy: ECI SERVICES	$ 160,280,072	$ 166,069,128
Early Childhood Intervention Services.		
A.1.2. Strategy: ECI RESPITE SERVICES	$ 400,000	$ 400,000
Respite Services.		
A.1.3. Strategy: ENSURE QUALITY ECI SERVICES	$ 1,937,252	$ 1,937,252
Ensure Quality ECI Services by Training, Evaluation and Assistance.		
A.2.1. Strategy: HABILITATIVE SERVICES FOR CHILDREN	$ 4,612,936	$ 4,593,298
Habilitative Services for Blind and Visually Impaired Children.		
A.3.1. Strategy: AUTISM PROGRAM[3]	$ 3,300,000	$ 3,300,000
Total, Goal A: CHILDREN WITH DISABILITIES	$ 170,530,260	$ 176,299,678
B. Goal: PERSONS WITH DISABILITIES		
Rehabilitation Services for Persons with Disabilities.		
B.1.1. Strategy: INDEPENDENT LIVING SERVICES - BLIND	$ 3,060,225	$ 3,060,225

[3] Incorporates the passage of HB 4586, 81st Legislature, Regular Session, which includes $6,600,000 in General Revenue Funds for the autism program (§ 67) for the two-year period beginning on the effective date of the bill. It is assumed that all of the expenditures would occur in the 2010-11 biennium, and the funding has been split evenly between FY 2010 and FY 2011. Appropriations related to HB 4586 are subject to the appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to General Provisions contained in Article IX of SB 1, 81st Legislature, 2009.

B.1.2. Strategy: BLINDNESS EDUCATION Blindness Education, Screening and Treatment Program.	$	554,997	$	565,003
B.1.3. Strategy: VOCATIONAL REHABILITATION - BLIND Voc Rehab Services for Persons Who are Blind or Visually Impaired.	$	46,639,519	$	46,639,519
B.1.4. Strategy: BUSINESS ENTERPRISES OF TEXAS Provide Employment in Food Service Industry for Persons Who are Blind.	$	2,482,449	$	2,482,449
B.1.5. Strategy: BUSN ENTERPRISES OF TEX TRUST FUND Admin Trust Funds for Retirement & Benefits. Est & Nontransferrable.	$	808,436	$	808,436
B.2.1. Strategy: CONTRACT SERVICES - DEAF Contract For Services for Persons Who Are Deaf or Hard of Hearing.	$	2,205,792	$	2,205,792
B.2.2. Strategy: EDUC, TRAINING, CERTIFICATION-DEAF Ensure the Quality of Programs through Educ., Training, & Regulation.	$	672,647	$	672,646
B.2.3. Strategy: TELEPHONE ACCESS ASSISTANCE Ensure Telephone Access for Deaf and Persons with Other Disabilities.	$	976,422	$	976,422
B.3.1. Strategy: VOCATIONAL REHABILITATION - GENERAL Rehabilitate & Place People w/Disabilities in Competitive Employment.	$	215,658,934	$	215,658,935
B.3.2. Strategy: INDEPENDENT LIVING CENTERS Work w/Independent Living Centers & State Independent Living Council.	$	2,689,283	$	2,689,283
B.3.3. Strategy: INDEPENDENT LIVING SERVICE - GEN Provide Consumer-driven Independent Living Services.	$	5,942,041	$	5,942,041
B.3.4. Strategy: COMPREHENSIVE REHABILITATION Provide Services to People with Spinal Cord/Traumatic Brain Injuries.	$	18,445,960	$	18,445,960
Total, Goal B: PERSONS WITH DISABILITIES	$	300,136,705	$	300,146,711
C. Goal: DISABILITY DETERMINATION Provide Disability Determination Services within SSA Guidelines.				
C.1.1. Strategy: DISABILITY DETERMINATION SVCS (DDS) Determine Federal SSI and SSDI Eligibility.	$	124,916,286	$	128,693,870
D. Goal: PROGRAM SUPPORT				
D.1.1. Strategy: CENTRAL PROGRAM SUPPORT	$	14,029,671	$	14,017,212
D.1.2. Strategy: REGIONAL PROGRAM SUPPORT	$	836,397	$	836,397
D.1.3. Strategy: OTHER PROGRAM SUPPORT	$	5,933,669	$	5,933,669
D.1.4. Strategy: IT PROGRAM SUPPORT Information Technology Program Support.	$	6,781,548	$	6,115,846
Total, Goal D: PROGRAM SUPPORT	$	27,581,285	$	26,903,124
Grand Total, DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES	$	623,164,536	$	632,043,383
Object-of-Expense Informational Listing:				
Salaries and Wages	$	150,599,455	$	152,156,103
Other Personnel Costs		5,877,796		5,877,802
Professional Fees and Services		16,548,798		15,874,094
Fuels and Lubricants		138,403		138,405
Consumable Supplies		1,556,922		1,556,920
Utilities		2,063,301		2,063,300
Travel		4,501,431		4,501,435
Rent - Building		2,683,265		2,683,260
Rent - Machine and Other		2,636,441		2,636,440
Other Operating Expense		41,182,868		41,161,775
Client Services		243,322,838		245,551,777

Grants	151,204,806	156,993,860
Capital Expenditures	848,212	848,212
Total, Object-of-Expense Informational Listing	$ 623,164,536	$ 632,043,383
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 9,514,707	$ 9,764,258
Group Insurance	25,519,203	27,900,075
Social Security	11,969,274	12,267,985
Benefits Replacement	1,104,637	1,049,405
Subtotal, Employee Benefits	$ 48,107,821	$ 50,981,723
Debt Service		
Lease Payments	$ 1,531,055	$ 1,466,619
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 49,638,876	$ 52,448,342

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Assistive and Rehabilitative Services. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of Assistive and Rehabilitative Services. In order to achieve the objectives and service standards established by this Act, the Department of Assistive and Rehabilitative Services shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: CHILDREN WITH DISABILITIES		
Outcome (Results/Impact):		
Percent of Population under Age Three Served	3.74%	3.93%
A.1.1. Strategy: ECI SERVICES		
Output (Volume):		
Average Monthly Number of Children Served in Comprehensive Services	30,766	31,880
Efficiencies:		
Average Monthly Cost Per Child: Comprehensive Services/State and Federal Expenditures	504	504
Explanatory:		
Average Monthly Number of Hours of Service Delivered Per Child Per Month	1.69	1.69
A.1.2. Strategy: ECI RESPITE SERVICES		
Output (Volume):		
Average Monthly Number of Children Receiving Respite Services	400	400
A.2.1. Strategy: HABILITATIVE SERVICES FOR CHILDREN		
Output (Volume):		
Average Monthly Number of Children Receiving Habilitative Services	2,796	2,796
Efficiencies:		
Average Monthly Cost Per Child Served	137	137
Explanatory:		
Number of Children Receiving Habilitative Services (End-of-Year)	3,366	3,452
A.3.1. Strategy: AUTISM PROGRAM[4]		
Output (Volume):		
Average Monthly Number of Children Receiving Autism Services	127	127
Efficiencies:		
Average Monthly Cost Per Child Receiving Autism Services	2,185	2,185

[4] Incorporates the passage of HB 4586, 81st Legislature, Regular Session, which includes $6,600,000 in General Revenue Funds for the autism program (§ 67) for the two-year period beginning on the effective date of the bill. It is assumed that all of the expenditures would occur in the 2010-11 biennium, and the funding has been split evenly between FY 2010 and FY 2011. Appropriations related to HB 4586 are subject to the appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to General Provisions contained in Article IX of SB 1, 81st Legislature, 2009.

Explanatory:		
Number of Children Receiving Autism Services (End-of-Year)	224	224
B. Goal: PERSONS WITH DISABILITIES		
Outcome (Results/Impact):		
Percent of VR-Blind Consumers Who Achieve Employment Outcomes	72%	72%
Percent of VR-General Consumers Who Achieve Employment Outcomes	55.8%	55.8%
B.1.1. Strategy: INDEPENDENT LIVING SERVICES - BLIND		
Output (Volume):		
Number of Consumers Served	4,259	4,891
Efficiencies:		
Average Cost Per Consumer Served	1,051	891
B.1.2. Strategy: BLINDNESS EDUCATION		
Output (Volume):		
Number of Individuals Receiving Screening and Treatment Services in the BEST Program	9,544	9,717
Efficiencies:		
Average Cost Per Individual Receiving Screening and Treatment Services in the BEST Program	58	58
B.1.3. Strategy: VOCATIONAL REHABILITATION - BLIND		
Output (Volume):		
Number of Consumers Served	9,748	9,940
Efficiencies:		
Average Cost Per Consumer Served	5,000	5,144
B.1.4. Strategy: BUSINESS ENTERPRISES OF TEXAS		
Output (Volume):		
Number of Indiv. Employed by BET Businesses (Managers and Employees)	1,273	1,281
Number of Blind & Disabled Individuals Employed by BET Facility Managers	86	90
B.2.2. Strategy: EDUC, TRAINING, CERTIFICATION-DEAF		
Output (Volume):		
Number of Consumers Educated and Interpreters Trained	1,120	1,120
Efficiencies:		
Average Time for Ethics Complaint Resolution (Certified Interpreter): Days	90	90
B.2.3. Strategy: TELEPHONE ACCESS ASSISTANCE		
Output (Volume):		
Number of Equipment/Service Vouchers Issued	22,600	22,600
B.3.1. Strategy: VOCATIONAL REHABILITATION - GENERAL		
Output (Volume):		
Number of Consumers Served	88,024	88,024
Number of Consumers Who Achieved Employment Outcomes	12,323	12,323
Efficiencies:		
Cost Per Consumer Served	2,450	2,450
B.3.2. Strategy: INDEPENDENT LIVING CENTERS		
Output (Volume):		
Number of People Receiving Services from Independent Living Centers	9,153	10,170
B.3.3. Strategy: INDEPENDENT LIVING SERVICE - GEN		
Output (Volume):		
Average Monthly Number of People Receiving DRS Supported Independent Living Services	227	227
Efficiencies:		
Average Monthly Cost Per Person Receiving DRS Supported Independent Living Services	2,181	2,181
Explanatory:		
Number of People Receiving DRS Supported Independent Living Services (End-of-Year)	1,751	1,751
B.3.4. Strategy: COMPREHENSIVE REHABILITATION		
Output (Volume):		
Average Monthly Number of People Comprehensive Rehabilitation Services	206	209
Efficiencies:		
Average Monthly Cost Per CRS Consumer	7,462	7,355
Explanatory:		
Number of People Receiving Comprehensive Services (End-of-Year)	593	594

C. Goal: DISABILITY DETERMINATION		
Outcome (Results/Impact):		
Percent of Case Decisions That Are Accurate	90.6%	90.6%
C.1.1. Strategy: DISABILITY DETERMINATION SVCS (DDS)		
Output (Volume):		
Number of Disability Cases Determined	298,301	307,520
Efficiencies:		
Cost Per Disability Case Determination	417	417

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended for the purposes shown and are not available for expenditures for other purposes. Amount appropriated above have been identified in this provision as appropriations either for "Lease Payments to Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	2010	2011
a. Repair or Rehabilitation of Buildings and Facilities		
(1) Building Maintenance	$ 639,000	$ 390,800
b. Acquisition of Information Resource Technologies		
(1) Seat Management Services	2,000,000	2,000,000
(2) Infrastructure and Development Platform Refresh	839,346	839,346
(3) Data Center Consolidation	3,438,911	2,773,209
(4) Telecommunications Enhancements	$ 17,700	$ 0
Total, Acquisition of Information Resource Technologies	$ 6,295,957	$ 5,612,555
c. Transportation Items		
(1) Vehicles	$ 38,830	$ 40,680
d. Acquisition of Capital Equipment and Items		
(1) Establish and Refurbish Food Service Facilities	$ 340,000	$ 340,000
Total, Capital Budget	$ 7,313,787	$ 6,384,035
Method of Financing (Capital Budget):		
General Revenue Fund	$ 1,170,936	$ 499,924
Federal Funds	6,123,818	5,865,078
Universal Services Fund Reimbursements	19,033	19,033
Total, Method of Financing	$ 7,313,787	$ 6,384,035

3. **Reimbursement of Advisory Committee Members.** Pursuant to Government Code § 2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above, not to exceed the amounts stated below per fiscal year, is limited to the following advisory committees:

Early Childhood Intervention Advisory Council	$16,650
Elected Committee of Managers	$16,000
Board for Evaluation of Interpreters	$ 4,500
Rehabilitation Council of Texas	$58,350

To the maximum extent possible, the department shall encourage the use of videoconferencing and teleconferencing and shall schedule meetings and locations to facilitate the travel of participants so that they may return the same day and reduce the need to reimburse members for overnight stays.

4. **Reimbursement of Advisory Council Members.** Pursuant to Human Resources Code §117.027, reimbursement of expenses for Assistive and Rehabilitative Services Council members, out of funds appropriated above, is hereby authorized such that the sum total of all reimbursements for members of the Council shall not exceed $33,182 per fiscal year.

5. Notification of Federal Funds Distribution.

a. Redirection of General Revenue Funds. The Department of Assistive and Rehabilitative Services (DARS) shall notify the Legislative Budget Board and the Governor by letter of its intent to redirect General Revenue Funds to obtain additional federal funds for the Vocational Rehabilitation program. The notification shall include the original purpose and item of appropriation for which the General Revenue Funds were appropriated, and the effect on measures and/or full-time equivalent positions for all affected strategies. The notification shall be made at least 30 days prior to requesting additional federal funding for the Vocational Rehabilitation program. Furthermore, it is the intent of the Legislature that no federal funds be drawn and expended by utilizing as matching funds any General Revenue Funds appropriated for the subsequent state fiscal year.

b. Budgeting of Additional Federal Dollars. DARS shall notify the Legislative Budget Board and the Governor by letter at least 14 days prior to the budgeting of more than $217,649,555 in fiscal year 2010 and $217,500,171 in fiscal year 2011 in federal Vocational Rehabilitation funds (CFDA 84.126) included in the "Method of Financing" above. Amounts noted above include any amounts expended in fiscal year 2010 or 2011 that were carried forward from the previous year's allotments.

6. Other Reporting Requirements.

a. **Federal Reports**. The Department of Assistive and Rehabilitative Services shall submit the following information to the Legislative Budget Board and the Governor no later than the date the respective report is submitted to the federal government:

(1) Notification of proposed State Plan amendments or waivers for Vocational Rehabilitation (CFDA 84.126), and Early Childhood Intervention Services [Special Education Grants for Infants and Families with Disabilities (CFDA 84.181) and Developmental Rehabilitation Services (Medicaid)] and any other federal grant requiring a state plan. State Plan amendments and waiver submissions shall also be provided to the Senate Health and Human Services, House Human Services, and House Public Health committees.

(2) A copy of each report or petition submitted to the federal government relating to Vocational Rehabilitation (CFDA 84.126), and Early Childhood Intervention Services [Special Education Grants for Infants and Families with Disabilities (CFDA 84.181) and Developmental Rehabilitation Services (Medicaid)].

(3) Any other federal reports requested by the Legislative Budget Board or the Governor.

b. **Federal Issues.** The Department of Assistive and Rehabilitative Services shall notify the Legislative Budget Board and the Governor on a timely basis about emerging issues that could result in the loss of more than $1 million in federal revenue assumed in the Appropriations Act.

c. **Monthly Financial Reports**. The Department of Assistive and Rehabilitative Services shall submit the following information to the Legislative Budget Board and the Governor on a monthly basis:

(1) Information on appropriated, budgeted, expended, and projected funds, by strategy and method of finance.

(2) A report detailing revenues, expenditures, and balances for earned federal funds as of the last day of the prior month.

(3) Narrative explanations of significant budget adjustments, ongoing issues, and other items as appropriate.

(4) Any other information requested by the Legislative Budget Board or the Governor.

The monthly reports shall be prepared in a format specified by the Legislative Budget Board and the Governor.

7. **Maintenance of Effort (MOE) and Matching Funds Reporting Requirement.** The Department of Assistive and Rehabilitative Services (DARS) shall report quarterly to the Legislative Budget Board and the Governor on state funds used for match and maintenance of effort (MOE) for federal Vocational Rehabilitation (CFDA 84.126) funds and state funds used for MOE for federal Special Education Grants for Infants and Families with Disabilities (CFDA 84.181) funds. Each report shall detail funds for the current fiscal year and at least the two previous fiscal years. The reports shall specify:

   a. State funds within and outside the department's budget used for match and MOE.

   b. Federal Funds within and outside the department's budget matched by state funds identified in the previous section.

   The reports shall be prepared in a format specified by the Legislative Budget Board.

8. **Reporting on Early Childhood Intervention.** The Department of Assistive and Rehabilitative Services shall submit the following to the Legislative Budget Board, the Governor, and the Health and Human Services Commission, as it relates to Strategies A.1.1, Early Childhood Intervention Services and A.1.3, Ensure Quality Early Childhood Intervention Services:

   a. annual report due December 1st of each fiscal year that details:

      (1) by provider and month of service: the Number of Referrals, Number of Eligibility Determinations, Number of Children Receiving Follow Along Services, Total Number of Children Served in Comprehensive Services, and Total Number of Medicaid-Enrolled Children Served in Comprehensive Services,

      (2) by provider and month of service: the total amount reimbursed,

      (3) by provider and month of service: the number of hours of service delivered by service type and Medicaid v. Non-Medicaid within each service type,

      (4) by provider and month of service: the number of children eligible for Medicaid, TANF, CHIP, and other funding for comprehensive services,

   b. an annual report due December 1st of each fiscal year that specifies for the current fiscal year as well as two fiscal years prior the contracted amount per child and the final amount paid per child per provider. The report should also include the total amount anticipated to be paid to each provider and the number of children anticipated to be served per provider.

   c. a quarterly report that details by quarter of service: the total amount collected from private insurance, and

   d. any other information requested by the Legislative Budget Board or the Governor.

   The reports shall be prepared in a format specified by the Legislative Budget Board.

9. **Funding for Early Childhood Intervention (ECI) Services at the Department of Assistive and Rehabilitative Services.**

   a. The Commissioner of the Department of Assistive and Rehabilitative Services (DARS) shall certify, by February 1 of each fiscal year of the biennium, to the Executive Commissioner of Health and Human Services if funding needed to continue to serve all eligible children in Strategies A.1.1, Early Childhood Intervention Services, and A.1.3, Ensure Quality Early Childhood Intervention Services, will exceed revenue available to DARS. The Executive Commissioner of Health and Human Services shall evaluate the projected need and make a determination within 30 days as to whether a transfer of funds will be necessary. If a transfer of funds is necessary, the Health and Human Services Commission and DARS shall submit a written request to the Legislative Budget Board and Governor (copying the Comptroller of Public Accounts), providing the following:

      (1) Caseload and average cost projections showing the additional need;

(2) An evaluation of other possible available funding sources that DARS has considered, including federal education funding at the Texas Education Agency, other federal funding sources, and any other possible source;

(3) An evaluation of the availability and continuation of local funding sources to address the funding need; and

(4) Documentation of the agency's efforts to seek additional funding based on:

i. Cost-sharing by clients;
ii. Cost control measures;
iii. Maximizing coverage under Medicaid and the Children's Health Insurance Program;
iv. Third party recovery;
v. Examining the developmental delay criteria; and
vi. Maximizing local commitments.

(5) A discussion of any changes made or considered related to eligibility criteria;

All transfers made shall be subject to the prior written approval of the Governor and Legislative Budget Board.

b. The Department of Assistive and Rehabilitative Services, in coordination with the Health and Human Services Commission, shall maintain procedures and monitor contractors for compliance to ensure that third-party resources and Medicaid are billed for eligible services provided in Strategies A.1.1, Early Childhood Intervention Services, and A.1.3, Ensure Quality Early Childhood Intervention Services.

c. It is the intent of the Legislature that the Department of Assistive and Rehabilitative Services maintain procedures for the selection of providers and renewal of provider contracts based on "best value" practices that maximize the use of federal, private, and local funding.

10. Respite Care for Families. It is the intent of the Legislature that any General Revenue Funds appropriated for the biennium for the purpose of providing respite care for families shall not be included in the State's maintenance of effort (MOE) for the federal Individuals with Disabilities Education Act (IDEA), Part C grant.

11. Education Funding. Included in the Method of Financing in Other Funds above is $16,498,102 in fiscal year 2010 and $16,498,102 in fiscal year 2011 set aside from the Special Education Allotment and transferred to the Department of Assistive and Rehabilitative Services.

The Department of Assistive and Rehabilitative Services is hereby required to enter into a Memorandum of Understanding (MOU) with the Texas Education Agency for the purpose of providing funds to ECI contractors. The MOU may include other provisions the agencies deem necessary. DARS shall provide a signed copy of the Memorandum of Understanding to the Legislative Budget Board and the Governor, no later than October 1, 2009 and October 1, 2010.

12. Limitation: Transfer Authority for Early Childhood Intervention (ECI) Strategies. Notwithstanding the transfer provisions in the general provisions (general transfer provisions) and other transfer provisions of this Act, funds appropriated by this Act to the Department of Assistive and Rehabilitative Services (DARS) for the following ECI strategies shall be governed by the specific limitations included in this provision.

A.1.1, ECI Services;
A.1.2, ECI Respite Services;
A.1.3, ECI Ensure Quality ECI Services;

a. **Limitations on Transfers.** Transfers may be made between appropriation items listed above. Transfers may not be made from appropriation items listed above to appropriation items not listed in this provision without prior written approval from the Legislative Budget Board and the Governor. DARS shall provide notification of all transfers pursuant to subsection (b) of this provision.

b. **Notification Regarding Transfers that Do not Require Approval**. Authority granted by this provision to transfer funds is contingent upon a written notification from DARS to the Legislative Budget Board and the Governor at least 30 days prior to the transfer, which includes the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

c. **Requests for Transfers that Require Approval**. To request a transfer, DARS shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

The Comptroller of Public Accounts shall not allow the transfer of funds in any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

13. Appropriation: Unexpended Balances in Interagency Contracts for Administrative Fees. Unexpended and unobligated balances remaining as of August 31, 2009, in the appropriation of Interagency Contracts for Administrative Fees made to the Department of Assistive and Rehabilitative Services (DARS) by House Bill 1, Eightieth Legislature, for the purpose of specialized projects for individuals who are hard of hearing, are hereby appropriated to DARS and included in amounts above in Strategy B.2.2, Education, Training, & Certification - Deaf, for the biennium beginning September 1, 2009, and any unexpended balances remaining as of August 31, 2010 are appropriated for the same purpose for the fiscal year beginning September 1, 2010 (estimated to be $0).

14. Appropriation: Unexpended Balances in Summer Camp Program. Any unexpended and unobligated balances remaining as of August 31, 2009, in the appropriation made to the Department of Assistive and Rehabilitative Services (DARS) by House Bill 1, Eightieth Legislature, Regular Session, Article IX, General Provisions, Acceptance of Gifts of Money, are hereby appropriated to DARS, and included in amounts above in Strategy B.2.2, Education, Training, & Certification - Deaf, for the biennium beginning September 1, 2009, for the purpose of expenses related to the Summer Camp Program (estimated to be $0). Unexpended and unobligated balances remaining as of August 31, 2010, in the Summer Camp program are hereby appropriated to DARS for fiscal year 2011, and included in amounts above in Strategy B.2.2, Education, Training, & Certification - Deaf, for use in the Summer Camp Program (estimated to be $0).

15. Unexpended Balances for the Board of Evaluation of Interpreters (BEI) Program. Unexpended and unobligated balances remaining as of August 31, 2009, in certification fees for Strategy B.2.2, Education, Training, & Certification - Deaf, made to the Department of Assistive and Rehabilitative Services (DARS), are hereby appropriated to DARS, for the fiscal year beginning September 1, 2009, for the purpose of developing evaluation materials, validating interpreter evaluation materials, and expenses related to the Department's Certification Program (estimated to be $0).

16. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines, and other miscellaneous revenues as authorized and generated by the Department of Assistive and Rehabilitative Services cover, at a minimum, $130,000 in General Revenue in each year of the biennium to support Strategy B.2.2, Education, Training, & Certification - Deaf, as well as the "other direct and indirect costs" associated with these programs, appropriated elsewhere in this Act. "Other direct and indirect costs" for the certification of interpreters are estimated to be $41,541 in fiscal year 2010 and $42,025 in fiscal year 2011. 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. Any unexpended balances and additional other revenue collections in excess of the Biennial Revenue Estimate as of August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010.

17. **Appropriation: GR-Dedicated I Love Texas License Plate Account No. 5086.** Included in funds appropriated above in Strategy B.2.2, Education, Training, & Certification - Deaf, is an estimated appropriation of $24,000 for the biennium in revenue generated from the sale of specialized "I Love Texas" license plates and collected in GR-Dedicated I Love Texas License Plate Account No. 5086 during the 2010-11 biennium. Any balances on hand (estimated to be $4,000) as well as any additional revenues generated in 2010-11 by the sale of specialized "I Love Texas" license plates above $24,000 are hereby appropriated to the agency for the 2010-11 biennium. It is the intent of the Legislature that these funds be expended for direct services programs, training, and education for the deaf and hard of hearing.

18. **Cash Flow Contingency for the Specialized Telecommunications Assistance Program.** Contingent upon the receipt of Universal Services Funds reimbursements, the Department of Assistive and Rehabilitative Services may temporarily utilize additional General Revenue Funds in an amount not to exceed the anticipated Universal Services Funds reimbursement. The General Revenue Funds accessed under this provision must be repaid within the biennium they are used upon receipt of Universal Services Funds and shall be utilized only for the purpose of temporary cash flow needs. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be made in accordance with accounting procedures established by the Comptroller of Public Accounts.

19. **Employee Work Assignments.** Funds appropriated above for payment of salaries for employees assigned to the Criss Cole Rehabilitation Center or to special project facilities operated by the agency, insofar as possible, shall be used to support a policy consistent with the work days and work hours of such employees to be determined according to a system comparable to that used by other state-operated special schools, hospitals, institutions or other facilities providing residential services to eligible individuals.

20. **Reimbursement of Services.** In order to reimburse equitably the appropriation items hereinabove made from which expenditures are made for services to employees and guests of the Criss Cole Rehabilitation Center or other residential facilities operated by the Department of Assistive and Rehabilitative Services (DARS), DARS shall establish such reimbursement rates and rules as might be necessary to assure reimbursement at rates not less than the rates of reimbursement required by institutions, agencies or offices under the jurisdiction of the Department of State Health Services, the Department of Aging and Disability Services and the Texas Youth Commission.

21. **Appropriation of Federal Medicaid Receipts.** The Department of Assistive and Rehabilitative Services (DARS) shall certify and/or transfer appropriated state funds to the Texas Medicaid Single State Agency so that federal financial participation can be claimed for Medicaid services. Such federal receipts are hereby appropriated to DARS to provide rehabilitative services to blind and visually impaired children in Strategy A.2.1, Habilitative Services for Children.

22. **Appropriation of Donations: Blindness Education Screening and Treatment.** Included in the amounts above in Strategy B.1.2 is $554,997 in fiscal year 2010 and $565,003 in fiscal year 2011 for the Blindness Education, Screening, and Treatment (BEST) Program, contingent upon the generation of funds through donations. Revenues received from donations made in fiscal year 2010 and fiscal year 2011, in amounts not to exceed $1,120,000 as provided by § 521.421 (f) or § 521.422 (b), Transportation Code, are appropriated to the Department of Assistive and Rehabilitative Services (DARS) for purposes related to the BEST Program. Any revenue collected in the BEST Program above the amount appropriated each fiscal year is hereby appropriated to DARS for the same purpose. Any unexpended balances remaining as of August 31, 2010 are

hereby appropriated to DARS for the same purpose for the fiscal year beginning September 1, 2010. 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.

23. **Appropriation: GR-Dedicated Business Enterprise Program Trust Fund Account No. 5043.** Amounts above in Strategy B.1.5, Business Enterprises of Texas Trust Fund, are appropriated to the Department of Assistive and Rehabilitative Services (DARS) for the purpose of establishing and maintaining a retirement and benefits plan for blind or visually impaired vendors as defined in the federal Randolph-Sheppard Act (20 USC, § 107). Any amounts in addition to the amount identified in Strategy B.1.5, Business Enterprises of Texas Trust Fund, necessary to make retirement and benefits payments in conformity with the Randolph-Sheppard Act (20 USC, § 107) and Human Resource Code, § 94.016, are hereby appropriated to DARS. None of the funds appropriated in Strategy B.1.5, Business Enterprises of Texas Trust Fund, or through this rider may be transferred to any other strategy. DARS shall report quarterly on deposits into and expenditures out of the GR-Dedicated Business Enterprise Program Trust Fund, Account No. 5043, including identification of the purpose for the expenditure, to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts.

    In addition, DARS shall submit a written report annually to the Legislative Budget Board and Governor on the management of the BET Trust Fund. DARS shall report deposits to the fund, the recommendations of the fund manager regarding investments, performance of investments, and an actuarial analysis of projected disbursements.

24. **GR-Dedicated Business Enterprise Program Account No. 492.** Included in the amounts appropriated above in Strategy B.1.4, Business Enterprises of Texas, is $1,850,090 in fiscal year 2010 and $1,850,090 in fiscal year 2011 from the Business Enterprise Program Account No. 492 from revenue deposited into the account in object codes 3747 and 3802.

25. **Appropriation: Subrogation Receipts.** Included in amounts appropriated above in Strategy B.3.1, Vocational Rehabilitation - General, and Strategy B.3.4, Comprehensive Rehabilitation, are subrogation collections received during the 2010-11 biennium. Appropriations included in Strategy B.3.1 above, $69,400 in each fiscal year of the biennium, are from subrogation receipt collections from Vocational Rehabilitation cases. Appropriations included in Strategy B.3.4 above, $176,600 in each fiscal year of the biennium, are from subrogation receipt collections from Comprehensive Rehabilitation cases. Subrogation receipts collected above the amounts appropriated in each strategy in each year are hereby appropriated to the agency for client services in the program from which the subrogation collections were generated (estimated to be $0).

26. **GR-Dedicated Comprehensive Rehabilitation Account No. 107.** Included in the amounts appropriated above in Strategy B.3.4, Comprehensive Rehabilitation, is $11,942,335 in fiscal year 2010 and $11,942,335 in fiscal year 2011 from the GR-Dedicated Comprehensive Rehabilitation Account No. 107. These amounts include unexpended and unobligated balances in an amount not to exceed $1,500,000 of Comprehensive Rehabilitation funds remaining as of August 31, 2009. Any unexpended appropriations for fiscal year 2010 in an amount not to exceed $1,500,000 of Comprehensive Rehabilitation Funds are hereby appropriated for fiscal year 2011. Appropriations made elsewhere in this Act for employee benefits includes approximately $35,000 per fiscal year from the GR-Dedicated Comprehensive Rehabilitation Account No. 107. Revenues deposited into GR-Dedicated Account No. 107 are statutorily dedicated for comprehensive rehabilitation services and may not be used for any other purpose. It is the intent of the Legislature that funds from the Comprehensive Rehabilitation Account be used only for direct services in Strategy B.3.4, Comprehensive Rehabilitation (Provide Services to People with Spinal Cord/Traumatic Brain Injuries). The Department of Assistive and Rehabilitative Services is hereby appropriated any additional revenue generated during the 2010-11 biennium and deposited in the General Revenue Fund under General Revenue Dedicated Account No. 107 above the Comptroller of Public Accounts' Biennial Revenue Estimate, for the purpose of providing comprehensive rehabilitation services (estimated to be $0), subject to written certification by the Comptroller's office that collections for the fiscal year have or will exceed the Biennial Revenue Estimate.

27. **Enhanced State Funding for Assistive Technologies and Devices.** Included in the amounts appropriated above in Strategy B.3.3, Independent Living Services - General, is $800,000 in General Revenue Funds in fiscal year 2010 and $800,000 in General Revenue Funds in fiscal year 2011, and $200,000 in General Revenue Funds in fiscal year 2010 and $200,000 in General Revenue Funds in fiscal year 2011 in Strategy B.1.1, Independent Living Services - Blind, for the

purpose of providing assistive technologies, devices, and related training to Texans with the most significant disabilities. It is the intent of the legislature that these funds be expended to the greatest degree possible on disabled Texans who, without these technologies and devices, would be placed in nursing homes or otherwise removed from their communities.

28. Caseload and Expenditure Reporting Requirements. Pursuant to Article II, Special Provisions, caseload and expenditure reporting, the Department of Assistive and Rehabilitative Services shall submit monthly data for the elements listed below to the Legislative Budget Board and the Governor, at the end of each month. The report shall include data points for at least the preceding 36 months, in a format specified by the Legislative Budget Board.

1) Number of Referrals to ECI
2) Number of Children that Received a Developmental Screening
3) Number of CPS-involved Children that Received a Full Eligibility Determination
4) Number of Non-CPS Involved Children that Received a Full Eligibility Determination
5) Unduplicated Count of the Number of Children that Received an Eligibility Determination
6) Number of Children Enrolled in Follow Along
7) Number of Children with Medicaid Served in Comprehensive Services
8) Number of Non-Medicaid Children Served in Comprehensive Services
9) Number of Children Enrolled in Comprehensive Services
10) Total Expended for that Service Month, excluding ECI expenditures for Respite and Indirect Administration
11) Number of Hours of Service Delivered

29. Performance Reporting for the Business Enterprises of Texas Program. The Department of Assistive and Rehabilitative Services shall report by October 1st of each year of the biennium, the following information to the Legislative Budget Board and the Governor:

a. The results of the survey distributed to state host agencies on satisfaction of operational conditions such as pricing requirements, hours of operations, menu items, and product lines; and

b. The total cost incurred by each state host agency for the operation of Business Enterprises of Texas cafeterias, snack bars, and convenience stores. Reported costs should include the value of the space used, maintenance costs, utility costs, janitorial costs and the method of finance for each cost. An outline of the methodology that was used to determine the final estimate should also be included in the report.

The report shall be prepared in a format specified by the Legislative Budget Board and the Governor.

30. Disability Determination Services Federally Funded Full-Time Equivalent Employees. One hundred percent federally funded FTEs appropriated by this Act to Strategy 3.1.1, Disability Determination Services (DDS), which are indicated below, and any additional FTEs added to strategy 3.1.1, DDS, pursuant to Article IX, § 6.10(g) may not be transferred to any other strategy for any other purpose other than the specific purpose for which the FTEs are appropriated without the prior written approval of the Legislative Budget Board and the Governor. A transfer request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 45 calendar days of receipt of the request.

	FY 2010	FY 2011
Strategy 3.1.1, DDS	1,056.8	1,088.5

31. Out of State Travel Cap Exemption. Travel expenses incurred by the Department of Assistive and Rehabilitative Services staff associated with 100% federally funded programs and paid with 100% Federal Funds are exempt from the requirements of Article IX, Section 5.08, Limitations on Travel Expenditures, and the limitations on such expenditures as set forth therein.

DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund		
General Revenue Fund[2]	$ 366,547,141	$ 413,715,754
GR Match for Medicaid[2]	13,424,935	13,466,718
GR MOE for Temporary Assistance for Needy Families	8,124,749	8,124,749
GR Match for Title IVE (FMAP)[2]	129,342,810	139,664,078
Subtotal, General Revenue Fund	$ 517,439,635	$ 574,971,299
GR Dedicated - Child Abuse and Neglect Prevention Operating Account No. 5084	7,663,848	7,663,848
Federal Funds[2]	768,651,417	781,021,587
Other Funds		
DFPS Appropriated Receipts - Child Support Collections	1,120,384	1,120,384
Appropriated Receipts	5,613,897	5,613,897
Interagency Contracts	363,995	363,995
Subtotal, Other Funds	$ 7,098,276	$ 7,098,276
Total, Method of Financing	$ 1,300,853,176	$ 1,370,755,010
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[3]	11,451.1	11,476.1
Schedule of Exempt Positions:		
Commissioner, Group 7	$168,000	$168,000
Items of Appropriation:		
A. Goal: STATEWIDE INTAKE SERVICES		
Provide Access to DFPS Services by Managing a 24-hour Call Center.		
A.1.1. Strategy: STATEWIDE INTAKE SERVICES Provide System to Receive/Assign Reports of Abuse/Neglect/Exploitation.	$ 17,976,107	$ 18,851,465
B. Goal: CHILD PROTECTIVE SERVICES		
Protect Children Through an Integrated Service Delivery System.		
B.1.1. Strategy: CPS DIRECT DELIVERY STAFF[2] Provide Direct Delivery Staff for Child Protective Services.	$ 373,549,411	$ 423,040,556
B.1.2. Strategy: CPS PROGRAM SUPPORT[2] Provide Program Support for Child Protective Services.	$ 45,453,026	$ 45,710,189
B.1.3. Strategy: TWC FOSTER DAY CARE TWC Foster Day Care Purchased Services.	$ 8,390,781	$ 8,390,781

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency, Article XII includes a Federal Funds increase of $64,370,942 in FY 2010 resulting in a net All Funds appropriation of $1,365,224,118 in FY 2010.

[2] Incorporates the passage of HB 4586, 81st Legislature, Regular Session, which includes $5,502,108 in All Funds and $3,151,333 in General Revenue Funds for the 2010-11 biennium for incident management and the protection of state school residents pursuant to a settlement agreement with the U.S. Department of Justice (§ 68), and $12,353,737 in All Funds and $4,230,705 in General Revenue Funds for the 2010-11 biennium for financial assistance programs in connection with certain children in the conservatorship of the Department of Family and Protective Services (§ 95). Appropriations related to HB 4586 are subject to the appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to the General Provisions contained in Article IX of SB 1, 81st Legislature, 2009.

[3] Incorporates the passage of HB 4586, 81st Legislature, Regular Session, which includes 37.0 FTE positions in FY 2010 and 43.0 FTE positions in FY 2011 for incident management and the protection of state school residents pursuant to a settlement agreement with the U.S. Department of Justice (§ 68), and 17.0 FTE positions for each year of the 2010-11 biennium for financial assistance programs in connection with certain children in the conservatorship of the Department of Family and Protective Services (§ 95).

B.1.4. Strategy: TWC RELATIVE DAY CARE TWC Relative Day Care Purchased Services.	$	6,124,914	$	6,124,914
B.1.5. Strategy: TWC PROTECTIVE DAY CARE TWC Protective Day Care Purchased Services.	$	12,739,826	$	12,739,826
B.1.6. Strategy: ADOPTION PURCHASED SERVICES	$	4,995,506	$	4,995,506
B.1.7. Strategy: POST-ADOPTION PURCHASED SERVICES	$	3,969,521	$	4,264,307
B.1.8. Strategy: PAL PURCHASED SERVICES Preparation for Adult Living Purchased Services.	$	7,984,254	$	7,884,254
B.1.9. Strategy: SUBSTANCE ABUSE PURCHASED SERVICES	$	4,605,041	$	4,605,041
B.1.10. Strategy: OTHER CPS PURCHASED SERVICES Other Purchased Child Protective Services.	$	44,812,893	$	44,812,893
B.1.11. Strategy: FOSTER CARE PAYMENTS[4] Foster Care and Relative Monetary Assistance Payments.	$	383,695,121	$	394,620,995
B.1.12. Strategy: ADOPTION SUBSIDY PAYMENTS[4]	$	161,146,407	$	172,876,394
Total, Goal B: CHILD PROTECTIVE SERVICES	$	1,057,466,701	$	1,130,065,656
C. Goal: PREVENTION PROGRAMS Prevention and Early Intervention Programs.				
C.1.1. Strategy: STAR PROGRAM Services to At-Risk Youth (STAR) Program.	$	21,000,860	$	21,000,860
C.1.2. Strategy: CYD PROGRAM Community Youth Development (CYD) Program.	$	7,847,599	$	7,847,599
C.1.3. Strategy: TEXAS FAMILIES PROGRAM Texas Families: Together and Safe Program.	$	4,121,878	$	4,121,878
C.1.4. Strategy: CHILD ABUSE PREVENTION GRANTS Provide Child Abuse Prevention Grants to Community-based Organizations.	$	1,813,365	$	1,813,365
C.1.5. Strategy: OTHER AT-RISK PREVENTION PROGRAMS Provide Funding for Other At-Risk Prevention Programs.	$	8,955,910	$	8,955,910
C.1.6. Strategy: AT-RISK PREVENTION PROGRAM SUPPORT Provide Program Support for At-Risk Prevention Services.	$	2,143,959	$	2,143,959
Total, Goal C: PREVENTION PROGRAMS	$	45,883,571	$	45,883,571
D. Goal: ADULT PROTECTIVE SERVICES Protect Elder/Disabled Adults Through a Comprehensive System.				
D.1.1. Strategy: APS DIRECT DELIVERY STAFF Provide Direct Delivery Staff for Adult Protective Services.	$	52,562,643	$	52,562,644
D.1.2. Strategy: APS PROGRAM SUPPORT Provide Program Support for Adult Protective Services.	$	5,127,868	$	5,127,868
D.1.3. Strategy: MH AND MR INVESTIGATIONS[4]	$	9,184,660	$	9,336,200
Total, Goal D: ADULT PROTECTIVE SERVICES	$	66,875,171	$	67,026,712
E. Goal: CHILD CARE REGULATION Regulate Child Day Care and Residential Child Care.				
E.1.1. Strategy: CHILD CARE REGULATION	$	33,049,101	$	33,049,101
F. Goal: INDIRECT ADMINISTRATION				
F.1.1. Strategy: CENTRAL ADMINISTRATION[4]	$	13,721,292	$	13,704,048

[4] Incorporates the passage of HB 4586, 81st Legislature, Regular Session, which includes $5,502,108 in All Funds and $3,151,333 in General Revenue Funds for the 2010-11 biennium for incident management and the protection of state school residents pursuant to a settlement agreement with the U.S. Department of Justice (§ 68), and $12,353,737 in All Funds and $4,230,705 in General Revenue Funds for the 2010-11 biennium for financial assistance programs in connection with certain children in the conservatorship of the Department of Family and Protective Services (§ 95). Appropriations related to HB 4586 are subject to the appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to the General Provisions contained in Article IX of SB 1, 81st Legislature, 2009.

F.1.2. Strategy: OTHER SUPPORT SERVICES	$ 4,648,556	$ 4,648,556
F.1.3. Strategy: REGIONAL ADMINISTRATION	$ 1,579,842	$ 1,579,842
F.1.4. Strategy: IT PROGRAM SUPPORT[5]	$ 29,318,152	$ 30,081,949
F.1.5. Strategy: AGENCY-WIDE AUTOMATED SYSTEMS[5] Agency-wide Automated Systems (Capital Projects).	$ 30,334,683	$ 25,864,110
Total, Goal F: INDIRECT ADMINISTRATION	$ 79,602,525	$ 75,878,505
Grand Total, DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES	$ 1,300,853,176	$ 1,370,755,010
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 415,101,938	$ 417,449,436
Other Personnel Costs	10,987,588	10,987,588
Professional Fees and Services	26,213,990	21,745,634
Consumable Supplies	4,492,896	4,578,931
Utilities	5,905,999	5,925,799
Travel	40,194,683	40,428,621
Rent - Building	153,659	153,659
Rent - Machine and Other	14,441,760	14,491,483
Other Operating Expense	88,574,655	137,395,803
Client Services	693,747,644	716,598,292
Food for Persons - Wards of State	183,253	183,253
Capital Expenditures	855,111	816,511
Total, Object-of-Expense Informational Listing	$ 1,300,853,176	$ 1,370,755,010
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 25,833,541	$ 26,380,991
Group Insurance	67,039,593	72,538,759
Social Security	34,297,544	34,849,522
Benefits Replacement	1,897,688	1,802,803
Subtotal, Employee Benefits	$ 129,068,366	$ 135,572,075
Debt Service		
Lease Payments	$ 3,046,474	$ 2,443,769
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 132,114,840	$ 138,015,844

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Family and Protective Services. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of Family and Protective Services. In order to achieve the objectives and service standards established by this Act, the Department of Family and Protective Services shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: STATEWIDE INTAKE SERVICES		
Outcome (Results/Impact):		
Average Hold Time (in Minutes) for Statewide Intake Phone Calls in the English Queue	11.4	11.4

[5] Incorporates the passage of HB 4586, 81st Legislature, Regular Session, which includes $5,502,108 in All Funds and $3,151,333 in General Revenue Funds for the 2010-11 biennium for incident management and the protection of state school residents pursuant to a settlement agreement with the U.S. Department of Justice (§ 68), and $12,353,737 in All Funds and $4,230,705 in General Revenue Funds for the 2010-11 biennium for financial assistance programs in connection with certain children in the conservatorship of the Department of Family and Protective Services (§ 95). Appropriations related to HB 4586 are subject to the appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to the General Provisions contained in Article IX of SB 1, 81st Legislature, 2009.

A.1.1. Strategy: STATEWIDE INTAKE SERVICES		
Output (Volume):		
Number of CPS Reports of Child Abuse/Neglect	212,574	216,629
B. Goal: CHILD PROTECTIVE SERVICES		
Outcome (Results/Impact):		
Percent Absence of Maltreatment within Six Months of Intake (CPS)	96%	96%
Percent of Children in FPS Conservatorship for Whom Legal Resolution Was Achieved within 12 Months	54.8%	54.8%
Child Protective Services Caseworker Turnover Rate	26.7	26.7
B.1.1. Strategy: CPS DIRECT DELIVERY STAFF		
Output (Volume):		
Number of Completed CPS Investigations	167,933	171,137
Number of Confirmed CPS Cases of Child Abuse/Neglect	42,390	43,198
Number of Children in FPS Conservatorship Who Are Adopted	4,752	4,990
Efficiencies:		
CPS Daily Caseload per Worker: Investigation	21.2	22.4
CPS Daily Caseload per Worker: Family-Based Safety Services	18.8	18.7
CPS Daily Caseload per Worker: Substitute Care Services	30.6	31.3
B.1.3. Strategy: TWC FOSTER DAY CARE		
Output (Volume):		
Average Number of Days of TWC Foster Day Care Paid per Month	35,383	35,383
Efficiencies:		
Average Daily Cost for TWC Foster Day Care Services	18.77	18.77
B.1.4. Strategy: TWC RELATIVE DAY CARE		
Output (Volume):		
Average Number of Days of TWC Relative Day Care Paid per Month	31,085	32,711
Efficiencies:		
Average Daily Cost for TWC Relative Day Care Services	19.78	19.78
B.1.11. Strategy: FOSTER CARE PAYMENTS		
Output (Volume):		
Average Number of FPS-paid Days of Foster Care per Month	443,667	443,770
Average Number of Children (FTE) Served in FPS-paid Foster Care per Month	14,586	14,590
Average Monthly Number of Children Receiving Monetary Assistance from the Relative and Other Designated Caregiver Program per Month	706	706
Efficiencies:		
Average Monthly FPS Expenditures for Foster Care	28,227,785	28,628,745
Average Monthly FPS Payment per Foster Child (FTE)	1,935.22	1,962.26
B.1.12. Strategy: ADOPTION SUBSIDY PAYMENTS		
Output (Volume):		
Average Number of Children Provided Adoption Subsidy per Month	30,413	33,066
Efficiencies:		
Average Monthly Payment per Adoption Subsidy	433.13	429.98
C. Goal: PREVENTION PROGRAMS		
Outcome (Results/Impact):		
Percent of CYD Youth Not Referred to Juvenile Probation	98%	98%
C.1.1. Strategy: STAR PROGRAM		
Output (Volume):		
Average Number of STAR Youth Served per Month	6,209	6,209
Efficiencies:		
Average Monthly FPS Cost per STAR Youth Served	281.84	281.84
C.1.2. Strategy: CYD PROGRAM		
Output (Volume):		
Average Number of CYD Youth Served per Month	4,233	4,233
Efficiencies:		
Average Monthly FPS Cost per CYD Youth Served	154.48	154.48
D. Goal: ADULT PROTECTIVE SERVICES		
Outcome (Results/Impact):		
Percent of Elderly Persons and Persons with Disabilities Found to be in a State of Abuse/Neglect/Exploitation Who Receive Protective Services	80.7	80.8
Incidence of Abuse/Neglect/Exploitation per 1,000 Persons Receiving Services in Mental Health and Mental Retardation Settings	5.3	5.7

Adult Protective Services Caseworker Turnover Rate	16.4	16
D.1.1. Strategy: APS DIRECT DELIVERY STAFF		
Output (Volume):		
Number of Completed APS Investigations	73,534	76,190
Number of Confirmed APS Investigations	51,797	53,668
Efficiencies:		
APS Daily Workload Equivalency Measure (WEM)	21.8	21.9
APS Daily Caseload per Worker (In Home)	30.9	31.1
D.1.3. Strategy: MH AND MR INVESTIGATIONS		
Output (Volume):		
Number of Completed Investigations in Mental Health and Mental Retardation Settings	10,727	11,533
Efficiencies:		
APS Daily Caseload per Worker (MH and MR Investigations)	4.6	4.7
E. Goal: CHILD CARE REGULATION		
Outcome (Results/Impact):		
Percent of Validated Investigations where Children are Placed at High Risk	45.4	52.8
E.1.1. Strategy: CHILD CARE REGULATION		
Output (Volume):		
Number of Inspections	56,801	57,133

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Desktop Services Lease for Computer Hardware and Software	$ 5,219,588	$ 5,237,018
(2) IMPACT Operational Enhancement	1,533,450	1,533,450
(3) Tablet PCs for Mobile Casework	11,423,174	11,455,467
(4) Strengthen Residential Contract Oversight System	574,629	574,629
(5) Software Licenses	1,975,387	1,975,387
(6) Data Center Consolidation	3,836,453	2,796,484
(7) CLASSMate	665,789	665,789
(8) Messaging and Collaboration	524,998	524,998
(9) Telecommunications Enhancements	807,150	807,150
(10) IMPACT Youth in Transition Outcome Data	$ 2,332,481	$ 243,481
Total, Acquisition of Information Resource Technologies	$ 28,893,099	$ 25,813,853
b. Other Lease Payments to the Master Lease Purchase Program (MLPP)		
(1) Lease Payments to the Master Lease Purchase Program	$ 820,111	$ 816,511
Total, Capital Budget	$ 29,713,210	$ 26,630,364
Method of Financing (Capital Budget):		
General Revenue Fund		
General Revenue Fund	$ 15,169,595	$ 13,396,729
GR Match for Medicaid	714,233	683,188
Subtotal, General Revenue Fund	$ 15,883,828	$ 14,079,917
Federal Funds	13,829,382	12,550,447
Total, Method of Financing	$ 29,713,210	$ 26,630,364

3. **Limitation on Expenditures for Conservatorship Suits.** To the extent allowed by federal regulation, federal funds may be used by the department in conjunction with funds provided by counties with which the department has child welfare contracts, to pay for legal representation for children or their parents in suits in which the department is seeking to be named conservator. No

general revenue funds appropriated to the department may be used to make such payments except in situations where the Governor declares it an emergency and with prior written approval of the Legislative Budget Board and the Governor.

To request approval, the department shall submit a written request to the Legislative Budget Board and the Governor that includes the following information:

a. a detailed explanation of the purpose(s) of the expenditure and whether the expenditure will be one-time or ongoing;

b. the name of the strategy or strategies affected by the expenditure and the method of financing and FTEs for each strategy by fiscal year;

c. the impact of the expenditure on performance levels and, where relevant, a comparison to targets included in this Act for the affected strategy or strategies; and

d. the impact of the expenditure on the capital budget.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 45 calendar days of receipt of the request.

4. Appropriation of Funds from Counties, Cities, and Other Local Sources. All funds received by the department from counties, cities, and other local sources and all balances from such sources as of August 31, 2009, are hereby appropriated for the biennium ending August 31, 2011 (estimated to be $0), for the purpose of carrying out the provisions of this Act.

5. Accounting of Support Costs. The State Comptroller shall establish separate accounts from which certain support costs shall be paid. The Department of Family and Protective Services is hereby authorized to make transfers into separate accounts from line item strategies in order to pay for these expenses in an efficient and effective manner. Only costs not directly attributable to a single program may be budgeted in or paid from these accounts. Items to be budgeted in and paid from these accounts include but are not limited to: postage, occupancy costs, equipment repair, telephones, office printing costs, supplies, freight and transport costs, telephone system costs, and salary and travel costs of staff whose function supports several programs. The department shall be responsible for quarterly allocations of these costs to the original strategies.

6. Tertiary Prevention of Child Abuse Programs. From the amounts appropriated above, the Department of Family and Protective Services shall allocate up to $120,000 each fiscal year of the biennium for continuation of a statewide network of community-based, volunteer-driven programs for prevention, intervention, and aftercare services of abused children.

7. Foster Care Rates.

a. It is the intent of the Legislature that the Department of Family and Protective Services reimburse foster families at least $17.12 per day for children under 12 years old and $17.50 per day for children age 12 and older during the 2010-11 biennium. The department may transfer funds into Strategy B.1.11, Foster Care Payments, for the purpose of maintaining these rates. The department may not transfer funds out of Strategy B.1.11, Foster Care Payments, without the prior written approval of the Legislative Budget Board and the Governor.

b. The department may also use funds in Strategy B.1.11, Foster Care Payments, to recommend alternate service provision intake and investigation that will consider expansion of contract services, regional planning, service outcomes, and appropriate funding mechanisms to be tested in pilot projects. Such pilot approaches to innovative service delivery shall be designed in conjunction with providers, approved by the Health and Human Services Commission, and funded at no increased cost to the State. The department may include a modification of rates for new pilot approaches implemented in this manner.

c. The department may utilize up to $7,263,863 in fiscal year 2010, and up to $7,263,863 in fiscal year 2011, from funds appropriated above in Strategy B.1.11, Foster Care Payments, for the Relative and Other Designated Caregiver Monetary Assistance Program. The department shall conduct ongoing evaluations of the program.

8. Fund Transfers for Funds Consolidation. For the purpose of funds consolidation, federal and other funds may be transferred into the General Revenue Fund from Department of Family and Protective Services Fund 37. The initial deposit of federal funds shall be made into Fund 37 and no direct expenditures shall be made from this fund.

9. Substitute Care Permanency Goal. It is the intent of the Legislature that whenever possible, the department shall utilize state and/or federal funds currently being expended for substitute care to cover the cost of assuring permanent homes where appropriate for foster children.

10. Other Reporting Requirements.

a. **Federal Reports.** The Department of Family and Protective Services shall submit the following information to the Legislative Budget Board and the Governor no later than the date the respective report is submitted to the federal government:

(1) Notification of proposed State Plan amendments or waivers for the Medicaid program, the Foster Care and Adoption Assistance program, the Temporary Assistance for Needy Families program, the Child Welfare Services program, and any other federal grant requiring a state plan. State plan amendments and waiver submissions shall also be provided to the Senate Health and Human Services, House Human Services, and House Public Health committees.

(2) A copy of each report or petition submitted to the federal government relating to the Medicaid program, the Foster Care and Adoption Assistance program, the Temporary Assistance for Needy Families program, the Child Welfare Services program, and any other federal grant requiring a state plan, including expenditure reports and cost allocation revisions.

b. **Federal Issues.** The Department of Family and Protective Services shall notify the Legislative Budget Board and the Governor on a timely basis about emerging issues that could result in the loss of more than $1 million in federal revenue assumed in the appropriations act.

c. **Monthly Financial Reports.** The Department of Family and Protective Services shall submit the following information to the Legislative Budget Board and the Governor on a monthly basis:

(1) Information on appropriated, budgeted, expended, and projected funds, by strategy and method of finance.

(2) A report detailing revenues, expenditures, and balances for earned federal funds as of the last day of the prior month.

(3) Narrative explanations of significant budget adjustments, ongoing budget issues, and other items as appropriate.

(4) Any other information requested by the Legislative Budget Board or the Governor.

The monthly financial reports shall be prepared in a format specified by the Legislative Budget Board.

11. Appropriation Transfer Between Fiscal Years. In addition to the transfer authority provided elsewhere in this Act, the Department of Family and Protective Services may transfer appropriations made above for Strategy B.1.11, Foster Care Payments, and Strategy B.1.12, Adoption Subsidy Payments, for fiscal year 2011 to fiscal year 2010, subject to the following conditions provided by this section:

a. Transfers under this section may be made only if costs associated with providing foster care or adoption subsidy payments exceed the funds appropriated for these payments for fiscal year 2010;

b. Transfers from Strategy B.1.11, Foster Care Payments, may not exceed $12,700,000 in General Revenue Funds and $8,800,000 in TANF Federal Funds;

c. Transfers from Strategy B.1.12, Adoption Subsidy Payments, may not exceed $6,200,000 in General Revenue Funds;

d. A transfer authorized by this section must receive the prior written approval of the Legislative Budget Board and the Governor; and

e. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.

12. Limitation on Expenditures for Administrative Overhead. Funds appropriated above in Strategy B.1.3, TWC Foster Day Care, Strategy B.1.4, TWC Relative Day Care, and Strategy B.1.5, TWC Protective Day Care, may be used only to purchase child day care services through the Texas Workforce Commission.

The Department of Family and Protective Services' expenditures for administrative overhead payments to the Texas Workforce Commission and local workforce boards in connection with any agreement to provide child day care services out of funds appropriated above shall be limited to no more than 5 percent of all amounts paid for child day care services out of funds appropriated above.

13. Human Resources Management Plan. From funds appropriated above, the Texas Department of Family and Protective Services shall develop a Human Resources Management Plan designed to improve employee morale and retention. The plan must focus on reducing employee turnover through better management. The Texas Department of Family and Protective Services shall report semi-annually to the Senate Finance Committee, the House Committee on Appropriations, the Legislative Budget Board, and the Governor the employee turnover rate, by job category, at the agency during the preceding twelve months. The effectiveness of the agency's plan shall be measured by whether there is a reduction in employee turnover rates at the agency, specifically by the reduction in the turnover rates for caseworkers.

14. Use of Personal Cellular Telephones. Out of funds appropriated above, the Department of Family and Protective Services shall pay child and adult protective services program caseworkers, supervisors, directors and residential child-care licensing investigators, an amount not to exceed $50 per month for work-related use of their personal cellular telephones.

15. Adult Protective Services and Mental Health and Mental Retardation Investigations. Out of the funds appropriated above for Strategy D.1.1, APS Direct Delivery Staff, Strategy D.1.2, APS Program Support, and Strategy D.1.3, MH and MR Investigations, the Department of Family and Protective Services shall maximize the use of federal Medicaid funding.

16. Appropriation of Unexpended Balances for Prevention Programs. All unexpended balances appropriated above for the strategies in Goal C, Prevention Programs, for the fiscal year ending August 31, 2010, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

Authorization to expend the unexpended balances is contingent upon submission of the following reports to the Legislative Budget Board and the Governor:

a. a report by September 1, 2009 providing actual expenditures for fiscal years 2008 and 2009, and planned expenditures for fiscal years 2010 and 2011, at the program activity code level; and

b. a report by March 1 and September 1 of each fiscal year reflecting actual expenditures by program activity code for the previous six months.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The notification and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The Comptroller of Public Accounts shall not allow the use of unexpended balances if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

17. Faith-based Foster Family Recruitment and Training. From funds appropriated above, up to $500,000 in fiscal year 2010 and up to $706,000 in fiscal year 2011 shall be used for the purposes of developing and implementing a program to recruit and train foster families from faith-based communities.

18. Limitation on Transfers: CPS and APS Direct Delivery Staff.

a. **Funding.** Notwithstanding any other transfer provision in this Act, none of the funds appropriated by this Act to the Department of Family and Protective Services for Strategy B.1.1, CPS Direct Delivery Staff, and Strategy D.1.1, APS Direct Delivery Staff, may be transferred to any other item of appropriation or expended for any purpose other than the specific purpose for which the funds are appropriated without the prior written approval of the Legislative Budget Board and the Governor.

b. **Full-time-equivalent (FTE) Positions.** Out of the FTE positions appropriated above to the Department of Family and Protective Services, 8,242.8 positions for fiscal year 2010 and 8,243.6 positions for fiscal year 2011 are allocated to Strategy B.1.1, CPS Direct Delivery Staff, and 804.6 positions for fiscal year 2010 and 804.6 positions for fiscal year 2011 are allocated to Strategy D.1.1, APS Direct Delivery Staff.

Notwithstanding any other transfer provision in this Act, none of the FTEs allocated by this Act to the Department of Family and Protective Services for Strategy B.1.1, CPS Direct Delivery Staff, and Strategy D.1.1, APS Direct Delivery Staff, may be transferred to any other item of appropriation or utilized for any purpose other than the specific purpose for which the FTEs are allocated without the prior written approval of the Legislative Budget Board and the Governor.

c. **Request for Approval.** To request approval for the transfer of funds and/or FTEs, the department shall submit a written request to the Legislative Budget Board and the Governor that includes the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies, and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The transfer request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 45 calendar days of receipt of the request.

The Comptroller of Public Accounts shall not allow the transfer of funds if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

19. Reimbursement of Advisory Council Members. Pursuant to Human Resources Code §40.025, reimbursement of expenses for Family and Protective Services Council members, out of funds appropriated above, is hereby authorized such that the sum total of all reimbursements for members of the Council shall not exceed $10,000 per fiscal year.

20. Caseload Per Worker Reporting Requirements. The Department of Family and Protective Services shall report to the Legislative Budget Board and the Governor, by October 1 of each year

of the biennium, daily caseload per worker data for each protective services program for the previous fiscal year. The report shall be prepared in a format specified by the Legislative Budget Board.

21. At-Risk Prevention Programs. The Department of Family and Protective Services may only use funds appropriated above in Strategy C.1.5, Other At-Risk Prevention Programs, for at-risk prevention services that are competitively procured.

22. Reporting Requirement on Minority Child Removals. The Department of Family and Protective Services shall report, by October 1 of each year of the biennium, to the House Appropriations Committee, the Senate Finance Committee, the Legislative Budget Board, and the Governor, the number of children removed from their homes by child protective services and the number of children investigated, by ethnic group, in the seven largest urban regions of the state during the preceding fiscal year. The Department may include the information in an existing report or a new report.

23. Medicaid and Title IV-E Federal Funds. Out of the funds appropriated above, the Department of Family and Protective Services shall maximize the use of federal entitlement revenue from the Medicaid and Title IV-E Foster Care and Adoption Assistance programs.

a. **Appropriations for Child Protective Services.** Included in the amounts appropriated above for child protective services are the following amounts of federal entitlement revenue from the Medicaid and Title IV-E Foster Care and Adoption Assistance programs:

(1) Strategy B.1.1, CPS Direct Delivery Staff: $383,899 in Medicaid Federal Funds and $59,998,409 in Title IV-E Federal Funds for fiscal year 2010, and $388,721 in Medicaid Federal Funds and $60,153,714 in Title IV-E Federal Funds for fiscal year 2011; and

(2) Strategy B.1.2, CPS Program Support: $26,124 in Medicaid Federal Funds and $10,661,562 in Title IV-E Federal Funds for fiscal year 2010, and $27,625 in Medicaid Federal Funds and $10,712,086 in Title IV-E Federal Funds for fiscal year 2011.

b. **Appropriations for Adult Protective Services.** Included in the amounts appropriated above for adult protective services are the following amounts of federal entitlement revenue from the Medicaid program:

(1) Strategy D.1.1, APS Direct Delivery Staff: $1,108,889 in Medicaid Federal Funds for fiscal year 2010, and $1,108,889 in Medicaid Federal Funds for fiscal year 2011; and

(2) Strategy D.1.2, APS Program Support: $1,154,038 in Medicaid Federal Funds for fiscal year 2010, and $1,154,038 in Medicaid Federal Funds for fiscal year 2011.

c. **Limitation on Use of General Revenue Funds and TANF Federal Funds.** In the event that federal entitlement revenues exceed the amounts noted above, the department may spend the General Revenue Funds and TANF Federal Funds thereby made available only to the extent authorized in writing by the Legislative Budget Board and the Governor.

d. **Request for Approval to Use General Revenue Funds and TANF Federal Funds.** To request approval pursuant to section (c) above, the department shall submit a written request to the Legislative Budget Board and the Governor that includes the following information:

(1) the reason for and amount of federal entitlement revenue that exceeds the amounts noted in section (a) or (b) above;

(2) a detailed explanation of the purpose(s) of the expenditure and whether the expenditure will be one-time or ongoing;

(3) the name of the strategy or strategies affected by the expenditure and the method of financing and FTEs for each strategy by fiscal year;

(4) the impact of the expenditure on performance levels and, where relevant, a comparison to targets included in this Act for the affected strategy or strategies; and

(5) the impact of the expenditure on the capital budget.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

24. Reimbursement of Advisory Committee Members. Pursuant to Government Code § 2110.004, reimbursement of expenses for advisory committee members, out of the funds appropriated above, not to exceed the amounts stated below per fiscal year, is limited to the following advisory committees:

Parental Advisory Committee	$3,000
Promote Adoption of Minority Children Advisory Committee	$19,200

To the maximum extent possible, the department shall encourage the use of videoconferencing and teleconferencing and shall schedule meetings and locations to facilitate the travel of participants so that they may return the same day and reduce the need to reimburse members for overnight stays.

25. Other At-Risk Prevention Programs and Services. From the amounts appropriated above in Strategy C.1.5, Other At-Risk Prevention Programs, the Department of Family and Protective Services shall allocate for the state fiscal biennium beginning September 1, 2009, not less than $4,500,000 for one or more competitively procured established statewide networks of community-based prevention programs that provide evidence-based programs delivered by trained full-time staff, and address conditions resulting in negative outcomes for children and youth. Any vendor selected for funding through this strategy must provide dollar-for-dollar matching funds. The Department of Family and Protective Services shall also allocate for the state fiscal biennium beginning September 1, 2009, from the amounts appropriated above in Strategy C.1.5, Other At-Risk Prevention Programs, not less than $1,600,000 for competitively procured community-based services for families with low-priority, less serious cases of abuse and neglect and for families with cases in which allegations of abuse or neglect of a child were unsubstantiated but involve families that have been previously investigated for abuse or neglect of a child.

26. CPS Investigative Pay. The Department of Family and Protective Services is authorized to continue to provide the annual amount of $5,000 established by the Seventy-ninth Legislature for child protective services investigation caseworkers and supervisors. The pay shall be paid at the rate of $416.67 per month, or pro-rata portion if a partial month is worked in the position. This pay is in addition to the salary rates stipulated by the General Provisions of this Act relating to the position classifications and assigned salary ranges.

27. Informational Listing - CPS Reform Continued. The following is an informational list of the purposes, amounts, and FTEs for CPS Reform Continued, originally funded by House Bill 1, Eightieth Legislature, Regular Session. These amounts are included in the appropriations made above for the Department of Family and Protective Services.

	2010	FTEs	2011	FTEs
Family Group Decision Making During Investigations	$ 1,630,198	31.0	$ 1,630,198	31.0
Additional Family Based Safety Services Staff	$11,004,537	160.0	$11,004,537	160.0
Strengthen Families Through Enhanced In Home Support	$ 4,624,750		$ 4,624,750	
Purchased Client Services to Keep Families Together	$ 3,311,355		$ 3,311,355	
Family Group Decision Making after Removal	$ 2,774,280	53.0	$ 2,774,280	53.0

Purchased Client Services to Reunify Families	$ 2,985,696		$ 2,985,696	
Additional Substitute Care Staff	$33,478,938	501.0	$33,478,938	501.0
Additional Staff and Support for Kinship Placements	$13,916,915	93.0	$13,916,915	93.0
Additional Staff to Redact Records	$ 464,696	10.0	$ 464,696	10.0
Additional Legal Staff	$ 1,188,422	23.0	$ 1,188,422	23.0
Tablet PCs for Substitute Care and Licensing Staff	$ 4,021,694		$ 4,021,694	
Expand Disproportionality Sites	$ 456,685	8.0	$ 456,685	8.0
Strengthen Program Support and Administrative Services	$ 3,654,177	63.0	$ 3,654,177	63.0
Records Management	$ 2,322,419	13.0	$ 2,322,419	13.0
Strengthen Licensing Oversight	$ 4,942,389	84.0	$ 4,942,389	84.0
Strengthen Contract Oversight	$ 1,619,183	18.0	$ 1,619,183	18.0
Additional Staff to Process Criminal History Checks	$ 622,760	31.0	$ 622,760	31.0
Enhance Community Engagement and Provider Development	$ 226,945	4.0	$ 226,945	4.0
Total, CPS Reform Continued	**$93,246,039**	**1,092.0**	**$93,246,039**	**1,092.0**

Method of Financing:

General Revenue	$42,664,193	$43,405,250
TANF Federal Funds	$39,182,888	$38,441,832
Other Federal Funds	$11,398,958	$11,398,957
Total, All Funds	**$93,246,039**	**$93,246,039**

The Department of Family and Protective Services shall submit quarterly expenditure reports to the Legislative Budget Board and the Governor, that list actual and planned expenditures and FTEs for each CPS Reform Continued purpose listed above. The report shall be prepared in a format specified by the Legislative Budget Board and submitted no later than 45 days following the close of each fiscal quarter.

28. Limitation on Appropriation for Enhanced In Home Support. Included in the amounts appropriated above in Strategy B.1.10, Other CPS Purchased Services, is $4,624,750 in TANF Federal Funds for fiscal year 2010, and $4,624,750 in TANF Federal Funds for fiscal year 2011, to provide monetary benefits, goods, and services to families that are eligible for enhanced in

home support. The Department of Family and Protective Services may not use these funds for any other purpose without prior written approval from the Legislative Budget Board and the Governor.

To request approval, the department shall submit a written request to the Legislative Budget Board and the Governor that includes the following information:

a. a detailed explanation of the purpose(s) of the expenditure and whether the expenditure will be one-time or ongoing;

b. the name of the strategy or strategies affected by the expenditure and the method of financing and FTEs for each strategy by fiscal year;

c. the impact of the expenditure on performance levels and, where relevent, a comparison to targets included in this Act for the affected strategy or strategies; and

d. the impact of the expenditure on the capital budget.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

29. Child and Family Services Review. None of the funds appropriated above to the Department of Family and Protective Services may be used to pay for federal penalties associated with the Child and Family Services Review process without the prior written approval of the Legislative Budget Board and the Governor.

To request approval, the department shall submit a written request to the Legislative Budget Board and the Governor that includes the following information:

a. a copy of the federal document imposing and/or assessing the penalty;

b. a detailed explanation of the reason for the penalty and the efforts that were undertaken to avoid the penalty;

c. the name of the strategy or strategies affected by the expenditure and the method of financing and FTEs for each strategy by fiscal year;

d. the impact of the expenditure on performance levels and, where relevant, a comparison to targets included in this Act for the affected strategy or strategies; and

e. the impact of the expenditure on the capital budget.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 45 calendar days of receipt of the request.

30. Special Immigrant Juvenile Status. Out of the funds appropriated above to the Department of Family and Protective Services in Strategy B.1.1, CPS Direct Delivery Staff, $149,759 in General Revenue Funds and $27,115 in Federal Funds for fiscal year 2010, $135,624 in General Revenue Funds and $24,555 in Federal Funds for fiscal year 2011, and three full-time equivalents per fiscal year shall be used to support Special Immigrant Juvenile Status and other immigration-related processes.

31. Intensive Psychiatric Transition Program. It is the intent of the Legislature that out of funds appropriated above in Strategy B.1.11, Foster Care Payments, the Department of Family and Protective Services may expand a foster child's eligibility for the Intensive Psychiatric Transition program from having had at least three prior hospitalizations in the preceding 12 months to having had at least one prior psychiatric hospitalization in the preceding 12 months.

32. Out-of-State Travel Exemption. Out-of-state travel expenses incurred by Department of Family and Protective Services staff while transporting children are exempt from the requirements of Article IX, Section 5.08, Limitation on Travel Expenditures, and the limitations on such expenditures as set forth therein. The Department of Family and Protective Services shall work

with the Legislative Budget Board and the Comptroller of Public Accounts to determine a revised travel limitation expenditure amount that does not include the travel exempted under this provision.

33. Subsidized Guardianship Program. The Department of Family and Protective Services shall, to the extent authorized by state and federal law, maximize the use of Title IV-E Federal Funds for kinship guardianship assistance payments for children pursuant to the Fostering Connections to Success and Increasing Adoptions Act (Public Law 110-351).

34. Family Group Decision-making Program. From funds appropriated above to Strategy B.1.2, CPS Program Support, the Department of Family and Protective Services shall conduct a study to determine the effectiveness of the family group decision-making program for child protective services. The agency shall submit a report with findings and recommended performance measures to the Senate Finance Committee, the House Committee on Appropriations, the Legislative Budget Board, and the Governor, no later than October 1, 2010.

35. Foster Care Rate Increase for Child-placing Agencies. It is the intent of the Legislature that the Health and Human Services Commission provide a rate increase for child-placing agencies out of funds appropriated for a rate increase for foster families.

DEPARTMENT OF STATE HEALTH SERVICES

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund		
General Revenue Fund[2, 3, 4, 5, 6, 7]	$ 677,599,115	$ 696,441,156
GR Match for Medicaid	9,220,800	9,302,237
GR for Mental Health Block Grant	242,308,708	242,155,182
GR for Substance Abuse Prevention and Treatment Block Grant	24,051,962	24,051,962
GR for Maternal and Child Health Block Grant	40,208,729	40,208,729
GR for HIV Services	46,350,348	46,350,348
GR Certified as Match for Medicaid	45,413,301	45,636,523
General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees	6,004,209	6,004,209
Vendor Drug Rebates—Public Health	2,000,000	2,000,000
Subtotal, General Revenue Fund	$ 1,093,157,172	$ 1,112,150,346
General Revenue Fund - Dedicated		
Vital Statistics Account No. 019[8]	5,921,099	6,405,166
Hospital Licensing Account No. 129	1,655,164	1,655,163
Food and Drug Fee Account No. 341	1,702,909	1,702,909
Bureau of Emergency Management Account No. 512	2,263,098	2,263,098
Department of Health Public Health Services Fee Account No. 524	14,012,073	15,212,073
Commission on State Emergency Communications Account No. 5007[9]	1,821,575	1,821,575
Asbestos Removal Licensure Account No. 5017	3,197,088	3,197,088
Workplace Chemicals List Account No. 5020	632,638	632,638
Certificate of Mammography Systems Account No. 5021	982,859	975,620
Oyster Sales Account No. 5022	252,000	252,000
Food and Drug Registration Account No. 5024	5,777,985	5,777,985
Animal Friendly Account No. 5032	853,000	853,000

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for these appropriations. For this agency Article XII includes a net Federal Funds increase of $8,198,070 (includes Article XII, §25) in FY 2010, resulting in a net All Funds appropriation of $2,950,378,581 in FY 2010.

[2] Incorporates Article IX, §17.42, of this Act, due to the enactment of HB 1358, 81st Legislature, Regular Session, relating to the use of bonds for cancer prevention and research, resulting in an increase in Cancer Bond Proceeds (Account No. 780) of $875,000 in FY 2010 and $1,000,000 in FY 2011 and a corresponding decrease in General Revenue Funds of $875,000 in FY 2010 and $1,000,000 in FY 2011.

[3] SB 1877, 81st Legislature, Regular Session, did not pass. See SB 2080, 81st Legislature, Regular Session, which did pass relating to the Texas Medical Child Abuse Resource and Education System, resulting in an increase in General Revenue Funds of $2,500,000 in each fiscal year, pursuant to Article IX, § 17.115.

[4] Incorporates Article IX, § 17.41, of this Act, due to the enactment of HB 1357, 81st Legislature, Regular Session, relating to the licensure of freestanding emergency medical care facilities, and creation of the respective licensing fees, resulting in an increase in General Revenue Funds of $387,346 and 4.5 FTEs in FY 2010 and $148,713 and 2.5 FTEs in FY 2011.

[5] Incorporates Article IX, § 17.33, of this Act, due to the enactment of HB 461, 81st Legislature, Regular Session, relating to the regulation of dyslexia practitioners, resulting in an increase in General Revenue Funds of $152,283 and 2.0 FTEs in FY 2010 and $172,572 and 2.5 FTEs in FY 2011.

[6] Incorporates Article IX, § 17.29, of this Act, due to the enactment of HB 216, 81st Legislature, Regular Session, relating to the regulation of certain boarding houses and assisted living facilities and providing penalties, resulting in an increase in General Revenue Funds of $1,976,250 in FY 2011 and 23 FTEs in each fiscal year.

[7] Incorporates Article IX, § 17.32, of this Act, due to the enactment of HB 449, 81st Legislature, Regular Session, relating to the licensing and regulation of laser hair removal facilities, resulting in an increase in General Revenue Funds of $1,254,254 and 15.2 FTEs in FY 2010 and $1,404,205 and 17.2 FTEs in FY 2011.

[8] HB 2677, 81st Legislature, Regular Session, did not pass. See SB 703, 81st Legislature, Regular Session, which did pass relating to the amendment of birth certificates, resulting in an increase in General Revenue-Dedicated Vital Statistics Account No. 19 Funds of $78,685 and 2.0 FTEs in FY 2010 and $98,297 and 2.0 FTEs in FY 2011, pursuant to Article IX, § 17.62.

[9] Technical correction to name of account.

Permanent Fund for Health and Tobacco Education and Enforcement Account No. 5044	9,328,500	9,328,500
Permanent Fund Children & Public Health Account No. 5045	4,868,500	4,868,500
Permanent Fund for EMS & Trauma Care Account No. 5046	4,741,500	4,741,500
Permanent Hospital Fund for Capital Improvements and the Texas Center for Infectious Disease Account No. 5048	1,195,500	1,195,500
State Owned Multicategorical Teaching Hospital Account No. 5049	10,000,000	10,000,000
EMS, Trauma Facilities, Trauma Care Systems Account No. 5108	2,381,725	2,381,725
Trauma Facility and EMS Account No. 5111	75,000,808	75,000,808
March of Dimes Plates Account No. 5117	4,500	4,500
Childhood Immunization Account No. 5125	144,807	144,807
Be a Blood Donor Plates Account No. 5134	500	500
Health Department Laboratory Financing Fees Account No. 8026	2,878,032	2,877,957
WIC Rebates Account No. 8027	255,986,664	258,575,681
Perpetual Care Account No. 8076	1,432,054	1,260,946
Subtotal, General Revenue Fund - Dedicated	$ 407,034,578	$ 411,129,239
Federal Funds	1,248,712,555	1,253,463,556
Other Funds		
Appropriated Receipts	6,289,231	6,289,231
State Chest Hospital Fees and Receipts	1,818,618	1,818,618
DSHS Public Health Medicaid Reimbursements	49,319,922	49,753,842
Interagency Contracts[10]	66,724,835	62,969,808
Bond Proceeds - General Obligation Bonds[11]	55,976,437	1,000,000
MH Collections for Patient Support and Maintenance	7,647,163	7,647,163
MH Appropriated Receipts	5,500,000	5,500,000
Subtotal, Other Funds	$ 193,276,206	$ 134,978,662
Total, Method of Financing	$ 2,942,180,511	$ 2,911,721,803
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 5,952,061	$ 6,143,347
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[12]	12,488.7	12,554.7
Schedule of Exempt Positions:		
Commissioner, Group 7	$183,750	$183,750
Items of Appropriation:		
A. Goal: PREPAREDNESS AND PREVENTION		
Preparedness and Prevention Services.		
A.1.1. Strategy: PUBLIC HEALTH PREP. & COORD. SVCS	$ 96,406,050	$ 96,909,570
Public Health Preparedness and Coordinated Services.		

[10] Incorporates the passage of HB 1093, 81st Legislature, Regular Session, which transfers the administration and oversight of the Poison Control Centers from DSHS to the State Commission on Emergency Communication, resulting in a decrease to Interagency Contracts of $2,243,831 and 1.0 FTE in FY 2010 and $6,761,000 and 1.0 FTE in FY 2011.

[11] Incorporates Article IX, § 17.42, of this Act, due to the enactment of HB 1358, 81st Legislature, Regular Session, relating to the use of bonds for cancer prevention and research, resulting in an increase in Cancer Bond Proceeds (Account No. 780) of $875,000 in FY 2010 and $1,000,000 in FY 2011 and a corresponding decrease in General Revenue Funds of $875,000 in FY 2010 and $1,000,000 in FY 2011.

[12] Incorporates §§ 17.29, 17.32, 17.33, 17.41, and 17.62 of Article IX, of this Act, the passage of HB 1093, 81st Legislature, Regular Session, and the Governor's veto of Rider No. 77, Contingency for Regulating Independent Freestanding Emergency Rooms and Urgent Care Clinics, resulting in a net increase of 26.2 FTEs in FY 2010 and 35.2 FTEs in FY 2011.

A.1.2. Strategy: REGISTRIES, INFO, & VITAL RECORDS[13, 14, 15]	$	33,132,707	$	28,965,939
Health Registries, Information, and Vital Records.				
A.2.1. Strategy: IMMUNIZE CHILDREN & ADULTS IN TEXAS	$	57,418,899	$	57,418,899
Immunize Children and Adults in Texas.				
A.2.2. Strategy: HIV/STD PREVENTION	$	168,472,876	$	168,472,877
A.2.3. Strategy: INFECTIOUS DISEASE PREV/EPI/SURV	$	37,310,138	$	37,797,519
Infectious Disease Prevention, Epidemiology and Surveillance.				
A.3.1. Strategy: CHRONIC DISEASE PREVENTION	$	13,676,431	$	13,582,822
Health Promotion & Chronic Disease Prevention.				
A.3.2. Strategy: ABSTINENCE EDUCATION	$	567,046	$	567,045
A.3.3. Strategy: KIDNEY HEALTH CARE	$	18,220,190	$	18,220,274
A.3.4. Strategy: CHILDREN WITH SPECIAL NEEDS	$	43,471,343	$	43,612,966
Children with Special Health Care Needs.				
A.3.5. Strategy: EPILEPSY HEMOPHILIA SERVICES	$	1,264,143	$	1,264,144
A.4.1. Strategy: LABORATORY SERVICES	$	42,620,454	$	43,076,054
Total, Goal A: PREPAREDNESS AND PREVENTION	$	512,560,277	$	509,888,109
B. Goal: COMMUNITY HEALTH SERVICES				
B.1.1. Strategy: WIC/FARMER'S MARKET NUTRITION SVCS	$	870,526,293	$	879,347,250
Provide WIC Services: Benefits, Nutrition Education & Counseling.				
B.1.2. Strategy: WOMEN & CHILDREN'S HEALTH SERVICES	$	71,175,669	$	71,244,032
Women and Children's Health Services.				
B.1.3. Strategy: FAMILY PLANNING SERVICES	$	55,625,790	$	55,625,790
B.1.4. Strategy: COMMUNITY PRIMARY CARE SERVICES	$	13,800,434	$	13,800,434
B.2.1. Strategy: MENTAL HEALTH SVCS-ADULTS	$	279,201,869	$	285,668,473
Mental Health Services for Adults.				
B.2.2. Strategy: MENTAL HEALTH SVCS-CHILDREN	$	66,307,943	$	66,238,093
Mental Health Services for Children.				
B.2.3. Strategy: COMMUNITY MENTAL HEALTH CRISIS SVCS	$	83,284,301	$	82,284,301
Community Mental Health Crisis Services.				
B.2.4. Strategy: NORTHSTAR BEHAV HLTH WAIVER	$	99,671,496	$	99,428,131
NorthSTAR Behavioral Health Waiver.				
B.2.5. Strategy: SUBSTANCE ABUSE PREV/INTERV/TREAT	$	156,239,836	$	156,239,837
Substance Abuse Prevention, Intervention and Treatment.				
B.2.6. Strategy: REDUCE USE OF TOBACCO PRODUCTS	$	11,838,932	$	11,838,932
Develop a Statewide Program to Reduce the Use of Tobacco Products.				
B.3.1. Strategy: EMS AND TRAUMA CARE SYSTEMS[16]	$	86,647,702	$	86,647,901
B.3.2. Strategy: FQHC INFRASTRUCTURE GRANTS	$	5,000,000	$	5,000,000
Federally Qualified Health Center (FQHC) Infrastructure Grants.				

[13] HB 2677, 81st Legislature, Regular Session, did not pass. See SB 703, 81st Legislature, Regular Session, which did pass relating to the amendment of birth certificates, resulting in an increase in General Revenue-Dedicated Vital Statistics Account No. 19 Funds of $78,685 and 2.0 FTEs in FY 2010 and $98,297 and 2.0 FTEs in FY 2011, pursuant to Article IX, § 17.62.

[14] Incorporates Article IX, § 17.42, of this Act, due to the enactment of HB 1358, 81st Legislature, Regular Session, relating to the use of bonds for cancer prevention and research, resulting in an increase in Cancer Bond Proceeds (Account No. 780) of $875,000 in FY 2010 and $1,000,000 in FY 2011 and a corresponding decrease in General Revenue Funds of $875,000 in FY 2010 and $1,000,000 in FY 2011.

[15] Incorporates the passage of HB 1093, 81st Legislature, Regular Session, which transfers the administration and oversight of the Poison Control Centers from DSHS to the State Commission on Emergency Communication, resulting in a decrease to Interagency Contracts of $2,243,831 and 1.0 FTE in FY 2010 and $6,761,000 and 1.0 FTE in FY 2011.

[16] SB 1877, 81st Legislature, Regular Session, did not pass. See SB 2080, 81st Legislature, Regular Session, which did pass relating to the Texas Medical Child Abuse Resource and Education System, resulting in an increase in General Revenue Funds of $2,500,000 in each fiscal year, pursuant to Article IX, § 17.115.

B.3.3. Strategy: INDIGENT HEALTH CARE REIMBURSEMENT	$ 10,000,000	$ 10,000,000
Indigent Health Care Reimbursement (UTMB).		
B.3.4. Strategy: COUNTY INDIGENT HEALTH CARE SVCS	$ 7,198,442	$ 7,198,537
County Indigent Health Care Services.		
Total, Goal B: COMMUNITY HEALTH SERVICES	$ 1,816,518,707	$ 1,830,561,711
C. Goal: HOSPITAL FACILITIES AND SERVICES		
Hospital Facilities Management and Services.		
C.1.1. Strategy: TX CENTER FOR INFECTIOUS DISEASE	$ 10,778,627	$ 10,778,627
Texas Center for Infectious Disease (TCID).		
C.1.2. Strategy: SOUTH TEXAS HEALTH CARE SYSTEM	$ 7,303,396	$ 7,303,397
C.1.3. Strategy: MENTAL HEALTH STATE HOSPITALS	$ 381,931,305	$ 385,841,872
C.2.1. Strategy: MENTAL HEALTH COMMUNITY HOSPITALS	$ 30,118,077	$ 30,118,077
Total, Goal C: HOSPITAL FACILITIES AND SERVICES	$ 430,131,405	$ 434,041,973
D. Goal: CONSUMER PROTECTION SERVICES		
D.1.1. Strategy: FOOD (MEAT) AND DRUG SAFETY	$ 25,810,918	$ 28,282,694
D.1.2. Strategy: ENVIRONMENTAL HEALTH[17]	$ 9,307,558	$ 10,451,369
D.1.3. Strategy: RADIATION CONTROL	$ 12,570,894	$ 12,573,959
D.1.4. Strategy: HEALTH CARE PROFESSIONALS[18]	$ 8,452,756	$ 8,476,455
D.1.5. Strategy: HEALTH CARE FACILITIES[19, 20, 21]	$ 11,118,442	$ 13,135,399
D.1.6. Strategy: TEXASONLINE	$ 1,049,240	$ 1,049,240
TexasOnline. Estimated and Nontransferable.		
D.1.7. Strategy: SEX OFFENDER TREATMENT/SUPERVISION	$ 3,183,676	$ 4,070,817
Sex Offender Treatment and Supervision.		
Total, Goal D: CONSUMER PROTECTION SERVICES	$ 71,493,484	$ 78,039,933
E. Goal: INDIRECT ADMINISTRATION		
E.1.1. Strategy: CENTRAL ADMINISTRATION	$ 18,188,430	$ 18,188,421
E.1.2. Strategy: IT PROGRAM SUPPORT	$ 16,582,973	$ 19,406,214
Information Technology Program Support.		
E.1.3. Strategy: OTHER SUPPORT SERVICES	$ 14,318,178	$ 14,317,306
E.1.4. Strategy: REGIONAL ADMINISTRATION	$ 1,621,491	$ 1,621,605
Total, Goal E: INDIRECT ADMINISTRATION	$ 50,711,072	$ 53,533,546
F. Goal: CAPITAL ITEMS		
F.1.1. Strategy: LABORATORY (AUSTIN) BOND DEBT	$ 2,878,032	$ 2,877,957
F.1.2. Strategy: CONSTRUCT HLTH FACILITIES, TCID	$ 7,182,878	$ UB
Construction: Health Care Facilities, TCID.		

[17] The passage of HB 1530, 81st Legislature, Regular Session, transfers the regulation of health-related pest control from the Department of State Health Services (DSHS) to the Department of Agriculture (TDA) on September 1, 2009. Any funds appropriated for this purpose to DSHS in Strategy D.1.2, Environmental Health, will be transferred to Strategy A.1.2, Regulate Pesticide Use, of TDA's bill pattern through an Interagency Contract.

[18] Incorporates Article IX, § 17.33, of this Act, due to the enactment of HB 461, 81st Legislature, Regular Session, relating to the regulation of dyslexia practitioners, resulting in an increase in General Revenue Funds of $152,283 and 2.0 FTEs in FY 2010 and $172,572 and 2.5 FTEs in FY 2011.

[19] Incorporates Article IX, § 17.29, of this Act, due to the enactment of HB 216, 81st Legislature, Regular Session, relating to the regulation of certain boarding houses and assisted living facilities and providing penalties, resulting in an increase in General Revenue Funds of $1,976,250 in FY 2011 and 23 FTEs in each fiscal year.

[20] Incorporates Article IX, § 17.32, of this Act, due to the enactment of HB 449, 81st Legislature, Regular Session, relating to the licensing and regulation of laser hair removal facilities, resulting in an increase in General Revenue Funds of $1,254,254 and 15.2 FTEs in FY 2010 and $1,404,205 and 17.2 FTEs in FY 2011.

[21] Incorporates Article IX, § 17.41, of this Act, due to the enactment of HB 1357, 81st Legislature, Regular Session, relating to the licensure of freestanding emergency medical care facilities, and creation of the respective licensing fees, resulting in an increase in General Revenue Funds of $387,346 and 4.5 FTEs in FY 2010 and $148,713 and 2.5 FTEs in FY 2011.

F.1.3. Strategy: REPAIR & RENOVATION: MH FACILITIES	$ 50,704,656	$ 2,778,574 & UB
Capital Repair and Renovation: Mental Health Facilities.		
Total, Goal F: CAPITAL ITEMS	$ 60,765,566	$ 5,656,531
Grand Total, DEPARTMENT OF STATE HEALTH SERVICES	$ 2,942,180,511	$ 2,911,721,803
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 462,844,627	$ 467,117,750
Other Personnel Costs	20,081,961	20,082,441
Professional Fees and Services	70,969,218	75,678,279
Fuels and Lubricants	2,258,328	2,426,711
Consumable Supplies	12,323,943	12,628,954
Utilities	16,910,717	17,302,961
Travel	13,245,333	14,257,832
Rent - Building	1,536,765	1,539,169
Rent - Machine and Other	13,744,935	13,717,744
Debt Service	2,878,032	2,877,957
Other Operating Expense	322,467,584	330,592,538
Client Services	1,018,594,407	1,004,197,051
Food for Persons - Wards of State	9,334,538	10,754,898
Grants	911,657,594	931,355,718
Capital Expenditures	63,332,529	7,191,800
Total, Object-of-Expense Informational Listing	$ 2,942,180,511	$ 2,911,721,803
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 27,031,132	$ 27,678,985
Group Insurance	98,219,263	107,544,405
Social Security	34,472,928	35,135,874
Benefits Replacement	3,396,260	3,226,447
Subtotal, Employee Benefits	$ 163,119,583	$ 173,585,711
Debt Service		
TPFA GO Bond Debt Service	$ 17,106,451	$ 16,598,580
Lease Payments	1,073,475	697,980
Subtotal, Debt Service	$ 18,179,926	$ 17,296,560
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 181,299,509	$ 190,882,271

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of State Health Services. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of State Health Services. In order to achieve the objectives and service standards established by this Act, the Department of State Health Services shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: PREPAREDNESS AND PREVENTION		
Outcome (Results/Impact):		
Vaccination Coverage Levels among Children Aged 19 to 35 Months	78%	78%
Incidence Rate of TB Among Texas Residents	7.2	7.2
A.1.1. Strategy: PUBLIC HEALTH PREP. & COORD. SVCS		
Output (Volume):		
Number of Educational Hours Provided on Bioterrorism and Public Health Preparedness	41,000	41,000

A.1.2. Strategy: REGISTRIES, INFO, & VITAL RECORDS		
Efficiencies:		
Average Number of Days to Certify or Verify Vital Statistics Records	10	10
A.2.1. Strategy: IMMUNIZE CHILDREN & ADULTS IN TEXAS		
Output (Volume):		
Number of Vaccine Doses Administered to Children	14,177,002.3	14,885,852.4
Explanatory:		
Dollar Value (in Millions) of Vaccine Provided by the Federal Government	320	320
A.2.2. Strategy: HIV/STD PREVENTION		
Output (Volume):		
Number of Persons Served by the HIV Medication Program	14,280	14,708
A.2.3. Strategy: INFECTIOUS DISEASE PREV/EPI/SURV		
Output (Volume):		
Number of Communicable Disease Investigations Conducted	125,000	125,000
A.3.1. Strategy: CHRONIC DISEASE PREVENTION		
Output (Volume):		
Number of Diabetes-related Prevention Activities	350,000	350,000
A.3.2. Strategy: ABSTINENCE EDUCATION		
Output (Volume):		
Number of Persons Served in Abstinence Education Programs	5,322	5,322
A.3.3. Strategy: KIDNEY HEALTH CARE		
Output (Volume):		
Number of Kidney Health Clients Provided Services	18,313	18,313
A.3.4. Strategy: CHILDREN WITH SPECIAL NEEDS		
Output (Volume):		
Number of Children with Special Health Care Needs (CSHCN) Clients Receiving Medical Services	2,600	2,600
Explanatory:		
Number of Clients Provided Medical Services at the End of the Year for the Children with Special Health Care Needs (CSHCN) Program	1,737	1,737
B. Goal: COMMUNITY HEALTH SERVICES		
Outcome (Results/Impact):		
Percentage of Eligible WIC Population Served	81%	84%
Number of Infant Deaths Per Thousand Live Births (Infant Mortality Rate)	5.1	5.1
Percentage of Low Birth Weight Births	7.8%	7.8%
Number of Pregnant Females Age 13-19 Per Thousand (Adolescent Pregnancy Rate)	45.4	43.8
Prevalence of Tobacco Use among Middle & High School Youth in Target Areas of Texas	19%	19%
Percent of Youth Who Complete Treatment Programs and Report No Past Month Substance Use at Follow-up	84%	84%
Percent of Adults Who Complete Treatment Programs and Report No Past Month Substance Use at Follow-up	87%	87%
Percent of Adults Receiving Community Mental Health Services Who Were Admitted to a Level of Care (Service Package) Following Assessment	92%	92%
Percent of Adults Receiving Community Mental Health Services Whose Functional Level Stabilized or Improved	83%	83%
Percent of Children Receiving Community Mental Health Services Who Were Admitted to a Level of Care (Service Package) Following Assessment	88%	88%
Percent of Children Receiving Community Mental Health Services Whose Functional Level Stabilized or Improved	82%	82%
B.1.1. Strategy: WIC/FARMER'S MARKET NUTRITION SVCS		
Output (Volume):		
Number of WIC Participants Provided Nutritious Food Supplements Per Month	1,031,671	1,038,471
Explanatory:		
Incidence (Percent) of Low Birth Weight Babies Born to Women, Infants and Children (WIC) Nutrition Program Mothers	5.5	5.5
B.1.2. Strategy: WOMEN & CHILDREN'S HEALTH SERVICES		
Output (Volume):		
Number of Infants <1 and Children Age 1-21 Years		

Provided Services by the Maternal and Child Health Program	30,223	30,223
Number of Women over 21 Provided Services by the Maternal and Child Health Program (Title V)	30,163	30,163
B.1.3. Strategy: FAMILY PLANNING SERVICES		
Output (Volume):		
Number of Adults and Adolescents Receiving Family Planning Services	266,600	266,600
B.1.4. Strategy: COMMUNITY PRIMARY CARE SERVICES		
Output (Volume):		
Number of Primary Health Care Eligible Patients Provided Access to Primary Care Services	85,000	85,000
B.2.1. Strategy: MENTAL HEALTH SVCS-ADULTS		
Output (Volume):		
Average Monthly Number of Adults Receiving Community Mental Health Services	52,484	52,484
Average Monthly Number of Persons Receiving Community Mental Health New Generation Medications	19,500	19,500
Efficiencies:		
Average Monthly Cost Per Adult Receiving Community Mental Health Services	361	361
Average Monthly Cost of New Generation Medications Per Person Receiving Community Mental Health New Generation Medications	275	275
B.2.2. Strategy: MENTAL HEALTH SVCS-CHILDREN		
Output (Volume):		
Average Monthly Number of Children Receiving Community Mental Health Services	12,206	12,206
Explanatory:		
Number of Children and Adolescents Served at the End of the Year - Community Mental Health Services	19,073	19,966
B.2.4. Strategy: NORTHSTAR BEHAV HLTH WAIVER		
Explanatory:		
Average Monthly Number of Persons Covered by NorthSTAR Behavioral Health Services Waiver	974,385	974,385
B.2.5. Strategy: SUBSTANCE ABUSE PREV/INTERV/TREAT		
Output (Volume):		
Average Monthly Number of Adults Served in Substance Abuse Prevention Programs	29,000	29,000
Average Monthly Number of Youth Served in Substance Abuse Prevention Programs	106,640	106,640
Average Monthly Number of Adults Served in Substance Abuse Intervention Programs	15,000	15,000
Average Monthly Number of Youth Served in Substance Abuse Intervention Programs	4,875	4,875
Average Monthly Number of Adults Served in Treatment Programs for Substance Abuse	6,013	6,013
Average Monthly Number of Youth Served in Treatment Programs for Substance Abuse	934	934
B.2.6. Strategy: REDUCE USE OF TOBACCO PRODUCTS		
Output (Volume):		
Number of Texas Communities Implementing Comprehensive Tobacco Prevention Programs	8	8
B.3.1. Strategy: EMS AND TRAUMA CARE SYSTEMS		
Output (Volume):		
Number of Emergency Health Care Providers (EMS Firms, Hospitals, RACS) Assisted through EMS/Trauma System Funding Programs	2,587	2,587
C. Goal: HOSPITAL FACILITIES AND SERVICES		
Outcome (Results/Impact):		
Percent of Patients Receiving State Mental Health Facility Services Whose Functional Level Stabilized or Improved	99%	99%
C.1.1. Strategy: TX CENTER FOR INFECTIOUS DISEASE		
Output (Volume):		
Number of Inpatient Days, Texas Center for Infectious Disease	16,000	16,000
C.1.2. Strategy: SOUTH TEXAS HEALTH CARE SYSTEM		
Output (Volume):		
Number of Outpatient Visits, South Texas Health Care System	56,500	56,500
C.1.3. Strategy: MENTAL HEALTH STATE HOSPITALS		
Output (Volume):		
Average Daily Census of State Mental Health Facilities	2,477	2,477

Average Monthly Number of State Mental Health Facility Consumers Receiving New Generation Medication Services	3,030	3,030
Efficiencies:		
Average Daily Facility Cost Per Occupied State Mental Health Facility Bed	440	443
Average Monthly Cost of New Generation Medications Per State Mental Health Facility Consumer Receiving New Generation Medication Services	564.5	617.6
D. Goal: CONSUMER PROTECTION SERVICES		
Outcome (Results/Impact):		
Percentage of Licenses Issued within Regulatory Timeframe	98%	98%
D.1.1. Strategy: FOOD (MEAT) AND DRUG SAFETY		
Efficiencies:		
Average Cost Per Surveillance Activity - Food/Meat and Drug Safety	178.23	178.23
D.1.2. Strategy: ENVIRONMENTAL HEALTH		
Efficiencies:		
Average Cost Per Surveillance Activity - Environmental Health	150.78	150.78
D.1.3. Strategy: RADIATION CONTROL		
Efficiencies:		
Average Cost Per Surveillance Activity - Radiation Control	297.64	297.64
D.1.4. Strategy: HEALTH CARE PROFESSIONALS		
Output (Volume):		
Number of Health Care Professionals and Licensed Chemical Dependency Counselors Licensed, Permitted, Certified, Registered, or Documented	87,524	87,524
D.1.7. Strategy: SEX OFFENDER TREATMENT/SUPERVISION		
Output (Volume):		
Number of Sex Offenders Provided Treatment and Supervision	98	123
Efficiencies:		
Average Cost Per Sex Offender for Treatment and Supervision	32,377	33,009
Explanatory:		
Number of New Civil Commitments	50	50

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code, §1232.103.

	2010	2011
a. Construction of Buildings and Facilities		
(1) Laboratory - Bond Debt Service	$ 2,878,032	$ 2,877,957
(2) Hospital Construction - Texas Center for Infectious Disease	7,182,878	UB
Total, Construction of Buildings and Facilities	$ 10,060,910	$ 2,877,957
b. Repair or Rehabilitation of Buildings and Facilities		
(1) Repair and Renovation of MH State Hospitals	46,567,734	UB
(2) Sunrise Canyon Hospital Capital Improvements	1,350,825	UB
(3) Laboratory Building Retrofit - Cystic Fibrosis	125,000	UB
Total, Repair or Rehabilitation of Buildings and Facilities	$ 48,043,559	$ UB

c. Acquisition of Information Resource Technologies		
(1) Information Systems Improvement	8,866,231	8,866,231
(2) WIC Clinic PC Replacement	2,869,756	2,150,406
(3) Seat Management	7,142,479	7,197,197
(4) Data Center Consolidation	11,333,982	10,153,729
(5) Messaging & Collaboration	412,591	412,590
(6) Telecommunications Enhancement	1,212,819	0
(7) Pharmacy Management System Optimization	0	895,000
(8) IT Accessibility	1,079,943	1,087,830
Total, Acquisition of Information Resource Technologies	$ 32,917,801	$ 30,762,983
d. Transportation Items		
(1) Vehicles	590,000	0
e. Acquisition of Capital Equipment and Items		
(1) Misc Lab Equipment	2,625,306	1,109,735
f. Other Lease Payments to the Master Lease Purchase Program (MLPP)		
(1) Payment of MLPP - Energy Conservation-MH	2,786,097	2,778,574
(2) Lease Pmts to MLPP MH Facilities Equipment	608,784	582,097
(3) Lease Pmts to MLPP Communications Equip	503,179	500,934
(4) Lease Pmts to MLPP Vehicles	772,975	769,580
Total, Other Lease Payments to the Master Lease Purchase Program (MLPP)	$ 4,671,035	$ 4,631,185
Total, Capital Budget	$ 98,908,611	$ 39,381,860
Method of Financing (Capital Budget):		
General Revenue Fund		
General Revenue Fund	$ 23,800,779	$ 23,051,734
General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees	25,179	0
Subtotal, General Revenue Fund	$ 23,825,958	$ 23,051,734
General Revenue Fund - Dedicated		
Vital Statistics Account No. 019	33,256	33,256
Hospital Licensing Account No. 129	3,276	3,276
Food and Drug Fee Account No. 341	4,988	4,988
Bureau of Emergency Management Account No. 512	5,621	5,621
Department of Health Public Health Services Fee Account No. 524	3,241,340	3,222,629
Commission on State Emergency Communications Account No. 5007[22]	64	64
Asbestos Removal Licensure Account No. 5017	95,403	95,403
Workplace Chemicals List Account No. 5020	1,738	1,738
Certificate of Mammography Systems Account No. 5021	762	762
Food and Drug Registration Account No. 5024	12,720	12,720
Permanent Fund for Health and Tobacco Education and Enforcement Account No. 5044	21,262	21,262
Permanent Fund Children & Public Health Account No. 5045	557	557
Permanent Fund for EMS & Trauma Care Account No. 5046	2,628	2,628
EMS, Trauma Facilities, Trauma Care Systems Account No. 5108	129	129
Trauma Facility and EMS Account No. 5111	740	740
Subtotal, General Revenue Fund - Dedicated	$ 3,424,484	$ 3,405,773
Federal Funds	15,446,861	12,857,652

[22] Technical correction to name of account.

Other Funds		
Appropriated Receipts	1,476	1,477
DSHS Public Health Medicaid Reimbursements	1,071,249	48,346
Interagency Contracts	37,146	16,878
Bond Proceeds - General Obligation Bonds	55,101,437	UB
Subtotal, Other Funds	$ 56,211,308	$ 66,701
Total, Method of Financing	$ 98,908,611	$ 39,381,860

3. **Criminal Justice/Substance Abuse Initiative.** Out of funds appropriated above in Strategy B.2.5, Substance Abuse Prevention, Intervention, and Treatment, the Department of State Health Services shall transfer $3,250,000 in each year of the biennium to the Treatment Alternative to Incarceration Program with the Texas Department of Criminal Justice for the provision of outpatient substance abuse treatment services for probationers. The agencies shall enter into an interagency contract to include data reporting provisions to address performance and other data requirements for state and federal reporting.

4. **Client Services.** It is the intent of the Legislature that the Department of State Health Services (DSHS) and the Department of Family and Protective Services (DFPS) enter into a Memorandum of Understanding for providing outpatient treatment services by DSHS to referred DFPS clients. Out of Substance Abuse Prevention and Treatment Block Grant federal funding at DSHS, a maximum of $2,070,114 for the biennium may be used for qualified services to DFPS clients.

5. **Notification of Intent to Utilize Additional Federal SAPT Block Grant Funds.** The Department of State Health Services (DSHS) shall notify the Legislative Budget Board and the Governor of its intent to use additional federal Substance Abuse Prevention and Treatment (SAPT) block grant funds in excess of the amounts specifically appropriated in the strategies above, which total $132,914,097 for fiscal year 2010 and $132,914,097 for fiscal year 2011. This notification shall explain the services to be provided, the original source of funding for the program or services or indicate that programs or services are being expanded beyond levels assumed in the appropriations act, and the grant and amount of the grant funds to be used. The notification shall be submitted at least 45 days prior to allocations made out of funds appropriated above.

6. **Other Reporting Requirements.**

   a. **Federal Reports**. The Department of State Health Services shall submit the following information to the Legislative Budget Board and the Governor no later than the date the respective report is submitted to the federal government:

      (1) Notification of proposed State Plan amendments and waivers for the Maternal and Child Health Block Grant (Title V of the Social Security Act), the Special Supplemental Food Program for Women, Infants and Children Program (Child Nutrition Act of 1966), and the Substance Abuse, Prevention and Treatment Block Grant and any other federal grant requiring a state plan. State Plan amendments and waiver submissions shall also be provided to the Senate Health and Human Services, House Human Services, and House Public Health committee.

      (2) A copy of each report or petition submitted to the federal government relating to the grants and programs noted above under section a (l).

   b. **Federal Issues.** The Department of State Health Services shall notify the Legislative Budget Board and the Governor on a timely basis about emerging issues that could result in the loss of more than $1,000,000 in federal revenue assumed in the appropriations act.

   c. **Monthly Financial Reports.** The Department of State Health Services shall submit the following information to the Legislative Budget Board and the Governor on a monthly basis:

      (1) Information on appropriated, budgeted, expended and projected funds, by strategy and method of finance.

      (2) Narrative explanations of significant budget adjustments, ongoing budget issues, and other as appropriate.

(3) Collections, expenditures, and balances for revenues generated by the department as of the last day of the prior month.

(4) Any other information requested by the Legislative Budget Board or the Governor.

d. The monthly financial reports shall be prepared in a format specified by the Legislative Budget Board.

7. Mental Health Community Hospital Medicaid Services. The Harris County Psychiatric Center, Lubbock Community Hospital, and Galveston Community Hospital shall certify appropriated state funds to the Health and Human Services Commission or its designee for the state share of Medicaid reimbursement for the following services:

a. Inpatient psychiatric services for children.

b. Inpatient psychiatric services for age 65 and over (Institute for Mental Disease option).

The Department of State Health Services shall report monthly to the Legislative Budget Board and the Governor on the amounts certified by each mental health community hospital.

8. Performance Contracts. Funds in Strategy C.2.1, Mental Health Community Hospitals, shall be allocated through performance contracts with local mental health authorities.

9. Transfers of Appropriation - State Owned Hospitals. The Department of State Health Services shall transfer from non-Medicaid state appropriated funds the following amounts to the Health and Human Services Commission for the Disproportionate Share Hospital Reimbursement Program:

	2010	2011
State Mental Health Hospitals	$281,523,751	$ 281,523,751
Harris County Psychiatric Center	5,874,581	5,874,581
Texas Center for Infectious Disease	12,222,255	12,222,255
	$299,620,587	$ 299,620,587

The timing and form of such transfers shall be determined by the Comptroller of Public Accounts in consultation with the Health and Human Services Commission. The Legislative Budget Board is authorized to adjust the amounts of such transfers as necessary to match available federal funds. The department shall also transfer non-Medicaid state appropriated funds as necessary for other qualifying state-funded community hospitals including mental health community hospitals. DSHS shall monitor Medicaid utilization rates at these state-owned hospitals to ensure their qualification for the Disproportionate Share Hospital Reimbursement Program.

10. Disposition of Construction Appropriation. Construction appropriations may be used to pay salaries and travel expenses of department engineers and architects and administrative expenses of construction projects (but shall not exceed $500,000 in a fiscal year that are paid out of General Obligation Bonds); architect's and engineer's fees; and the actual travel expenses incurred by them or their representatives in making trips of inspection at the discretion of the department during construction, renovation, or repair of buildings and systems or the installation of fixed equipment. Job titles and rates of pay for such salaried positions of department personnel paid from construction appropriations shall conform with the Position Classification Plan and Classification Salary Schedule.

11. Community Hospital Funding for Galveston Community Hospital. Out of funds appropriated above, the Department of State Health Services shall allocate $400,000 in General Revenue for fiscal year 2010 and $400,000 in General Revenue for fiscal year 2011 for the Galveston Community Hospital, specifically for the purpose of providing outpatient medication services.

12. Appropriation of Local Funds. All funds received by the department from counties, cities, and any other local governmental entities and all balances from such sources as of August 31, 2009, are hereby appropriated for the biennium ending August 31, 2011, for the purpose of carrying out the provisions of this Act. (Estimated to be $0.)

13. Unexpended Construction Balances.

a. **Mental Health Facilities.** Any unexpended construction, repair, or renovation balances from previous appropriations, estimated to be $20,690,559 from fiscal year 2009 to fiscal year 2010 and included in the method of finance above as General Obligation Bond proceeds in Strategy F.1.3, Capital Repair and Renovation: Mental Health Facilities, are hereby appropriated to the Department of State Health Services (DSHS) for the same purposes.

b. **Health Care Facilities**. Any unexpended balances of General Obligation Bonds for health care facilities from previous appropriations, estimated to be $7,182,878 from fiscal year 2009 to fiscal year 2010 and included in Strategy F.1.3, Construction: Health Care Facilities, TCID, are hereby appropriated to the Department of State Health Services for the same purposes.

c. **Authorization**. Authorization to expend the unexpended construction balances is contingent upon submission of the following reports to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the reports to the Comptroller of Public Accounts.

(1) a report by September 1, 2009 providing actual expenditures for fiscal years 2008 and 2009, and planned expenditures for fiscal years 2010 and 2011 at the project/mental health state hospital level; and

(2) a report by March 1 and September 1 of each fiscal year reflecting actual expenditures by project/mental health state hospital for the previous six months. Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The notification and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The planned expenditures shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the use of unexpended balances if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

14. Mental Health Appropriation Transfer Between Fiscal Years. In addition to the transfer authority provided elsewhere in this Act, the Department of State Health Services may transfer appropriations made for the fiscal year ending August 31, 2011, to the fiscal year ending August 31, 2010, subject to the following conditions provided by this section:

a. Transfers under this section may be made only:

(1) if costs associated with managing the Mental Health State Hospitals exceed the funds appropriated for these services for fiscal year 2010; or

(2) or any emergency expenditure requirements, including expenditures necessitated to ensure the continuation of Medicaid client services to maintain fiscal year 2009 Medicaid caseloads; or

(3) if appropriated receipts generated through MH hospital-related programs required to fund appropriations contained in this Act for fiscal year 2010 are less than those contained in the method of financing for the department for fiscal year 2010.

b. Transfers may not exceed $15,000,000 in General Revenue.

c. A transfer authorized by this section must receive the prior approval of the Legislative Budget Board and the Governor.

d. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.

15. New Generation Medications. Funds expended on New Generation Medications shall be spent in accordance with the practice guidelines developed through the Texas Implementation of Medication Algorithms (TIMA), Children's Medication Algorithm Project (CMAP) or a Department of State Health Services-approved variation or substitute of TIMA or CMAP guidelines.

16. Limitation: Transfer Authority.

a. **Limitations on Transfers.**

(1) **Medicaid Strategies**. Notwithstanding the transfer provisions in the General Provisions (general transfer provisions) and other transfer provisions of this Act, funds appropriated by this Act to the Department of State Health Services (DSHS) for the following Medicaid strategies shall be governed by the specific limitations included in this provision.

Transfers may be made between appropriation items listed in this subsection. Transfers may not be made from appropriation items listed in this subsection to appropriation items not listed in this subsection without prior written approval from the Legislative Budget Board and the Governor. DSHS shall provide notification of all transfers pursuant to subsection (b) of this provision, and any transfer approval requests shall be submitted pursuant to subsection (c) of this provision.

B.2.1. Mental Health Services for Adults;
B.2.2. Mental Health Services for Children; and
C.1.3. Mental Health State Hospitals

(2) **Women and Children's Health**. Notwithstanding any other provisions contained in this Act, no transfers shall be made out of Strategy B.1.2, Women and Children's Health Services without written approval pursuant to subsection (c).

(3) **Other Strategies**. Transfers may be made between strategies in the goals listed in this subsection. DSHS shall provide notification of all transfers pursuant to subsection (b) of this provision.

Goal A: Preparation and Preparedness
Goal B: Community Health Services (with the exception of B.1.2, Women and Children's Health Services; B.2.1, Mental Health Services for Adults; and B.2.2, Mental Health Services for Children)
Goal C: Hospital Facilities and Services (with the exception of C.1.3, Mental Health State Hospitals)
Goal D: Consumer Protection Services
Goal E: Indirect Administration; and
Goal F: Capital Items

b. **Notification Regarding Transfers that Do Not Require Approval**. Authority granted by this provision to transfer funds is contingent upon a written notification from DSHS to the Legislative Budget Board and the Governor at least 30 days prior to the transfer, which includes the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

c. **Requests for Transfers that Require Approval**. To request a transfer, DSHS shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

d. **Transfers into Items of Appropriation**. Transfers may be made from any appropriation item to the appropriation items in section (a), subject to the limitations established in section (a) for each appropriation item.

e. **Cost Pools**. Notwithstanding the above limitations, transfers may be made from the appropriation items in section (a) to separate accounts authorized by agency rider and established by the State Comptroller for payment of certain support costs not directly attributable to a single program.

f. **Cash Management**. Notwithstanding the above limitations, DSHS may temporarily utilize funds appropriated to the strategies listed in section (a) for cash flow purposes. All funding used in this manner shall be promptly returned to the originating strategy. This authorization is subject to limitations established by the Comptroller of Public Accounts.

The Comptroller of Public Accounts shall not allow the transfer of funds authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

In the case of disaster or other emergency, this provision is superseded by the emergency-related transfer authority in Article IX of this Act.

17. Laboratory Funding.

a. All receipts generated by the Department of State Health Services (DSHS) from laboratory fees during the 2010-11 biennium and deposited in General Revenue-Dedicated Account No. 524 under Revenue Object 3561 are hereby appropriated to the DSHS for transfer to the Texas Public Finance Authority for the payment of debt services on the project revenue bonds.

b. Appropriations made out of the General Revenue Fund to DSHS in Goal E, Indirect Administration, may be transferred for bond debt service payments only if laboratory fees generated by the laboratory during the biennium are insufficient to support the bond debt service, subject to prior approval of the Governor and the Legislative Budget Board and if no funds appropriated to DSHS by this Act have been transferred into Goal E, Indirect Administration.

c. Included in the appropriations made above in Strategy A.4.1, Laboratory Services, is $13,757453 in fiscal year 2010 and $14,957,453 in fiscal year 2011 from General Revenue-Dedicated Account No. 524. These amounts include an unexpended balance of $0 from the 2008-09 biennium.

18. Appropriations Limited to Revenue Collections. The Department of State Health Services (DSHS) shall review all of the fee schedules within its authority on an annual basis. The DSHS shall provide a copy of the report summarizing this review to the Legislative Budget Board and the Governor no later than September 1 of each year in the biennium, with a copy of the final report to be submitted no later than January 1 of each year of the biennium. It is the intent of the Legislature that, to the extent feasible, fees, fines, and other miscellaneous revenues as authorized and generated by the department cover, at a minimum, the cost of the appropriations made for the programs listed in the table below, as well as the "other direct and indirect costs" associated with these programs, appropriated elsewhere in this Act. "Other direct and indirect costs" for these programs are estimated to be $5,952,061 for fiscal year 2010 and $6,143,347 for fiscal year 2011.

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. This rider shall apply to revenues generated in the following strategies and deposited under the following revenue codes or account numbers:

Strategy	**Revenue Code or Account**
D.1.1. Food (Meat) & Drug Safety	
	341 Food & Drug Retail Fee
	5022 Oyster Sales
	5024 Food & Drug Registration
	Fees deposited into 001 to support D.1.1, Food (Meat) and Drug Safety, including fees deposited under the following Revenue Codes: 3142 (Food Service Worker Training); 3180 (Health Regulation Fees, for Body Piercing and Tattoo Studios, Tanning Facility Fees, and Narcotic Treatment Fees); 3400 (Business Fees-Agriculture, for Renderers Licenses and Milk Industry Products); 3414 (Agriculture Inspection Fees, for Meat Inspection); 3554 (Food and Drug Fees, for Medical Device Wholesalers, Food Drug and Cosmetic Sales, and Frozen Desserts).
D.1.2. Environmental Health	
	5017 Asbestos Removal Licensure
	5020 Workplace Chemical List
	Fees deposited into 001 to support D.1.2, Environmental Health, including fees deposited under the following Revenue Codes: 3123 (Volatile Chemical Sales Permit); 3141 (Bedding Permit Fees); 3175 (Professional Fees, for Code Enforcement Officers and Mold Assessors); 3180 (Health Regulation Fees, for Lead-Based Paint Certification Program); 3555 (Hazardous Substance Manufacture); 3562 (Health Related Professional Fees, for Sanitarian Registration and Pesticide Use and Application Program); and 3573 (Health Licenses for Camps, for Youth Camps).
D.1.3. Radiation Control	
	5021 Certification of Mammography Systems
	Fees deposited into 001 to support D.1.3, Radiation Control, including fees deposited under the following Revenue Codes: 3589 (Radioactive Materials and Devices for Equipment Regulation).
D.1.4. Health Care Professionals	
	Fees deposited into 001 to support D.1.4, Health Care Professionals, including fees deposited under the following Revenue Codes: 3175 (Professional Fees, for Health Services Providers and Athletic Trainers); 3560 (Medical Examination and Registration, for Perfusionists, Medical Radiologic Technicians, and Respiratory Therapists); 3562 (Health Related Professional Fees, for Medical Physicists, Hearing Aid Dispensers, Marriage and Family Therapists,

Massage Therapists, Respiratory Care Practitioners, Professional Counselors, Dispensing Opticians, Speech Pathologists, Dieticians, and Chemical Dependency Counselors); 3616 (Social Worker Regulation); and 3727 (Fees for Administrative Services, for Council on Sex Offender Treatment Providers).

D.1.5. Health Care Facilities

129 Hospital Licensing

Fees deposited into 001 to support D.1.5, Health Care Facilities, including fees deposited under the following Revenue Codes: 3180 (Health Regulation Fees, for Special Care Facilities); and 3557 (Health Care Facilities Fees, for Abortion Clinics, Ambulatory Surgical Centers, Birthing Centers, End Stage Renal Disease Facilities, Chemical Dependency Facilities, and Drug Abuse Treatment Facilities).

A.1.2 Health Registries, Information, and Vital Records

019 Vital Statistics

19. Revolving Fund Services: Canteen Services and Sheltered Workshops. Out of funds appropriated above in Strategy C.1.3, Mental Health State Hospitals, $795,500 per fiscal year in General Revenue shall be allocated for the operation of canteen and sheltered workshops. The department shall provide information on related revenues, balances, contracts and profits to the Legislative Budget Board, Governor and Comptroller of Public Accounts. These revenues, expenditures and balances shall be reported and included in agency Operating Budgets, Legislative Appropriation Requests, and Annual Financial Reports. The timetable, format and content for additional monthly reports related to canteen operations and sheltered workshops shall be prescribed by the Legislative Budget Board.

20. Funding for Abstinence Sexual Education. It is the intent of the Legislature that funds appropriated in Strategy A.3.2, Abstinence Education, including $1,134,091 in General Revenue, be utilized for the purpose of implementing abstinence sexual education programs to reduce the need for future family planning services for unwed minors. Any Federal Funds received by the agency for abstinence education are appropriated to the agency for this purpose. Abstinence education means materials and instruction which:

a. Present abstinence from sexual activity as the preferred choice of behavior for unmarried persons; and

b. Emphasize that abstinence from sexual activity, used consistently and correctly, is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted disease, and infection with human immunodeficiency virus or acquired immunodeficiency syndrome.

21. Prohibition on Abortions.

a. It is the intent of the Legislature that no funds shall be used to pay the direct or indirect costs (including overhead, rent, phones and utilities) of abortion procedures provided by contractors of the department.

b. It is also the intent of the legislature that no funds appropriated under Strategy B.1.3, Family Planning Services, shall be distributed to individuals or entities that perform elective abortion procedures or that contract with or provide funds to individuals or entities for the performance of elective abortion procedures.

c. The department shall include in its financial audit a review of the use of appropriated funds to ensure compliance with this section.

22. Family Planning. Of funds appropriated under Strategy B.1.3, Family Planning Services, no state funds may be used to dispense prescription drugs to minors without parental consent.

23. **Reporting of Child Abuse.** The Department of State Health Services may distribute or provide appropriated funds only to recipients which show good faith efforts to comply with all child abuse reporting guidelines and requirements set forth in Chapter 261 of the Texas Family Code.

24. **Trauma Formula Distribution.** It is the intent of the Legislature that the Department of State Health Services allocate monies from the emergency medical services and trauma care system fund in accordance with all applicable laws including Health and Safety Code, §773.122(c) and §780.004(d). It is further the intent of the Legislature that the Department of State Health Services weight the statutory criteria in such fashion that, in so far as possible, 40 percent of the funds are allocated to urban counties and 60 percent of the funds are allocated to rural and frontier counties.

25. **Authorization to Receive, Administer, and Disburse Federal Funds.** The appropriations made herein may be used to match Federal Funds granted to the state for the payment of personal services and other necessary expenses in connection with the administration and operation of a state program of health services. Notwithstanding the General Provisions of this Act, the Executive Commissioner of Health and Human Services, the Commissioner of State Health Services, or the designee under statute or by rule is hereby authorized to receive and disburse in accordance with plans acceptable to the responsible federal agency, all federal monies that are made available (including grants, allotments, and reimbursements) to the state and retain their character as Federal Funds for such purposes, and to receive, administer, and disburse Federal Funds for federal regional programs in accordance with plans agreed upon by the Department of State Health Services and the responsible federal agency, and such other activities as come under the authority of the Executive Commissioner of Health and Human Services, the Commissioner of State Health Services, or the designee under statute or by rule, and such monies are hereby appropriated to the specific purpose or purposes for which they are granted or otherwise made available. Earned Federal Funds are not considered to be Federal Funds for the purpose of this section.

26. **Accounting of Support Costs.** The Comptroller of Public Accounts shall establish separate accounts from which certain support costs shall be paid. The Department of State Health Services is hereby authorized to make transfers into these separate accounts from line item strategies in order to pay for these expenses in an efficient and effective manner. Only costs not directly attributable to a single program may be budgeted in or paid from these accounts. Items to be budgeted in and paid from these accounts include but are not limited to: postage, occupancy costs, equipment repair, telephones, office printing costs, supplies, freight and transport costs, telephone system costs and salary and travel costs of staff whose function supports several programs. The department shall be responsible for quarterly allocations of these costs to the original strategies.

27. **Medical Treatment.** The Department of State Health Services may distribute funds for medical, dental, psychological, or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Chapter 32 of the Texas Family Code or other state law. In the event that compliance with this rider would result in the loss of Federal Funds to the state, the department may modify, or suspend this rider to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.

28. **Appropriation: WIC (Special Supplemental Nutrition Program for Women, Infants, and Children) Rebates.** The Department of State Health Services (DSHS) is authorized to receive and expend WIC rebates and interest earnings associated with WIC rebates and such funds are appropriated to DSHS. The department shall only expend WIC rebates and interest earnings for the purposes of the WIC program.

29. **State Health Care Facility Provisions.** The State Health Care Facilities operated by the Department of State Health Services are the South Texas Health Care Center System (formerly known as the South Texas Hospital) and the Texas Center for Infectious Disease. The provisions applying to the State Health Care Facilities are as follows:

    a. The Texas Center for Infectious Disease shall provide utilities and inpatient treatment and care services to the San Antonio State Hospital and the San Antonio State School without reimbursement.

    b. Out of the funds appropriated above, the South Texas Health Care System shall support medical education through the South Texas Family Practice Residency Program-McAllen with the cooperation of the University of Texas Health Science Center at San Antonio.

c. Third party collections (appropriated receipts) collected by the Department of State Health Services State Health Care Facilities are hereby appropriated to Strategy C.1.1, Texas Center for Infectious Disease, and Strategy C.1.2, South Texas Health Care System, for the provision of services.

30. Immunization of Employees. Monies appropriated above may be expended for any immunization which is required of employees at risk in the performance of their duties.

31. Reimbursement of Advisory Committee Members. Pursuant to Health and Safety Code, §1001.027, reimbursement of expenses for advisory committee members, out of funds appropriated above not to exceed $200,000 per fiscal year, is limited to the following advisory committees: State Preventive Health Advisory Committee, Texas Radiation Advisory Board, Preparedness Coordinating Council, the Texas Organ, Tissue, and Eye Donor Council, Governor's Emergency Medical Services and Trauma Advisory Council, and Local Authority Network Advisory Committee.

Pursuant to Health and Safety Code, §1001.027, reimbursement of expenses for advisory committee members, out of funds appropriated above, is limited to any advisory committee member who represents either the general public or consumer on the following advisory committees: Texas HIV Medication Program Advisory Committee, Registered Sanitarian Advisory Committee, Code Enforcement Officer's Advisory Committee, Promotora Community Health Worker Training and Certification Committee, Medical Radiological Technologist Advisory Committee, Respiratory Care Practitioner's Advisory Committee, Governor's Emergency Medical Services and Trauma Advisory Council, Drug Demand Reduction Advisory Committee, Texas State Perfusionist Advisory Committee, Youth Camp Advisory Committee, and School Health Advisory Committee.

Pursuant to Health and Safety Code, §1001.027, reimbursement of expenses for advisory committee members, out of funds appropriated above not to exceed $18,978 per year, is limited to the Mental Health Planning and Advisory Committee.

To the maximum extent possible, the department shall encourage the use of videoconferencing and teleconferencing and shall schedule meetings and locations to facilitate the travel of participants so that they may return the same day and reduce the need to reimburse members for overnight stays.

32. Reimbursement of Advisory Council Members. Pursuant to Health and Safety Code, §1001.027, reimbursement of travel expenses for the State Health Services Advisory Council members, out of funds appropriated above, is hereby authorized such that the sum total of all reimbursements for members of the Council shall not exceed $25,000 per fiscal year, at the rate specified in the general provisions of this Act.

33. Unexpended Balances - Preparedness and Prevention, and Consumer Protection Services. All unexpended balances, including General Revenue and All Funds, not otherwise restricted from appropriations to Goal A, Preparedness and Prevention Services, and Goal D, Consumer Protection Services, at the close of the fiscal year ending August 31, 2010, are hereby appropriated for the fiscal year beginning September 1, 2010 only upon prior written approval by the Legislative Budget Board and Governor.

For authorization to expend the funds, the agency shall submit a written request to the Legislative Budget Board and the Governor by August 1, 2010. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request must be organized by fiscal year as follows:

a. The following information shall be provided for the fiscal year with an unexpended balance:

(1) an explanation of the causes of the unexpended balance(s);

(2) the amount of the unexpended balance(s) by strategy; and

(3) an estimate of performance levels and, where relevant, a comparison to targets in this Act.

b. The following information shall be provided for the fiscal year receiving the funds:

(1) an explanation of purpose for which the unexpended balance(s) will be used and whether the expenditure will be one-time or ongoing;

(2) the amount of the expenditure by strategy;

(3) an estimate of performance levels, and where relevant, a comparison to targets in this Act ; and

(4) the capital budget impact.

The request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 45 calendar days of receipt of the request.

The Comptroller of Public Accounts shall not allow the use of unexpended balances authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

34. State Health Programs Drug Manufacturer Rebates. The Department of State Health Services is authorized to receive and expend drug rebates and interest earnings associated with Kidney Health Care (KHC) drug rebates and Children with Special Health Care Needs (CSHCN) drug rebates. The department shall expend the drug rebates and interest earnings, appropriated above, only for the purpose of client services for the KHC and CSHCN programs.

35. Childhood Lead Registry. Out of funds appropriated above in Strategy A.1.2, Health Registries, Information, and Vital Records, a total of $80,700 in All Funds and $65,000 in General Revenue Funds each fiscal year of the 2010-11 biennium shall be used for the Childhood Lead Registry.

36. Performance of Licensing Entities. The Department of State Health Services (DSHS) shall provide performance information to the Legislative Budget Board and the Governor no later than December 1 of each year for each board or other entity that licenses, certifies, or registers health professionals attached to or within the purview of DSHS. For each board or other entity, the department shall provide the following for the previous fiscal year:

a. Number of Professionals Licensed/Certified/Placed on a Registry;

b. Number of New License/Certificate Applications Received;

c. Total Number of Complaints Received;

d. Total Number of Jurisdictional Complaints Resolved; and

e. Total Number and Type of Disciplinary Actions Taken.

37. Performance Reporting for Texas Center for Infectious Disease and South Texas Health Care Center System. The Department of State Health Services shall submit to the Legislative Budget Board and the Governor the following information on an annual basis regarding hospital performance: revenue collections at the hospital, by payor mix; direct and non-direct patient care expenditures; number of inpatient patients served on a monthly basis, by type of service provided; and number of outpatient patients served on a monthly basis, by type of service provided.

38. Notification of Regional Funds Distribution. The Department of State Health Services shall notify the Legislative Budget Board and the Governor of the allocation methodology or formula used to allocate funds and provide an impact analysis of any changes from the previous year's formula or percentage allocations, by public health region, at least 30 days prior to allocations made out of funds appropriated above in Strategy B.1.2, Women and Children's Health Services.

39. Transfer for Health Professions Council. Out of funds appropriated above in Strategy D.1.4, Health Care Professionals, an amount equal to $11,846 in fiscal year 2010 and $11,846 in fiscal year 2011 shall be used for transfer to, and expenditure by, the Health Professions Council as the pro-rated assessment of the Professional Licensing and Certification Unit of the Department of State Health Services.

40. Rabies Control. Out of amounts appropriated above, up to $5,005,594 in fiscal year 2010 and $4,505,595 in fiscal year 2011 is allocated above to Strategy A.2.3, Infectious Disease Prevention, Epidemiology, and Surveillance, for rabies control.

41. Reducing the Incidence of Vibrio Vulnificus. Out of the funds appropriated in Strategy D.1.1, Food (Meat) and Drug Safety, the Department of State Health Services (DSHS) shall allocate up to $100,000 in fiscal year 2010 and $100,000 in fiscal year 2011 in the General Revenue Dedicated, Oyster Sales, Account No. 5022, for the purpose of reducing the incidence of Vibrio Vulnificus. Appropriation of these funds does not preclude the use of other funds (such as federal or other grants, donations, or awards) to carry out the activities by DSHS as provided for herein.

42. Use of Community Primary Care Services, FQHC, and Special Health Initiatives Funds.

a. It is the intent of the Legislature that up to $5,000,000 in fiscal year 2010 and $5,000,000 in fiscal year 2011 of the funds appropriated in Strategy B.3.2, FQHC Infrastructure Grants, be expended exclusively to establish new Federally Qualified Health Centers (FQHCs), FQHC Look-alikes, or expand sites or capacity at existing FQHCs and to aid FQHCs and organizations through grants to existing or new institutions seeking to become FQHCs for planning, grant writing, initial operating costs, and initial capital costs. Any unused funds after June 1 of each year shall be used solely for the provision of direct primary care services through the continuation of the Primary Healthcare Program for existing FQHCs and non-FQHCs in Strategy B.1.4, Community Primary Care Services.

b. It is the intent of the Legislature that a total of $302,100 for the 2010-11 biennium appropriated in Strategy B.1.4, Community Primary Care Services, be expended exclusively for the Parkland Senior Care Project. No more than $1,000,000 may be used each year in Strategy B.1.4, Community Primary Care Services, for administrative expenses to support the Community Primary Care and FQHC grant programs.

c. It is the intent of the Legislature that all grantees, except Parkland Senior Care Project, receiving funds appropriated in Strategy B.1.4, Community Primary Care Services, be required to coordinate their services with existing FQHCs located in their county or to examine seeking designation as an FQHC if no FQHC is currently available within their county.

d. It is the intent of the Legislature that an FQHC that receives funds through this section shall operate extended weekend and evening hours.

43. State Owned Multicategorical Teaching Hospital Account.

a. Out of funds appropriated above in Strategy B.3.3, Indigent Health Care Reimbursement (UTMB), from the State Owned Multicategorical Teaching Hospital Account No. 5049 ("Account"), and contingent upon $20,000,000 being collected and deposited in the Account for the 2010-11 biennium, the amount of $20,000,000 is allocated to the Department of State Health Services (DSHS) for reimbursement to the University of Texas Medical Branch at Galveston (UTMB) for the provision of health care services provided to indigent patients according to the terms set out in subsection (b). Any additional unexpended balances on hand in the accounts as of August 31, 2010 are appropriated to the agency for the fiscal year beginning September 1, 2010 for the same purpose, subject to the department notifying the Legislative Budget Board and the Governor in writing at least 30 days prior to budgeting and expending these balances.

b. Funds in the account may be used to reimburse UTMB for the provision of health care services provided to indigent patients from all counties, except that it may be used for indigent patients from Galveston, Brazoria, Harris, Montgomery, Fort Bend, and Jefferson counties only if those counties' County Indigent Health Care income eligibility levels, or those counties' hospital district income eligibility levels, exceed the statutory minimum set for the County Indigent Health Care Program.

c. Upon presentation of information supporting UTMB's claim, DSHS shall reimburse UTMB for the health care services provided to indigent patients from the Account established for this purpose. The reimbursement from the Account shall be based upon a rate equal to 90 percent of the Medicaid fee-for-service rate in effect at the time of service for UTMB. This reimbursement shall be made monthly upon the submission to DSHS of a statement of the

care provided by UTMB to indigent patients, according to the terms set out in subsection (b). UTMB is authorized to charge patient co-payment amounts for providing health care services, however, UTMB is not entitled to reimbursement from the Account for these co-payment amounts. The Office of the State Auditor may periodically review the statements submitted to DSHS for reimbursement from the Account, as well as the disbursement therefrom, to verify compliance with the criteria established herein.

44. Appropriation of License Plate Revenue. Out of funds appropriated above, the Department of State Health Services shall allocate $853,000 from revenues deposited in the General Revenue-Dedicated Animal Friendly Plates Account No. 5032, under Health and Safety Code, §828.014 per fiscal year for the purpose of awarding grants for animal sterilization. Any revenues deposited in the account in excess of the amounts estimated above are appropriated to the agency. Amounts appropriated above include an unexpended balance (estimated to be $0) from the 2008-09 biennium; any additional unexpended balance on hand in the account as of August 31, 2009 is appropriated to the agency. Any unexpended balances as of August 31, 2010, from the amounts appropriated may be carried forward and expended in fiscal year 2011 for the same purposes.

45. Regulating End Stage Renal Disease Facilities. Out of funds appropriated above in Strategy D.1.5, Health Care Facilities, up to $368,600 in General Revenue per year is allocated for the purpose of regulating End Stage Renal Disease facilities.

46. Informational Listing - Permanent Funds and Endowments. The following is an informational list of the amounts used to capitalize Permanent Funds and Endowments created by House Bill 1676, Seventy-sixth Legislature, and does not make appropriations.

Permanent Fund for Children and Public Health	$	100,000,000
Permanent Fund for Health and Tobacco Education and Enforcement	$	200,000,000
Permanent Fund for Emergency Medical Services and Trauma Care	$	100,000,000
Permanent Hospital Fund for Capital Improvements and the Texas Center for Infectious Disease	$	25,000,000

47. Estimated Appropriation and Unexpended Balance: Permanent Tobacco Funds. The estimated amounts appropriated above out of the Permanent Fund for Health and Tobacco Education and Enforcement, the Permanent Fund for Children and Public Health, the Permanent Fund for Emergency Medical Services and Trauma Care, and the Permanent Hospital Fund for Capital Improvements and the Texas Center for Infectious Disease are out of the available earnings of the funds. Available earnings in excess of the amounts estimated above are appropriated to the Department of State Health Services. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to make up the difference. Any additional unexpended balances on hand in the accounts as of August 31, 2010 are appropriated to the agency for the fiscal year beginning September 1, 2010 for the same purposes, subject to the department notifying the Legislative Budget Board and the Governor in writing at least 30 days prior to budgeting and expending these balances.

48. Administration of Public Health Funds. Funds are appropriated above out of the Permanent Fund for Health and Tobacco Education and Enforcement, the Permanent Fund for Children and Public Health, the Permanent Fund for Emergency Medical Services and Trauma Care, and the Permanent Hospital Fund for Capital Improvements and the Texas Center for Infectious Disease for the purpose of implementing Government Code §§403.105, 403.1055, 403.106, and 403.1066. In no event may the administrative costs to implement the provisions of the statute exceed 3 percent. Grants and program costs must compose at least 97 percent of the expenditures to implement the provisions of the statute.

49. Emergency Care Attendant (ECA) Training. Out of funds appropriated above, the Department of State Health Services (DSHS) shall allocate $50,000 in fiscal year 2010 and $50,000 in fiscal year 2011 for the purpose of providing training grants to local Emergency Medical Services (EMS) instructors to conduct Emergency Care Attendant courses in or near communities lacking local training resources. DSHS shall contract with certified EMS instructors to conduct the 40-hour Emergency Care Attendant courses.

50. Funding for the Children's Outreach Heart Program. Out of funds appropriated above in Strategy A.3.1, Health Promotion and Chronic Disease Prevention, $247,000 in General Revenue Funds in each fiscal year of the 2010-11 biennium shall be used for the purposes of the Children's Outreach Heart Program in Corpus Christi for the prevention of heart disease and the early detection and intervention for heart defects in the Coastal Bend and South Texas.

51. Children with Special Health Care Needs.

a. Amounts appropriated above to DSHS in Strategy A.3.4, Children with Special Health Care Needs, may only be transferred if such a transfer would not result in a loss of, or reduction in, services or a loss of, or reduction in, persons otherwise eligible for CSHCN services or that results in higher cost projections for the next fiscal biennium.

b. DSHS may exceed the performance measure targets identified above for the Number of CSHCN Clients Receiving Medical Services to the extent funding is available to do so.

c. DSHS is directed to:

(1) Maintain provider reimbursement rates for Title V providers that mirror reductions in provider reimbursement rates for Medicaid providers.

(2) Continue 6 month continuous eligibility limitations consistent with the 6 month continuous eligibility limitations in effect in the Medicaid program.

d. DSHS shall submit to the Legislative Budget Board and the Governor the following information on an annual basis (no later than September 30 of each fiscal year) regarding the demographics of the clients served by this program, including income levels, insured status and citizenship.

52. County Indigent Health Care. The Department of State Health Services may not allocate more than 10 percent of the total funds appropriated for the County Indigent Health Care program strategy to any single county. The total distribution of funds to any county may exceed the 10 percent allocation limit if there are no counties below the limit eligible for additional funding.

53. Nuisance Surveys for the Economically Disadvantaged Communities Program. The Commission on Environmental Quality (TCEQ) and the Water Development Board (WDB) shall reimburse the Department of State Health Services (DSHS) for costs incurred by the agency in conducting nuisance surveys for applicants for financial assistance through the Economically Disadvantaged Communities program administered by the Water Development Board. TCEQ and WDB shall each reimburse such costs through Interagency Contracts with DSHS in an amount not to exceed a total of $125,000 per agency for the biennium beginning on September 1, 2009.

54. Medically Fragile Children. It is the intent of the Legislature that the Department of State Health Services provide appropriate General Revenue funding in fiscal years 2010 and 2011 in Strategy A.3.4, Children with Special Health Care Needs, for programs specifically designed for medically fragile children, the most critical of the children with special health care needs.

55. SAPT Maintenance of Effort Calculation. The Department of State Health Services shall submit by September 1 of each year of the biennium to the Legislative Budget Board and the Governor a detailed analysis of all funds used for the calculation of the Substance Abuse Prevention and Treatment Block Grant Maintenance of Effort requirement for fiscal years 2009, 2010, and 2011. The report shall be in a format prescribed by the Legislative Budget Board and shall be accompanied by any supporting documentation detailing the sources and methodologies utilized in the calculation.

56. Family Planning Services at Federally Qualified Health Centers. Out of funds appropriated in Strategy B.1.3, Family Planning Services, up to $10,000,000 in each year of the 2010-11 biennium shall be set aside for family planning services provided by Federally Qualified Health Centers (FQHCs). The Department shall implement this provision only to the extent that it will not have an adverse effect on the number served by the family planning program, especially in counties where no FQHC is available. In addition, up to $1,000,000 per year may be allocated to clinics for core family planning services provided under the auspices of Baylor College of Medicine. Funds will be allocated statewide to counties for family planning services according to DSHS' annual assessment of women-in-need. Any funds not applied for and granted to FQHCs each fiscal year shall be made available to non-FQHC contractors. FQHCs funded under this strategy shall assure

that recipients receive comprehensive primary and preventive care in addition to the family planning services. The Department of State Health Services shall work with FQHC contractors to assure that reporting requirements are aligned with FQHC eligibility, payment, and reporting requirements.

The Department of State Health Services shall re-allocate funds which are available to all providers to ensure that the funds appropriated in Strategy B.1.3, Family Planning Services, are fully utilized for family planning services and to prevent the underutilization of the funds appropriated. Any balances available from Title V and Title XX funds on August 31, 2010 are appropriated for fiscal year 2011 for the same purposes.

57. Vaccine Education - Inclusion of Information Related to Respiratory Syncytial Virus. Out of funds appropriated above, the Department of State Health Services is hereby directed to include educational information about respiratory syncytial virus (RSV) in its materials already provided to mothers-to-be about childhood immunizations and illness.

58. Texas Cancer Registry. Out of funds appropriated above in Strategy A.1.2, Health Registries, Information, and Vital Records, the Department of State Health Services shall allocate $875,000 in fiscal year 2010 and $1,000,000 in fiscal year 2011 in General Revenue Funds including one FTE in each year for the purpose of enhancing the infrastructure of the cancer registry.

59. Appropriation: Contingent Revenue. The Department of State Health Services (DSHS) is appropriated for the purposes identified below any additional revenue generated by DSHS above the amounts identified in fiscal year 2010 or fiscal year 2011 in the Comptroller of Public Account's Biennial Revenue Estimate (BRE) for each of the accounts or revenue objects identified below. An appropriation from an account or revenue object shall be made available to the department once the amount in the BRE for the account or revenue object for the given fiscal year has been exceeded. An appropriation is limited to revenue generated in fiscal year 2010 or fiscal year 2011 and does not include any balances that have accrued in the account or revenue object code.

a. Account No. 341, Food and Drug Retail Fees, for restaurant inspections.

b. Account No. 524, Public Health Services Fee, excluding any amounts deposited into Revenue Object 3561, which are statutorily dedicated for laboratory debt service. Any additional revenues are appropriated for laboratory operations.

c. Revenue Object 3175, Account No. 5017, Asbestos Removal Licensure, for asbestos inspections and regulatory activities.

d. Account No. 5021, Certification of Mammography Systems, for the purpose of certification of mammography facilities.

e. Revenue Objects 3616, 3560, and 3562 in the General Revenue Fund for the purpose of regulating health professionals.

f. Account No. 5024, Food and Drug Registration Fees, for food and drug inspections.

g. Account No. 5022, Oyster Sales, for oyster plant inspections.

h. Revenue Object 3589 in the General Revenue Fund for Radiation Control regulatory activities.

i. Revenue Objects 3123, 3141, 3175, 3555, and 3573 in the General Revenue Fund for environmental regulation.

j. Account No. 19, Vital Statistics, for processing birth and death certificates and other vital records.

k. Account No. 512, Bureau of Emergency Management, for licensing Emergency Medical Services personnel and providers.

60. Mentally Ill Offender Screening. Pursuant to Health and Safety Code §§614.013 and 614.017, the Department of State Health Services and local mental health or mental retardation authorities shall, through a memorandum of understanding, identify offenders with mental impairments in the

criminal justice system, collect and report prevalence data, and accept and disclose information relating to a special needs offenders if the disclosure serves the purpose of Chapter 614, Health and Safety Code.

The Department shall report to the Legislative Budget Board no later than September 1 of each fiscal year its efforts to facilitate the exchange of information between agencies pursuant to Health and Safety Code §614.017. The report shall include, but is not limited to: the manner in which information is exchanged between agencies, the frequency with which information is exchanged, the type of information most frequently exchanged, and the agencies most frequently involved in the exchange of information.

61. TexasOnline Authority Appropriation.

a. The Department of State Health Services (DSHS) is authorized in accordance with § 2054.252 of the Government Code to increase the occupational license, permit, and registration fees imposed on licensees by an amount sufficient to cover the cost of the subscription fee charged by the TexasOnline Authority.

b. Amounts appropriated above to DSHS include $1,049,240 in fiscal year 2010 and $1,049,240 in fiscal year 2011 in fee revenue in Strategy D.1.6, TexasOnline, for the purpose of paying TexasOnline Authority subscription fees.

c. In the event that actual and/or projected revenue collections from fee increases to cover the cost of TexasOnline subscription fees are insufficient to offset the costs identified above, the Comptroller is hereby directed to reduce the appropriation authority provided by this Act to DSHS to be within the amount of fee revenue expected to be available.

d. For new licensing applications, DSHS is hereby appropriated the additional revenue generated from occupational license, permit, or registration fees in excess of the Comptroller's biennial revenue estimate for 2010-11 for the sole purpose of payment to the TexasOnline Authority contractor of subscription fees for implementing and maintaining electronic services for the department. DSHS, upon completion of necessary actions to access or increase fees, shall furnish an annual schedule of the number of license issuances or renewals and associated annual fee total, and any other supporting documentation to the Comptroller. If the Comptroller finds the information sufficient to support the projection of increased revenues, a notification letter will be issued and the contingent appropriation made available for the intended purposes.

e. DSHS shall notify the Legislative Budget Board and the Comptroller of Public Accounts in writing upon receiving an exemption from participating in TexasOnline. Within 45 days of receiving an exemption, the department shall provide the Legislative Budget Board and the Comptroller with a report of the effective date, the reason for exemption, and all estimated expenditures for TexasOnline costs in the fiscal year in which the exemption is made.

62. Tobacco Prevention.

a. **Statewide Comprehensive Tobacco Prevention Community Grant Program.** The funds appropriated above in Strategy B.2.6, Reduce Use of Tobacco Products, to the Department of State Health Services shall be used to create a competitive statewide grant program allowing all Texas city and county health departments and local independent school districts to apply for funds from the Texas tobacco settlement earnings and other funding DSHS designates for tobacco prevention activities that is not already designated for Health and Safety Code §161.302 or another statute. Matching local funding may be required by the grant program to ensure as many Texas communities receive funding as possible. Any unexpended balance of these funds remaining as of August 31, 2010 are appropriated to the agency for the fiscal year beginning September 1, 2010 for the same purpose, subject to the department notifying the Legislative Budget Board and the Governor in writing at least 30 days prior to budgeting and expending these balances.

b. **Tobacco Prevention Reporting Requirements**. The Department of State Health Services shall prepare a report on its progress in the following areas: (1) the number and amount of grants issued to communities to implement comprehensive tobacco prevention efforts, (2) the number of Texas communities implementing a comprehensive tobacco prevention program, (3) the youth and adult tobacco use rate in communities implementing comprehensive programs, (4) the statewide youth and adult tobacco use rates, (5) the number

of Texans accessing cessation resources, and (6) the number of Texans exposed to tobacco prevention advertising. The report shall include an overview and evaluation of the state's tobacco prevention and enforcement progress and recommendations to improve the state's efforts and such other information as the Legislative Budget Board may require. The report shall be submitted to the Governor and the Legislative Budget Board by October 1, 2010.

c. **Publish Evidence-based Interventions for Tobacco Prevention.** The Department of State Health Services (DSHS) shall use funds appropriated by this Act to publish or make available via the Internet a resource list identifying best practice and evidence-based interventions in tobacco prevention, cessation, and enforcement for use by entities receiving state appropriated funds.

d. **Use of Evidence-based Interventions for Tobacco Prevention.** The Department of State Health Services (DSHS) and any grant recipient of DSHS using state funds appropriated by this Act for tobacco prevention activities or interventions shall use the funds to implement only best practice or evidence-based tobacco prevention, cessation, and enforcement interventions recommended by the Centers for Disease Control and Prevention, the U.S. Department of Health and Human Services, and the U.S. Department of Health and Human Services' Substance Abuse and Mental Health Services Administration (SAMHSA), or activities proven effective through study and evaluation in the communities in the Texas Tobacco Prevention Initiative areas. The Texas Tobacco Prevention Initiative areas were: (1) the City of Port Arthur during the state fiscal years 2000 and 2001; (2) Harris, Montgomery, Fort Bend, and Jefferson Counties during the state fiscal years 2002 and 2003; and (3) Jefferson County during the state fiscal years 2004, 2005, and 2006.

e. **Synar Results Notification for Local Communities.** The Department of State Health Services (DSHS) or the contracted vendor conducting the federally-required Synar survey shall notify the applicable Comptroller of Public Accounts tobacco law enforcement grantee and the applicable local sheriff's department in writing when a Synar violation occurs during the administration of the annual federal Synar survey. The notification shall include: a copy of the Synar survey document with documentation of the violation and any additional details of the violation, such as the name of the clerk and actual cigarettes and/or tobacco product sold. Notification shall occur no later than 30 days after the last Synar survey inspection is conducted for the current Synar survey year.

63. School Cafeteria Inspections. Amounts appropriated above to the Department of State Health Services include fee revenue (General Revenue) estimated to be $652,100 in fiscal year 2010 and $652,100 in fiscal year 2011 from school districts for the purpose of conducting inspections of school cafeterias to achieve compliance with federal regulations issued pursuant to Section 111(2)(A) of Public Law 108-265, 118 Stat. 747 (Child Nutrition and WIC Reauthorization Act of 2004).

64. Estimated Appropriations: Perpetual Care Account. General Revenue-Dedicated Perpetual Care Account 8076 funding of $1,432,054 in fiscal year 2010 and $1,260,946 in fiscal year 2011 appropriated above to Strategy D.1.3, Radiation Control, includes an unexpended balance (estimated to be $253,891) from the 2008-09 biennium. Any additional unexpended balance on hand in the account as of August 31, 2009 is appropriated to the agency for the fiscal year beginning September 1, 2009 for the same purpose, subject to the department notifying the Legislative Budget Board and the Governor in writing at least 30 days prior to budgeting and expending these balances.

65. Community Mental Health Crisis Services.

a. The Department of State Health Services (DSHS) shall allocate $109,368,602 in funds appropriated above in Strategy B.2.3, Community Mental Health Crisis Services for enhanced services, using a methodology that allocates a portion of the funds to achieve equity in state funding among local mental health authorities, a portion on a per capita basis, and a portion using a competitive process. DSHS shall submit an allocation plan to the Legislative Budget Board and the Governor prior to distributing funding in the strategy.

b. DSHS shall report annually to the Legislative Budget Board and the Governor on the following measures to gauge the implementation of community mental health crisis services:

(1) percent of persons with Medicaid receiving crisis services that is followed by an ER visit within 30 days;

(2) percent of persons receiving crisis services that is followed by a psychiatric hospitalization within 30 days;

(3) percent of persons receiving crisis services that is followed by a jail booking within 7 days;

(4) number of persons receiving crisis residential services per year funded by General Revenue;

(5) number of persons receiving crisis outpatient services per year funded by General Revenue;

(6) average amount of General Revenue spent for crisis residential services; and

(7) average amount of General Revenue spent for crisis outpatient services.

c. The Department of State Health Services (DSHS) shall allocate $55,000,000 in funds appropriated above in Strategy B.2.3, Community Mental Health Crisis Services for transitional and on-going services, using a methodology that allocates the funds in such a way to achieve equity in state funding among local mental health authorities to the greatest extent possible by using a per capita equity formula that allocates one-half (1/2) of new funds to those below the statewide average in per capita funding and allocates the remaining funds on a per capita basis across all local mental health authorities. DSHS shall submit an allocation plan to the Legislative Budget Board and the Governor prior to distributing this new funding.

d. Not later than September 1, 2009, DSHS shall contract with an independent entity for an evaluation of community mental health crisis services. The evaluation shall include an analysis of the implementation of crisis services and the impact of crisis services, including on clients, local communities, mental health and health care providers, and law enforcement. The department shall submit the evaluation to the Legislative Budget Board, the Governor, and the standing committees of the Senate and House of Representatives having primary jurisdiction over health and human services not later than January 1, 2010.

e. Any unexpended balances remaining at August 31, 2010 in Strategy B.2.3, Community Mental Health Crisis Services, are hereby appropriated for the same purposes in fiscal year 2011.

For authorization to expend the funds, the agency shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request must be organized by fiscal year as follows:

(1) The following information shall be provided for the fiscal year with an unexpended balance:

(i) an explanation of the causes of the unexpended balance(s);
(ii) the amount of the unexpended balance(s) by strategy; and
(iii) the associated incremental change in service levels compared to performance targets in this Act for that fiscal year.

(2) The following information shall be provided for the fiscal year receiving the funds:

(i) an explanation of purpose for which the unexpended balance(s) will be used and whether the expenditure will be one-time or ongoing;
(ii) the amount of the expenditure by strategy;
(iii) the incremental change in service levels compared to performance targets in this Act for that fiscal year; andto performance targets in this Act for that fiscal year; and
(iv) the capital budget impact.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff

of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the use of unexpended balances authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

66. Use of Family Planning Funds. The Department of State Health Services (DSHS) shall use a portion of funds appropriated above in Strategy B.1.3, Family Planning Services, to reimburse contracted providers for family planning services not covered by the Women's Health Program. To the extent funds are available and federal approval has been granted, DSHS shall also use a portion of funds appropriated above in Strategy B.1.3, Family Planning Services, for comprehensive outreach and education about the Women's Health Program and family planning services.

67. Revolving Account for the Consolidated Health and Human Services Print Shop. It is the intent of the Legislature that the Department of State Health Services establish and maintain the "Revolving Account for the Consolidated Health and Human Services Print Shop" to account for the expenditures, revenues, and balances of managing a full-cost recovery Consolidated Print Shop. The expenditures, revenues, and balances included above for this operation shall be maintained separately by the Department of State Health Services within its accounting system. These funds can only be used for the purpose of managing the consolidated print shop. For the purpose of meeting cash flow needs, the Department of State Health Services may temporarily transfer funds from Strategy E.1.3, Other Support Services, to the revolving account. Transfers must be returned by the end of the fiscal year.

68. School-based Prevention Services. The Department of State Health Services (DSHS) shall enter into an interagency contract with the Texas Education Agency for the purpose of the reduction and prevention of the use of tobacco products among school-aged children in grades 4-12. Out of funds appropriated above in Strategy B.2.6, Reduce Use of Tobacco Products, DSHS shall allocate $3,000,000 in fiscal year 2010 and $3,000,000 in fiscal year 2011 in General Revenue-Dedicated Funds from Account No. 5044, Permanent Fund for Health and Tobacco Education and Enforcement, for services provided under the required contract.

69. Family Planning Affiliate Requirements. An entity otherwise eligible to receive funds distributed under Strategy B.1.3 (the "family-planning affiliate") will not be disqualified from receipt of such funds because of its affiliation with an entity that performs elective abortions (the "abortion-services affiliate") provided that such affiliation satisfies the following requirements:

a. **Legal separation**. The family-planning and abortion-services affiliates must be legally separate corporations, with separate articles of incorporation and separate bylaws. State or local governmental entities that are family-planning and abortion-services affiliates must be legally separate organizations and must have separate governing structures.

b. **Easily distinguishable names**. The family-planning and abortion-services affiliates must have easily distinguishable names.

c. **Separate boards of directors and governing bodies**. The family-planning and abortion-services affiliates must have separate boards of directors or governing bodies which meet separately and maintain separate records.

d. **No direct or indirect subsidy**. The family-planning affiliate may not transfer any funds distributed under Strategy B.1.3 to its abortion-services affiliate. The affiliated entities must apportion fair value for any shared expenses or costs (including overhead, rent, phones, equipment, and utilities) in accordance with generally accepted accounting principles.

e. **Detailed employee timekeeping**. Any person employed part-time by the family-planning affiliate or part-time by the abortion-service affiliate must maintain detailed time records clearly reflecting the work performed for each affiliate.

f. **Clear signage**. If the family-planning and abortion-services affiliates are located at the same physical location, the existence and separate nature of the affiliate relationship must be clearly reflected by appropriate signage in areas accessible to the public.

g. **Separate books**. The family-planning and abortion-services affiliates must each maintain records adequate to show compliance with these requirements.

Annual audit of family planning services providers. At least once every two years, the Executive Commissioner of the Health and Human Services Commission or his agent shall conduct an audit of each family planning affiliate to determine if the affiliate and the Contract Management Branch of the Department of State Health Services, the Bureau of Women's Health of the Department of State Health Services, and the Prevention and Primary Care Unit of the Department of State Health Services have complied with this requirement. The Executive Commissioner of the Health and Human Services Commission shall make the audits available to the Governor, the Lieutenant Governor, the Speaker of the Texas House of Representatives, and the members of the State Legislature.

No later than June 30 of each year, the Executive Commissioner of the Health and Human Services Commission shall submit a report to the Chairman of the Senate Finance Committee and to the Chairman of the House Appropriations Committee regarding the audits filed or conducted pursuant to this section, including the number and findings of such audits, the adequacy of the documentation submitted, and any recommendations to revise the verification process.

70. Epilepsy Services. Out of funds appropriated above, the Department of State Health Services (DSHS) shall allocate $1,936,310 in All Funds in fiscal year 2010 and $1,936,310 in All Funds in fiscal year 2011 for epilepsy services. DSHS shall use at least $1,000,000 per fiscal year of the allocated funds to contract with a non-profit organization to expand epilepsy services.

71. Stroke Survival System. To the extent funds are available, the Department of State Health Services shall allocate up to $750,000 in General Revenue for fiscal year 2010 and $750,000 in General Revenue for fiscal year 2011 for the purpose of stroke recognition and treatment training, stroke prevention and community education, and stroke facilities.

72. Smokeless Tobacco Use. Out of funds appropriated above in Strategy B.2.6, Reduce Use of Tobacco Products, the Department of State Health Services shall allocate $1,000,000 in General Revenue in fiscal year 2010 and $1,000,000 in General Revenue in fiscal year 2011 to reduce the use of smokeless tobacco by youth in rural areas of the state.

73. Pandemic Flu Preparedness. Using funds appropriated to the agencies elsewhere under this Act, the Department of State Health Services in conjunction with the Governor's Emergency Management Division in the Department of Public Safety shall identify and seek any necessary approvals for federal or other funds available for the purchase of antivirals for pandemic flu preparedness.

74. End Stage Renal Disease Prevention Program. Out of funds appropriated above in Strategy A.3.1, Health Promotion and Chronic Disease Prevention, the Department of State Health Services shall allocate $500,000 in General Revenue for fiscal year 2010 and $500,000 in General Revenue for fiscal year 2011 for a statewide program to decrease the number of new End Stage Renal Disease (ESRD) cases in Texas. The program shall work in conjunction with the Texas Renal Coalition and the Chronic Kidney Disease Task Force to provide educational services designed to increase awareness, early diagnosis and treatment of chronic kidney disease (CKD) and its consequences. The program shall outreach to individuals with diabetes mellitus, hypertension, or with a family history of kidney disease, diabetes, or hypertension and to physicians to ensure appropriate treatment for individuals at risk for ESRD.

75. Governor's Advisory Council on Physical Fitness. Out of funds appropriated above, the Department of State Health Services shall make available $400,000 per year for use by the Governor's Advisory Council on Physical Fitness to provide grants to local mayors' councils to develop and implement wellness and physical fitness programs in communities across the state, and to assist the Council in continuing to develop and promote physical activity and nutrition initiatives. The Governor's Office shall provide administrative support to the Council.

76. Civil Commitment and Monitoring and Treatment of Sex Offenders. It is the intent of the Legislature that the Special Prosecution Unit, Walker County (Strategy D.1.5, Judiciary Section, Comptroller's Department) initiate civil commitment proceedings against sexually violent predators. Included in amounts appropriated elsewhere in this Act to the Judiciary Section, Comptroller's Department is $5,557,840 for the 2010-11 biennium for this purpose.

It is also the intent of the Legislature that the Department of State Health Services (DSHS) Council on Sex Offender Treatment (Strategy D.1.7.) provide monitoring and treatment to those offenders civilly committed. Funding for these services, estimated to be $7,254,493 for the 2010-11 biennium is appropriated to DSHS through an interagency contract with the Judiciary Section, Comptroller's Department.

77. Contingency for Regulating Independent Freestanding Emergency Rooms and Urgent Care Clinics.[23] Contingent on passage of House Bill 2183, or similar legislation relating to the licensure of independent freestanding emergency rooms and urgent care clinics, and creation of the respective licensing fees, by the Eighty-first Legislature, Regular Session, the Department of State Health Services is appropriated $1,074,136 for fiscal year 2010 and $633,658 for fiscal year 2011 from the fees collected and deposited in the General Revenue Fund to implement the provisions of the legislation. The number of "Full-Time Equivalents (FTE)" is increased by 19.5 FTEs in fiscal year 2010 and 11 FTEs in fiscal year 2011.

78. Health Statistics Registries. Out of funds appropriated above to the Department of State Health Services, the agency shall utilize $1,000,000 for the 2010-11 biennium to upgrade the twelve registries used by the Center for Health Statistics to collect, analyze and disseminate a variety of health information.

79. Exemption from Limitation on Travel Expenditures. The Department of State Health Services is authorized to conduct travel within 150 miles of the border between Texas and the contiguous states of the United States of America and the United Mexican States for the propose of protecting and promoting the public health of Texas residents and such travel is exempted from the provisions, referenced in Article IX of this Act as "Limitation on Travel Expenditures."

80. Substance Abuse Treatment. Contingent on passage of Senate Bill 796, or similar legislation relating to expanding substance abuse treatment for adult Medicaid clients, the Department of State Health Services shall use funds appropriated above in Strategy B.2.5, Substance Abuse Prevention, Intervention, and Treatment, which were previously used to serve Medicaid clients, to provide substance abuse prevention and treatment services for other eligible clients.

81. Provision of Psychiatric and Psychotherapy Services. Out of funds appropriated above in Strategy B.2.3, Community Mental Health Crisis Services, the Department of State Health Services shall expend $500,000 in All Funds in the 2010-11 biennium to hire psychiatrists and psychotherapists to train third-year medical students and provide psychiatric and psychotherapy services for the uninsured and underinsured populations at existing clinic sites at a community health center working in conjunction with the Texas A&M Health Science Center College of Medicine in Round Rock.

82. HIV Testing. Out of funds appropriated above in Strategy A.2.2, HIV/STD Prevention, the Department of State Health Services shall allocate not less than $4,419,989 in fiscal 2010 in All Funds and $4,419,990 in fiscal year 2011 in All Funds for the purpose of increased testing for HIV in high morbidity areas, with Houston and Dallas receiving top consideration, in emergency rooms, or in primary care clinics associated with the large indigent care providers.

83. Texas Birth Defects Registry. Out of funds appropriated above in Strategy A.1.2, Health Registries, Information, and Vital Records, the Department of State Health Services shall allocate $950,000 in General Revenue Funds in each fiscal year of the 2010-11 biennium for the purpose of enhancing the infrastructure of the Texas Birth Defects Registry.

84. The University of Texas Harris County Psychiatric Center. Out of funds appropriated above in Strategy C.2.1, Mental Health Community Hospitals, the Department of State Health Services shall allocate $4,250,000 in General Revenue Funds in fiscal year 2010 and $4,250,000 in General Revenue Funds in fiscal year 2011 for the purpose of funding 24 additional beds at the University of Texas Harris County Psychiatric Center.

85. Appropriation Authority for General Obligation Bond Proceeds.[24] Appropriated above in Strategy F.1.3, Repair and Renovation: Mental Health Facilities, in fiscal year 2010 is

---

[23] This rider was vetoed by the Governor due to non-passage of HB 2183, 81st Legislature, Regular Session, relating to the licensure of independent freestanding emergency rooms and urgent care clinics, and creation of the respective licensing fees, resulting in a decrease in General Revenue Funds of $1,074,136 and 19.5 FTEs in FY 2010 and $633,658 and 11.0 FTEs in FY 2011. See the Governor's Veto Proclamation.
[24] Modified to correct reference error.

$27,228,000 in general obligation bond proceeds for projects for the Department of State Health Services as described in Article IX, Sec. 17.11, Informational Listing General Obligation Bond Proceeds.

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 purpose.

86. Community Mental Health Hospital Rates. Out of amounts appropriated above in Strategy C.2.1, Mental Health Community Hospitals, the Department of State Health Services shall allocate in each fiscal year of the 2010-11 biennium $325,056 in All Funds to Galveston Community Hospital and $502,723 in All Funds to Lubbock Community Hospital to increase the allotment for community mental health inpatient services at these facilities.

87. Galveston Community Mental Health Center. Out of amounts appropriated above in Strategy C.2.1, Mental Health Community Hospitals, the Department of State Health Services shall allocate $1,376,050 in All Funds in each year of the 2010-11 biennium to the Galveston Community Mental Health Center to increase the number of inpatient beds from 20 to 30.

88. Exemption from Article IX, Sec. 8.03 (e), Reimbursements and Payments. The Department of State Health Services is hereby exempted from the provisions contained in Article IX, Sec. 8.03 (e), Reimbursements and Payments, of the General Appropriations Act for the 2010-11 biennium.

89. Limitation: Expenditure and Transfer of Additional Public Health Medicaid Reimbursements.

a. **Appropriations**. Included in the amounts appropriated above for the Department of State Health Services are the following amounts of Public Health Medicaid Reimbursements (Account 709):

(1) Strategy A.2.1, Immunize Children and Adults in Texas: $341,686 in each fiscal year;

(2) Strategy A.4.1, Laboratory Services: $13,020,618 in each fiscal year;

(3) Strategy B.1.2, Women and Children's Health Services: $37,706 in each fiscal year;

(4) Strategy C.1.3, Mental Health State Hospitals: $35,247,627 in fiscal year 2010 and $35,681,547 in fiscal year 2011 (Funding represents all additional Account 709 revenue anticipated to be available in the 2010-11 biennium ($70,929,174) based on the agency's estimate; the additional revenue is associated with an anticipated increase in laboratory fee revenue due to a rate change to align with Medicare rates); and

(5) Strategy E.1.1, Central Administration: $672,285 in each fiscal year.

b. **Limitation on Use of Public Health Medicaid Reimbursements (Account 709).**

(1) In the event that Public Health Medicaid Reimbursement revenues exceed the amounts noted above, the department may spend the Public Health Medicaid Reimbursement funds thereby made available only to the extent authorized in writing by the Legislative Budget Board and the Governor.

(2) Notwithstanding any other provisions contained in this Act, transfers of Public Health Medicaid Reimbursement revenues shall be made only to the extent authorized in writing by the Legislative Budget Board and the Governor.

c. **Request for Approval to use Additional Public Health Medicaid Reimbursements Funds**. To request approval pursuant to section (b-1) above, the department shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

(1) the reason for and the amount of Public Health Medicaid Reimbursement revenue that exceeds the amounts noted in section (a) above, and whether this additional revenue will continue in future years;

(2) a detailed explanation of the purpose(s) of the expenditure and whether the expenditure will be one-time or ongoing;

(3) the name of the strategy or strategies affected by the expenditure and the FTEs for each strategy by fiscal year;

(4) the impact of the expenditure on performance levels and, where relevant, a comparison to targets included in this Act for the affected strategy or strategies; and

(5) the impact of the expenditure on the capital budget.

d. **Requests to Transfer Additional Public Health Medicaid Reimbursements Funds.** To request a transfer pursuant to section (b-2) above, DSHS shall submit a written request to the Legislative Budget Board and the Governor At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The Comptroller of Public Accounts shall not allow the expenditure or transfer of funds authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

90. Trauma Facility Study. Out of funds appropriated above in Strategy B.3.1, EMS and Trauma Care Systems, the Department of State Health Services shall conduct a study of the state's trauma facilities to assess the need for additional Level I and Level II trauma facilities in the state.

91. Purchase of Pandemic Flu Vaccines. Out of funds appropriated above, the Department of State Health Services shall examine the latest generation of cell culture derived pandemic flu vaccine. The Department of State Health Services is strongly encouraged to consider purchasing the latest generation of cell culture derived pandemic flu vaccine that is available out of state, federal, or other funds.

92. Health Information Related to Velocardiofacial Syndrome. Out of funds appropriated above in Strategy A.1.2, Registries, Information, and Vital Records, the Department of State Health Services (DSHS) shall update health related information distributed by health care coordinators and other service providers with information regarding velocardiofacial syndrome, including the disorders symptoms, qualifications for the early childhood intervention program (ECI), treatment options under ECI programs, and related parent support groups.

93. Sunrise Canyon Hospital Capital Improvements. Out of funds appropriated above, the Department of State Health Services shall expend $1,350,825 in General Obligation Bond Proceeds (Account No. 780) in the 2010-11 biennium for capital improvements at Sunrise Canyon Hospital.

94. Use of Appropriated Funds for Reports on School-based Health Centers. Money appropriated to the Department of State Health Services may be used by the department to prepare and submit a report to the legislature regarding school-based health centers only if the report:

a. is submitted not more frequently than once every two years;

b. is limited to information relating to school-based health centers that receive funding from the department; and

c. contains only information that the department determines may be provided:

(1) in compliance with federal law regarding confidentiality of medical information; and

(2) without imposing excessive reporting requirements on school districts.

95. Appropriation for Texas Diabetes Council's Stark Model of Community-based Diabetes Prevention and Control. Out of funds appropriated above in Strategy A.3.1, Health Promotion and Chronic Disease Prevention, the Department of State Health Services shall allocate $3,000,000 in General Revenue Funds in each fiscal year of the 2010-11 biennium to reduce the health and economic burdens of diabetes through expansion of the Texas Diabetes Council/Stark Diabetes Center model of community-based diabetes care and education. This initiative will utilize the Stark Diabetes Center to establish 4 regional centers located in Webb, Cameron, Nueces, and Galveston counties with staff and programmatic expertise to prevent and control diabetes at the community level. The initiative will build upon existing Texas Diabetes Council resources related to clinical systems change and patient education.

96. Kidney Disease Study. Out of funds appropriated above in Strategy A.3.1, Chronic Disease Prevention, the Department of State Health Services shall allocate $1,000,000 during the 2010-11 biennium to fund a study conducted by Texas Tech University in consultation with the Kidney Chronic Disease task force. The study shall address kidney disease and its precursors, including but not limited to diabetes and hypertension, and will include the following:

a. identify statistically significant subgroups who are at risk and recent patterns of change within these subgroups;

b. identify costs associated with kidney disease and its precursors, including projected costs over the next ten years; and

c. develop public health policy hypotheses and conclusions.

To achieve study objectives, screenings and/or small demonstration projects may be conducted. A concluding report shall be submitted to the Legislative Budget Board and the Governor by January 31, 2011.

97. Appropriation for Certain Health Care Facilities.

a. Out of funds appropriated above in Strategy B.2.1, Mental Health Services for Adults, the Department of State Health Services shall allocate $7,500,000 in General Revenue Funds in fiscal year 2011 to provide mental health services during the period from March 1, 2011, to August 31, 2011, at a facility newly constructed by a county for the purposes of providing contracted mental health services.

b. To qualify to receive money allocated by this provision, mental health services must be provided at a facility constructed, financed, and operated by a county and private mental health care partners that:

(1) has at least 100 beds for patients;

(2) is located 50 miles or less from a municipality with a population of no less than 250,000;

(3) is accredited by the Joint Commission on Health Care;

(4) is monitored by the Department of State Health Services; and

(5) is in compliance with state and federal standards, including court orders.

c. In paying for services under this provision, the Department of State Health Services must ensure that the services are comparable in quality and cost to services provided in other mental health services programs of the department.

98. Mental Health Deputy Program. Out of the funds appropriated above in Strategy B.2.1, Mental Health Services - Adults, up to $280,000 per fiscal year shall be used to provide grants to Ector, Midland, McLennan and Tom Green counties to establish Mental Health Deputy Programs in these counties. The Mental Health Deputy Programs shall provide funding for two deputies in Ector, Midland, McLennan, and Tom Green counties. The deputies shall promote the diversion of mentally ill individuals from incarceration and facilitate assessments for appropriate treatment.

HEALTH AND HUMAN SERVICES COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
GR for Medicaid		
Medicaid Program Income, estimated	$ 12,172,418	$ 12,172,418
Vendor Drug Rebates—Medicaid, estimated	281,244,420	295,558,883
GR Match for Medicaid[2]	5,636,985,698	5,830,150,244
Tobacco Settlement Receipts Match for Medicaid	236,092,691	227,410,026
Cost Sharing - Medicaid Clients, estimated	9,342	2,368,611
Vendor Drug Rebates-Supplemental Rebates, estimated	47,689,294	49,990,754
Medicare Giveback Provision	350,557,151	380,236,786
GR for CHIP		
Premium Co-Payments, Low Income Children, estimated	5,206,000	5,146,000
Tobacco Settlement Receipts	21,318,563	21,472,329
GR Match for Title XXI (CHIP)	21,152,324	19,196,844
Tobacco Settlement Receipts Match for CHIP	272,588,746	281,117,645
Experience Rebates-CHIP, estimated	3,942,608	4,071,000
Vendor Drug Rebates—CHIP, estimated	4,623,225	4,713,681
Other GR		
General Revenue Fund[3]	60,244,735	44,760,665
GR MOE for Temporary Assistance for Needy Families	62,851,931	62,851,931
GR Match for Food Stamp Administration	160,950,398	154,271,602
Subtotal, General Revenue Fund	$ 7,177,629,544	$ 7,395,489,419
Federal Funds[2, 3]	10,242,820,343	10,311,457,322
Other Funds		
Appropriated Receipts - Match for Medicaid	31,669,354	31,669,354
Appropriated Receipts	12,725,156	12,711,620
Interagency Contracts	221,337,330	227,770,220
Medicaid Subrogation Receipts (State Share), estimated	38,417,543	38,417,543

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For all health and human service agencies, Article XII includes a General Revenue reduction and identical Federal Funds increase of $2,513,000,000 for the biennium related to an enhanced federal medical assistance percentage. A portion of these adjustments will be allocated to other Article II agencies during the 2010-11 biennium. Additionally for HHSC, Article XII includes a total of $47,594,804 in Federal Funds for the biennium for the supplemental nutritional assistance program, the TANF program, and the Office for the Elimination of Health Disparities.

[2] Incorporates Article IX, § 17.24, of this Act, relating to a reduction in the Medicaid program, resulting in a decrease in General Revenue Funds of $40,000,000 and a decrease in Federal Funds of $55,992,321 in FY 2011; SB 7, 81st Legislature, Regular Session, did not pass. However, similar legislation (HB 1218, SB 870, SB 203, 81st Legislature, Regular Session), relating to strategies for and improvements in quality of health care and care management provided through health care facilities and through the child health plan and medical assistance programs designed to improve health outcomes, did pass. Incorporates, consequently, Article IX, § 17.78 of this Act, resulting in an increase of $4,041,036 in General Revenue Funds and $10,604,536 in Federal Funds in FY 2010 and $3,094,764 in General Revenue Funds and $5,788,637 in Federal Funds in FY 2011.

[3] Incorporates Article IX, § 17.03, of this Act, relating to Enterprise Resource Planning, resulting in an increase of $4,414,663 in General Revenue Funds and $5,926,000 in All Funds for FY 2010 and $2,644,626 in General Revenue Funds and $3,550,000 in All Funds for FY 2011. Also incorporates related capital budget authority.

Bond Proceeds - Revenue Bonds	12,658,228	0
Subtotal, Other Funds	$ 316,807,611	$ 310,568,737
Total, Method of Financing	$ 17,737,257,498	$ 18,017,515,478
This bill pattern represents an estimated 78.9% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	12,175.9	12,175.9
Schedule of Exempt Positions:		
Executive Commissioner, Group 8	$210,000	$210,000
Items of Appropriation:		
A. Goal: HHS ENTERPRISE OVERSIGHT & POLICY		
HHS Enterprise Oversight and Policy.		
A.1.1. Strategy: ENTERPRISE OVERSIGHT & POLICY	$ 43,759,209	$ 43,744,627
Enterprise Oversight and Policy.		
A.1.2. Strategy: INTEGRATED ELIGIBILITY & ENROLLMENT	$ 682,120,050	$ 682,120,050
Integrated Eligibility and Enrollment (IEE).		
A.2.1. Strategy: CONSOLIDATED SYSTEM SUPPORT[4]	$ 143,431,391	$ 140,765,841
Total, Goal A: HHS ENTERPRISE OVERSIGHT & POLICY	$ 869,310,650	$ 866,630,518
B. Goal: MEDICAID		
B.1.1. Strategy: MEDICARE AND SSI	$ 2,144,844,120	$ 2,264,295,457
Medicare and Supplemental Security Income Risk Groups.		
B.1.2. Strategy: TANF ADULTS & CHILDREN	$ 661,392,242	$ 595,474,106
Temp Asst for Needy Families Adults & Children Risk Groups.		
B.1.3. Strategy: PREGNANT WOMEN	$ 1,061,609,491	$ 1,037,959,418
Pregnant Women Risk Group.		
B.1.4. Strategy: CHILDREN & MEDICALLY NEEDY[5]	$ 4,588,919,314	$ 4,598,702,074
Children & Medically Needy Risk Groups.		
B.1.5. Strategy: MEDICARE PAYMENTS	$ 1,074,768,326	$ 1,155,616,739
For Clients Dually Eligible for Medicare and Medicaid.		
B.1.6. Strategy: STAR+PLUS (INTEGRATED MANAGED CARE)	$ 1,249,948,176	$ 1,288,379,193
B.2.1. Strategy: COST REIMBURSED SERVICES	$ 470,605,504	$ 486,770,938
B.2.2. Strategy: MEDICAID VENDOR DRUG PROGRAM	$ 2,550,155,351	$ 2,651,218,642
B.2.3. Strategy: MEDICAL TRANSPORTATION	$ 154,844,362	$ 133,620,036
B.2.4. Strategy: MEDICAID FAMILY PLANNING	$ 23,033,468	$ 23,517,816
B.2.5. Strategy: UPPER PAYMENT LIMIT	$ 30,332,444	$ 29,868,578
B.3.1. Strategy: HEALTH STEPS (EPSDT) MEDICAL	$ 55,671,665	$ 56,732,356
B.3.2. Strategy: HEALTH STEPS (EPSDT) DENTAL	$ 793,023,672	$ 810,355,100
B.3.3. Strategy: EPSDT COMPREHENSIVE CARE PROGRAM	$ 532,614,229	$ 549,522,237
Health Steps (EPSDT) Comprehensive Care Program.		
B.4.1. Strategy: STATE MEDICAID OFFICE	$ 21,559,111	$ 21,559,111
Total, Goal B: MEDICAID	$ 15,413,321,475	$ 15,703,591,801

[4] Incorporates Article IX, § 17.03, of this Act, relating to Enterprise Resource Planning, resulting in an increase of $4,414,663 in General Revenue Funds and $5,926,000 in All Funds for FY 2010 and $2,644,626 in General Revenue Funds and $3,550,000 in All Funds for FY 2011. Also incorporates related capital budget authority.

[5] Incorporates Article IX, § 17.24, of this Act, relating to a reduction in the Medicaid program, resulting in a decrease in General Revenue Funds of $40,000,000 and a decrease in Federal Funds of $55,992,321 in FY 2011; SB 7, 81st Legislature, Regular Session, did not pass. However, similar legislation (HB 1218, SB 870, SB 203, 81st Legislature, Regular Session), relating to strategies for and improvements in quality of health care and care management provided through health care facilities and through the child health plan and medical assistance programs designed to improve health outcomes, did pass. Incorporates, consequently, Article IX, § 17.78 of this Act, resulting in an increase of $4,041,036 in General Revenue Funds and $10,604,536 in Federal Funds in FY 2010 and $3,094,764 in General Revenue Funds and $5,788,637 in Federal Funds in FY 2011.

C. Goal: CHIP SERVICES		
Children's Health Insurance Program Services.		
C.1.1. Strategy: CHIP	$ 560,959,412	$ 562,791,345
Children's Health Insurance Program (CHIP).		
C.1.2. Strategy: IMMIGRANT HEALTH INSURANCE	$ 15,746,278	$ 18,698,747
Immigrant Children Health Insurance.		
C.1.3. Strategy: SCHOOL EMPLOYEE CHILDREN INSURANCE	$ 17,593,042	$ 17,720,015
C.1.4. Strategy: CHIP PERINATAL SERVICES	$ 282,006,883	$ 295,499,906
C.1.5. Strategy: CHIP VENDOR DRUG PROGRAM	$ 123,831,578	$ 124,869,372
Total, Goal C: CHIP SERVICES	$ 1,000,137,193	$ 1,019,579,385
D. Goal: ENCOURAGE SELF SUFFICIENCY		
D.1.1. Strategy: TANF (CASH ASSISTANCE) GRANTS	$ 99,117,072	$ 100,564,953
Temporary Assistance for Needy Families Grants.		
D.1.2. Strategy: REFUGEE ASSISTANCE	$ 24,515,586	$ 24,515,586
D.2.1. Strategy: FAMILY VIOLENCE SERVICES	$ 25,493,696	$ 25,473,591
D.2.2. Strategy: ALTERNATIVES TO ABORTION	$ 4,000,000	$ 4,000,000
Alternatives to Abortion. Nontransferable.		
Total, Goal D: ENCOURAGE SELF SUFFICIENCY	$ 153,126,354	$ 154,554,130
E. Goal: PROGRAM SUPPORT		
E.1.1. Strategy: CENTRAL PROGRAM SUPPORT	$ 17,124,354	$ 17,124,355
E.1.2. Strategy: IT PROGRAM SUPPORT	$ 20,435,368	$ 16,489,794
Information Technology Program Support.		
E.1.3. Strategy: REGIONAL PROGRAM SUPPORT	$ 126,969,965	$ 126,900,296
Total, Goal E: PROGRAM SUPPORT	$ 164,529,687	$ 160,514,445
F. Goal: INFORMATION TECHNOLOGY PROJECTS		
F.1.1. Strategy: TIERS & ELIGIBILITY TECHNOLOGIES	$ 85,507,713	$ 61,314,610
Texas Integrated Eligibility Redesign System & Supporting Tech.		
G. Goal: OFFICE OF INSPECTOR GENERAL		
G.1.1. Strategy: OFFICE OF INSPECTOR GENERAL	$ 51,324,426	$ 51,330,589
Grand Total, HEALTH AND HUMAN SERVICES COMMISSION	$ 17,737,257,498	$ 18,017,515,478
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 472,662,593	$ 472,662,593
Other Personnel Costs	17,894,366	17,894,366
Professional Fees and Services	647,246,227	632,879,802
Fuels and Lubricants	443,758	443,758
Consumable Supplies	19,367,030	19,367,030
Utilities	38,766,623	38,766,623
Travel	19,759,494	19,759,494
Rent - Building	84,278,727	84,278,727
Rent - Machine and Other	19,172,896	19,177,103
Other Operating Expense	123,153,135	123,152,781
Client Services	16,149,247,945	16,466,172,082
Food for Persons - Wards of State	4,835,329	4,835,329
Grants	90,545,210	90,545,211
Capital Expenditures	49,884,165	27,580,579
Total, Object-of-Expense Informational Listing	$ 17,737,257,498	$ 18,017,515,478
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 21,950,522	$ 22,287,171
Group Insurance	77,741,814	84,441,411

Social Security	29,691,608	30,136,431
Benefits Replacement	3,606,658	3,426,325
Subtotal, Employee Benefits	$ 132,990,602	$ 140,291,338
Debt Service		
Lease Payments	$ 1,724,685	$ 1,589,912
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 134,715,287	$ 141,881,250

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Health and Human Services Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Health and Human Services Commission. In order to achieve the objectives and service standards established by this Act, the Health and Human Services Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: HHS ENTERPRISE OVERSIGHT & POLICY		
Outcome (Results/Impact):		
Average Medicaid and CHIP Children Recipient Months Per Month	2,677,484	2,720,740
A.1.2. Strategy: INTEGRATED ELIGIBILITY & ENROLLMENT		
Output (Volume):		
Average Monthly Number of Eligibility Determinations	513,226	522,397
Efficiencies:		
Average Cost Per Eligibility Determination	56.93	57.24
Explanatory:		
Percent of Poverty Met by TANF, Food Stamps, and Medicaid Benefits	76.9%	76.62%
Total Value of Food Stamps Distributed	2,710,000,000	2,716,000,000
B. Goal: MEDICAID		
Outcome (Results/Impact):		
Average Medicaid Acute Care (Includes STAR+PLUS) Recipient Months Per Month	3,105,445	3,168,320
B.1.4. Strategy: CHILDREN & MEDICALLY NEEDY		
Output (Volume):		
Average Number of Legal Permanent Resident Recipient Months per Month	29,323	47,166
B.1.5. Strategy: MEDICARE PAYMENTS		
Output (Volume):		
Average Supplemental Medical Insurance Part B (SMIB) Recipient Months Per Month	536,425	551,479
Efficiencies:		
Average Supplemental Medical Insurance Benefits (SMIB) Premium Per Month	100.33	106.03
B.1.6. Strategy: STAR+PLUS (INTEGRATED MANAGED CARE)		
Output (Volume):		
Average Aged and Medicare-eligible Recipient Months Per Month: STAR+PLUS	86,982	88,595
Average Disabled and Blind Recipient Months Per Month: STAR+PLUS	78,250	81,594
B.2.1. Strategy: COST REIMBURSED SERVICES		
Output (Volume):		
Average Number of Non-citizens Recipient Months Per Month	9,529	9,756
B.2.2. Strategy: MEDICAID VENDOR DRUG PROGRAM		
Output (Volume):		
Total Medicaid Prescriptions Incurred	28,738,441	29,365,160
B.3.3. Strategy: EPSDT COMPREHENSIVE CARE PROGRAM		
Output (Volume):		
Average Number of Texas Health Steps (EPSDT) Comprehensive Care Program Recipient Month per Month (Fee-for-Service Only)	508,835	517,292

B.4.1. Strategy: STATE MEDICAID OFFICE		
Output (Volume):		
Medicaid Acute Care Recipient Months Per Month: Managed Care	2,178,617	2,207,410
C. Goal: CHIP SERVICES		
Outcome (Results/Impact):		
Average CHIP Programs Recipient Months Per Month (Includes all CHIP Programs)	530,501	537,742
Average CHIP Programs Benefit Cost with Prescription Benefit Per Recipient Month (Includes all CHIP Programs)	152.53	153.34
C.1.4. Strategy: CHIP PERINATAL SERVICES		
Output (Volume):		
Average Perinate Recipient Months Per Month	70,017	73,399
C.1.5. Strategy: CHIP VENDOR DRUG PROGRAM		
Output (Volume):		
Total Number of CHIP Prescriptions (Includes all CHIP Programs)	1,966,138	1,982,616
Efficiencies:		
Average Cost Per CHIP Prescription (Includes all CHIP Programs)	62.98	62.98
D. Goal: ENCOURAGE SELF SUFFICIENCY		
D.1.1. Strategy: TANF (CASH ASSISTANCE) GRANTS		
Output (Volume):		
Average Number of TANF Recipients Per Month	105,273	105,273
Average Number of State Two-Parent Cash Assistance Program Recipients Per Month	4,424	4,589
Efficiencies:		
Average Monthly Grant: Temporary Assistance for Needy Families (TANF)	68.45	69.42
Average Monthly Grant: State Two-Parent Cash Assistance Program	66.54	67.45
D.1.2. Strategy: REFUGEE ASSISTANCE		
Output (Volume):		
Number of Refugees Receiving Contracted Social Services, Financial Assistance, or Medical Assistance	7,800	7,800
D.2.1. Strategy: FAMILY VIOLENCE SERVICES		
Output (Volume):		
Number of Women and Children Served by Family Violence Programs/Shelters	80,942	80,942
Efficiencies:		
Health and Human Services Average Cost Per Person Receiving Emergency Shelter and/or Nonresident Services through the Family Violence Program	284.36	284.36
D.2.2. Strategy: ALTERNATIVES TO ABORTION		
Output (Volume):		
Number of Persons Receiving Pregnancy Support Services as an Alternative to Abortion	16,000	16,000

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in the provision as appropriations either for "Lease Payments to the Master Equipment Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Data Center Consolidation	$ 51,574,463	$ 39,307,855
(2) Seat Management Services (PCs, Laptops, & Servers)	9,325,574	9,321,168
(3) Compliance with Federal HIPAA (Health Insurance Portability and Accountability Act) Regulations	4,036,000	2,535,430
(4) Enterprise Messaging and Collaboration	406,575	406,575
(5) Enterprise Telecommunications Enhancements	3,163,705	0
(6) Enterprise Info & Asset Mgt (Data Warehouse)	12,228,522	12,228,522

(7) Integrated Eligibility Technologies (TIERS)	56,499,721	45,806,946
(8) Medicaid Eligibility and Health Information	12,838,075	6,366,442
(9) Information Technology Accessibility	17,540	2,957
(10) Enterprise Resource Planning[6]	$ 5,926,000	$ 3,550,000
Total, Acquisition of Information Resource Technologies	$ 156,016,175	$ 119,525,895
b. Acquisition of Capital Equipment and Items		
(1) Facility Support Services – Fleet Operations	$ 585,250	$ 0
c. Other Lease Payments to the Master Lease Purchase Program (MLPP)		
(1) TIERS Lease Payments to Master Lease Program	$ 3,164,351	$ 2,966,676
Total, Capital Budget	$ 159,765,776	$ 122,492,571
Method of Financing (Capital Budget):		
General Revenue Fund		
GR Match for Medicaid	$ 31,464,624	$ 24,486,817
GR Match for Title XXI (CHIP)	1,483,753	1,297,982
GR Match for Food Stamp Administration	19,422,184	16,998,331
General Revenue Fund[6]	18,016,270	14,954,016
Subtotal, General Revenue Fund	$ 70,386,831	$ 57,737,146
Federal Funds[6]	70,120,942	58,155,650
Interagency Contracts	6,599,775	6,599,775
Bond Proceeds - Revenue Bonds	12,658,228	0
Subtotal, Other Funds	$ 19,258,003	$ 6,599,775
Total, Method of Financing	$ 159,765,776	$ 122,492,571

3. **Budget Authority for Estimated Pass-through Funds.** In addition to the amounts appropriated above for the Health and Human Services Commission, the Commission may establish additional budget authority with the Comptroller of Public Accounts to reflect other estimated income except from the General Revenue Fund.

4. **Reimbursement of Advisory Committee Members.** Pursuant to Government Code § 2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above - not to exceed $63,200 per year, is limited to the following advisory committees: Hospital Payment Advisory Committee, Medical Care Advisory Committee, Physician Payment Advisory Committee, Drug Use Review Board, Pharmaceutical and Therapeutics Committee, Public Assistance Health Benefits Review and Design Committee, and Guardianship Advisory Board.

   To the maximum extent possible, the Commission shall encourage the use of videoconferencing and teleconferencing and shall schedule meetings and locations to facilitate the travel of participants so that they may return the same day and reduce the need to reimburse members for overnight stays.

5. **Vendor Drug Rebates - Medicaid and CHIP.** All references in this rider to rebate revenue refer to vendor drug rebates as well as supplemental rebates earned via the preferred drug lists (methods of finance include Vendor Drug Rebates-Medicaid, Vendor Drug Rebates-CHIP, and Vendor Drug Rebates-Supplemental Rebates).

   a. **Medicaid.** The Health and Human Services Commission is authorized to expend Medicaid rebate revenues appropriated above in Strategy B.2.2, Medicaid Vendor Drug Program, pursuant to the federal requirements of the Omnibus Budget and Reconciliation Act of 1990 as well as rebates collected in excess of federal requirements pursuant to state law.

[6] Incorporates Article IX, § 17.03, of this Act, relating to Enterprise Resource Planning, resulting in an increase of $4,414,663 in General Revenue Funds and $5,926,000 in All Funds for FY 2010 and $2,644,626 in General Revenue Funds and $3,550,000 in All Funds for FY 2011. Also incorporates related capital budget authority.

b. **CHIP.** The Health and Human Services Commission is authorized to expend CHIP rebate revenues and related interest earnings appropriated above in Strategy C.1.5, CHIP Vendor Drug Program.

c. **Rebates as a First Source of Funding.** Expenditures for the Medicaid and CHIP Vendor Drug Programs shall be made from rebates received in fiscal years 2010 and 2011. As rebates are generated, expenditures to support the Medicaid and CHIP Vendor Drug Programs shall be made from rebate revenues. In the event rebate revenues are not available for expenditure, General Revenue may be used to support both Vendor Drug Programs until rebate revenues are available.

d. **Appropriation.** In addition to rebate revenues appropriated above in Strategy B.2.2, Medicaid Vendor Drug Program, and Strategy C.1.5, CHIP Vendor Drug Program, the Health and Human Services Commission is appropriated Medicaid and CHIP vendor drug rebates generated in excess of those amounts, subject to the following requirements:

(1) Vendor drug rebates shall be expended prior to utilization of any General Revenue available for the purpose of the CHIP or Medicaid Vendor Drug Programs.

(2) In the event General Revenue has been expended prior to the receipt of vendor drug rebates, the Commission shall reimburse General Revenue. The Commission shall reimburse the General Revenue Fund with vendor drug rebates on a monthly basis in order to prevent accumulation of vendor drug rebates.

e. **Limited Use of Rebates**. Rebates generated by the Medicaid program shall only be used for the Medicaid program. Rebates generated by the CHIP program shall only be used for the CHIP program.

6. Medicaid Subrogation Receipts (State Share). For the purposes of this provision, Medicaid Subrogation Receipts are defined as tort settlements related to the Medicaid program. Amounts defined as Medicaid Subrogation Receipts are to be deposited into the General Revenue Fund, Object No. 3802. The Commission is authorized to receive and expend Medicaid Subrogation Receipts. Expenditures shall be made from recoupments and interest earnings received in fiscal year 2010 and fiscal year 2011. The use of the state's share of Medicaid Subrogation Receipts is limited to funding services for Medicaid clients. Medicaid Subrogation Receipts shall be expended as they are received as a first source, and General Revenue shall be used as a second source, to support the Medicaid program. In the event that these revenues should be greater than the amounts identified in the method of finance above as Medicaid Subrogation Receipts (State Share), the Commission is hereby appropriated and authorized to expend these Other Funds thereby made available, subject to the following requirements:

a. Amounts available shall be expended prior to utilization of any General Revenue available for the same purposes.

b. In the event General Revenue has been expended prior to the receipt of the state's share of Medicaid Subrogation Receipts, the Commission shall reimburse General Revenue. This process shall be completed on a monthly basis in order to prevent accumulation of Medicaid Subrogation Receipt balances.

The preceding paragraph shall be the exclusive appropriation authority for receipts from the above identified sources, and none of these receipts shall be appropriated by a provision of Article IX of this Act.

7. Appropriation Transfers Between Fiscal Years. In addition to the transfer authority provided elsewhere in this Act and in order to provide for unanticipated events that increase costs associated with providing Medicaid or CHIP services for eligible clients, the Health and Human Services Commission is authorized to transfer General Revenue from funds appropriated in Medicaid or CHIP strategies in fiscal year 2011 to fiscal year 2010 and such funds are appropriated to the Commission for fiscal year 2010. Such transfers may only be made subject to the following:

a. Transfers under this section may be made only:

(1) if costs associated with providing Medicaid or CHIP services exceed the funds appropriated for these services for fiscal year 2010, or

(2) for any other emergency expenditure requirements, including expenditures necessitated by public calamity.

b. A transfer authorized by this section must receive the prior written approval of the Governor and the Legislative Budget Board.

c. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.

8. Reporting of Child Abuse. The Texas Health and Human Services Commission may distribute or provide appropriated funds only to recipients who show good-faith efforts to comply with all child abuse reporting guidelines and requirements set forth in Chapter 261 of the Texas Family Code.

9. Authorization to Receive, Administer, and Disburse Federal Funds. The appropriations made herein may be used to match or to meet maintenance of effort requirements for Federal Funds granted to the state for the payment of personal services and other necessary expenses in connection with the administration and operation of state programs of health and public welfare services. Notwithstanding the General Provisions of this Act, the Health and Human Services Commission is hereby authorized to receive and disburse in accordance with plans acceptable to the responsible federal agency, all federal moneys that are made available (including grants, allotments, and reimbursements) to the state and retain their character as Federal Funds for such purposes, and to receive, administer, and disburse Federal Funds for federal regional programs in accordance with plans agreed upon by the Health and Human Services Commission and the responsible federal agency, and such other activities as come under the authority of the Commissioner of Health and Human Services, and such moneys are hereby appropriated to the specific purpose or purposes for which they are granted or otherwise made available. Earned Federal Funds are not considered to be Federal Funds for the purpose of this section.

10. Accounting of Support Costs. The Comptroller of Public Accounts shall establish separate accounts from which certain support costs shall be paid. The Health and Human Services Commission is hereby authorized to make transfers into these separate accounts from line item strategies in order to pay for these expenses in an efficient and effective manner. Only costs not directly attributable to a single program may be budgeted in or paid from these accounts. Items to be budgeted in and paid from these accounts include but are not limited to: postage, occupancy costs, equipment repair, telephones, office printing costs, supplies, freight and transport costs, telephone system costs and salary and travel costs of staff whose function supports several programs. The Commission shall be responsible for quarterly allocations of these costs to the original strategies.

11. Disposition of Appropriation Transfers from State-owned Hospitals. The Health and Human Services Commission shall use the sums transferred from state owned hospitals as provided elsewhere in the Act as necessary to apply for appropriate matching Federal Funds and to provide the state's share of disproportionate share payments and upper payment limit payments due to state-owned hospitals. Any amounts of such transferred funds not required for these payments shall be deposited by the Health and Human Services Commission to the General Revenue Fund as unappropriated revenue. By October 1 of each fiscal year, the Health and Human Services Commission shall present a schedule of projected transfers and payments to the Comptroller of Public Accounts, the Governor, and the Legislative Budget Board. The Comptroller of Public Accounts shall process all payments and transfers, unless disapproved or modified by the Legislative Budget Board or the Governor.

12. Transfers: Authority and Limitations.

a. **Limitations on Transfers within/between Goals.** Notwithstanding the transfer provisions in the General Provisions (general transfer provisions) and other transfer provisions of this Act (including Article II Special Provisions, Sec. 11), funds appropriated by this Act to the Health and Human Services Commission (HHSC) for the following goals shall be governed by the specific limitations included in this provision.

(1) **Goal B (Medicaid)**. Transfers may be made between Medicaid appropriation items in Goal B. Transfers may not be made from appropriation items in Goal B to appropriation items in other goals without prior written approval from the Legislative

Budget Board and the Governor. HHSC shall provide notification of all transfers pursuant to subsection (b) of this provision, and any transfer approval requests shall be submitted pursuant to subsection (c) of this provision.

(2) **Goal C (CHIP Services).** Transfers may be made between CHIP appropriation items in Goal C. Transfers may not be made from appropriation items in Goal C to appropriation items in other goals without prior written approval from the Legislative Budget Board and the Governor. HHSC shall provide notification of all transfers pursuant to subsection (b) of this provision, and any transfer approval requests shall be submitted pursuant to subsection (c) of this provision.

(3) **Other Goals.** Funds appropriated by this Act to the Health and Human Services Commission (HHSC) in Goals A, D, E, F, and G may be transferred from one appropriation item to another appropriation item within or between Goals A, D, E, F, and G in amounts not to exceed 25 percent of the originating appropriation item's All Funds amount for the fiscal year. HHSC shall provide notification of all transfers pursuant to subsection (b) of this provision.

b. **Notification Regarding Transfers that Do not Require Approval.** Authority granted by this provision to transfer funds is contingent upon a written notification from HHSC to the Legislative Budget Board and the Governor at least 30 days prior to the transfer, which includes the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the names of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

c. **Requests for Transfers that Require Approval.** To request a transfer, HHSC shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the names of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

A transfer request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 45 calendar days of receipt of the request.

d. **Transfers into Items of Appropriation.** Transfers may be made from any appropriation item to the appropriation items in section (a), subject to the limitations established in section (a) for each appropriation item.

e. **Cost Pools.** Notwithstanding the above limitations, transfers may be made from Medicaid and CHIP appropriation items (Goals B and C) to separate accounts authorized by agency rider and established by the State Comptroller for payment of certain support costs not directly attributable to a single program.

f. **Cash Management.** Notwithstanding the above limitations, HHSC may temporarily utilize funds appropriated to Medicaid and CHIP (Goals B and C) for cash flow purposes. All funding used in this manner shall be promptly returned to the originating strategy. This authorization is subject to limitations established by the Comptroller of Public Accounts.

The Comptroller of Public Accounts shall not allow the transfer of funds authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

In the case of disaster or other emergency, this provision is superseded by the emergency-related transfer authority in Article IX of this Act.

13. Use of Additional Medicaid Program Income. For the purposes of this provision, Medicaid program income is defined as: 1) refunds/rebates of previously paid premiums and interest earnings generated in relationship to accounts listed below; 2) refunds/rebates received from the Medicaid claims payment contractor or other sources; and 3) managed care rebates as described below. Amounts defined as program income are to be deposited into the General Revenue Fund, Object No. 3639. The Health and Human Services Commission is authorized to receive and spend program income and interest earnings generated from fund balances with the Disbursement Account, and the STAR (Managed Care) Account, as defined in the contractual agreement with the fiscal agent and/or insurance carrier for purchased health services except for those interest earnings related to the Cash Management Improvement Act (CMIA). The Commission is also authorized to receive and spend experience rebates generated in accordance with its contractual agreements with health maintenance organizations who participate in Medicaid managed care. Expenditures shall be made from credits, managed care rebates, and interest earnings received in fiscal years 2010 and 2011. The use of the credits, managed care rebates, and interest earnings is limited to funding services for Medicaid clients. Medicaid program income shall be expended as they are received as a first source, and General Revenue shall be used as a second source, to support the Medicaid program. In the event that these revenues should be greater than the amounts identified in the method of finance above as Medicaid Program Income, the commission is hereby appropriated and authorized to expend these General Revenue Funds thereby made available, subject to the following requirements:

a. Amounts available shall be expended prior to utilization of any General Revenue available for the same purposes; and

b. In the event General Revenue has been expended prior to the receipt of program income, the Commission shall reimburse General Revenue. This process shall be completed on a monthly basis in order to prevent accumulation of program income balances.

The preceding paragraph shall be the exclusive appropriation authority for receipts from the above identified sources and none of these receipts shall be appropriated by a provision of Article IX of this Act.

14. Use of Additional CHIP Experience Rebates. For the purposes of this provision, CHIP Experience Rebates are defined as: 1) refunds/rebates of previously paid CHIP premiums and related interest earnings; and 2) managed care rebates and related interest earnings as described below. Amounts defined as CHIP Experience Rebates are to be deposited into the General Revenue Fund. The Health and Human Services Commission is authorized to receive and spend experience rebates generated in accordance with its contractual agreements with managed care organizations and other providers who participate in the CHIP, Immigrant Health Insurance, School Employee Health Insurance, and CHIP Perinatal programs. Expenditures shall be made from CHIP Experience Rebates generated in fiscal years 2010 and 2011. The method of financing item, Experience Rebates - CHIP, for appropriations made above, includes unexpended and unobligated balances of Experience Rebates - CHIP remaining as of August 31, 2009, and receipts earned in fiscal years 2010 and 2011.

The use of CHIP Experience Rebates is limited to health care services for CHIP clients. CHIP Experience Rebates shall be expended as they are received as a first source, and General Revenue shall be used as a second source, to support CHIP-related programs. In the event that these revenues should be greater than the amounts identified in the method of finance above as Experience Rebates - CHIP, the department is hereby appropriated and authorized to expend these General Revenue Funds thereby made available, subject to the following requirements:

a. Amounts available shall be expended prior to utilization of any General Revenue available for the same purposes; and

b. In the event General Revenue has been expended prior to the receipt of CHIP Experience Rebates, the Commission shall reimburse General Revenue. This process shall be completed on a monthly basis in order to prevent accumulation of CHIP Experience Rebate balances.

The preceding paragraph shall be the exclusive appropriation authority for receipts from the above identified sources and none of these receipts shall be appropriated by a provision of Article IX of this Act.

15. CHIP: Unexpended Balances and Allocation of Funds.

a. **Unexpended Balances between Biennia.** Unexpended balances in General Revenue Funds appropriated for Goal C (CHIP) strategies to the Health and Human Services Commission (HHSC) for the fiscal year ending August 31, 2009 (estimated to be $136,400,000) are appropriated to the agency and included above for the fiscal year beginning September 1, 2009, only upon prior written approval by the Legislative Budget Board and the Governor. These General Revenue Funds are contingent on an unexpended balance from fiscal year 2009. The amount of the appropriation is limited to the amount of the unexpended balance.

b. **Unexpended Balances within the Biennium.** Unexpended balances in General Revenue Funds appropriated for Goal C (CHIP) strategies to HHSC for the fiscal year ending August 31, 2010 (estimated to be $0) are appropriated to the agency for the fiscal year beginning September 1, 2010, only upon prior written approval by the Legislative Budget Board and the Governor.

c. For authorization to expend the funds, HHSC shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request must be organized by fiscal year as follows:

(1) The following information shall be provided for the fiscal year with an unexpended balance:

(i) an explanation of the causes of the unexpended balance(s);

(ii) the amount of the unexpended balance(s) by strategy; and

(iii) the associated incremental change in service levels compared to performance targets in this Act for that fiscal year.

(2) The following information shall be provided for the fiscal year receiving the funds:

(i) an explanation of purpose for which the unexpended balance(s) will be used and whether the expenditure will be one-time or ongoing;

(ii) the amount of the expenditure by strategy;

(iii) the incremental change in service levels compared to performance targets in this Act for that fiscal year; and

(iv) the capital budget impact.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the use of unexpended balances authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

d. It is the intent of the Legislature that tobacco settlement receipts appropriations made above in Goal C, CHIP Services, include $293.9 million for fiscal year 2010 and $302.6 million for fiscal year 2011 in tobacco settlement receipts paid to the State pursuant to the Comprehensive Tobacco Settlement and Release. In the event that the state has not received a tobacco settlements payment for fiscal year 2010 and fiscal year 2011 by September 1 of each year of the biennium, the Comptroller of Public Accounts is hereby authorized to use general revenue funds as needed for program expenditures for cash flow purposes between the beginning of the fiscal year and the receipt by the state of the tobacco settlement payment for the fiscal year. Upon receipt of the tobacco settlement payment, the general revenue fund shall be reimbursed with tobacco settlement receipts for all expenditures made pursuant to this provision.

16. Cash Basis Expenditures Authorization. Notwithstanding any other provision of this Act, the Health and Human Services Commission is authorized to expend Medicaid appropriations in a fiscal year without regard to date of service. The authorization herein is limited to expenditures for claims payments, premiums, cost settlements and other related expenses for Medicaid client services.

17. Cost Sharing - Medicaid Clients. The Health and Human Services Commission is authorized to collect and is hereby appropriated all cost sharing revenues generated by Medicaid clients as authorized in Section 32.064 of the Human Resources Code. These revenues may include enrollment fees, deductibles, coinsurance, and portions of the managed care plan premiums.

18. Supplemental Nutritional Assistance Program Funds Appropriated. The Health and Human Services Commission is hereby designated as the state agency to establish and operate a statewide Supplemental Nutritional Assistance Program and to accept all moneys appropriated for this purpose by the federal or state governments, by the Commissioners' Court of any county, by any political subdivisions of the state, or received from any other source as provided for herein and in Chapter 33, Human Resources Code. The Health and Human Services Commission is authorized to expend such funds for welfare purposes, including the cost of distributing foods to needy people, institutions, school lunch programs, or otherwise as provided by the laws of the United States and the rules and regulations issued pursuant thereto, for the establishment and operation of a statewide Supplemental Nutritional Assistance Program, and for the employment of essential personnel who shall be employed under a merit system basis comparable to the merit principles or standards applicable to all other personnel of the commission.

19. Additional Funding Sources, Medicaid. Notwithstanding any other provisions of this Act, if the appropriations provided for a Medicaid program are not sufficient to provide for expenditures mandated by either state or federal law, after accounting for any appropriations made to the agency operating the Medicaid program, and available for transfer to the Medicaid program, the Legislative Budget Board and the Governor may provide for and are hereby authorized to direct the transfer of sufficient amounts of funds to the Health and Human Services Commission from appropriations made elsewhere in this Act.

20. Temporary Emergency Assistance for Families At-Risk of Welfare Dependency. Out of funds appropriated above in Strategy D.1.1, TANF (Cash Assistance) Grants, the commission shall provide a one-time emergency assistance payment to applicants for a TANF (Cash Assistance) grant who are likely to be employed within a short period of time, without referral to the Choices program. It is the intent of the Legislature that the commission expand the use of one-time emergency payments as a cost-effective deterrence from the ongoing cash assistance grant programs.

21. High Performance Bonus for Administration of the Supplemental Nutritional Assistance Program (SNAP). High Performance Bonuses are annual incentive payments to state agencies that meet standards for high or most improved performance established by the Secretary of the U.S. Department of Agriculture. The authority to receive and expend high performance bonuses is provided in Article IX, Sec. 6.22, Definition, Appropriation, Reporting and Audit of Earned Federal Funds and is subject to the following additional conditions:

a. A portion of these funds, in each year of the biennium, shall be used by the Health and Human Services Commission for the development and operation of a nutrition education and outreach program, or for activities that otherwise improve low-income consumers' access to basic nutrition and healthy foods.

b. The commission shall prepare annual reports by October 1 of each year of the biennium summarizing the commission's progress in implementing the outreach program and file those reports with the standing committees of the Senate and House of Representatives having primary jurisdiction over health and human services.

c. A portion of these funds, in each year of the biennium, shall be used by the Health and Human Services Commission to provide bonuses to position classifications whose efforts directly contributed to meeting these performance standards, or to position classifications who meet or exceed customer service performance measures developed by the commission, or whose efforts directly contributed to increasing the percentage of eligible persons who receive SNAP benefits.

(1) Before an employee can be eligible for a bonus, the employee must have been employed in the program for the related twelve months, remain employed in the program, and demonstrate performance that meets expectations.

(2) The commission has the authority to determine whether employees who have received bonuses under this provision are eligible for merit salary increases during a twelve-month period prior to or after receipt of the bonus.

22. Temporary Assistance for Needy Families (TANF) Maintenance of Effort. It is the intent of the Legislature that all General Revenue appropriated above for TANF maintenance of effort shall be expended within the appropriate fiscal year for that purpose in order to secure the TANF federal block grant for the state. Out of funds appropriated above in Strategy D.1.1, TANF (Cash Assistance) Grants, $62,851,931 in General Revenue is appropriated for TANF maintenance of effort for fiscal year 2010, and $62,851,931 in General Revenue is appropriated for TANF maintenance of effort for fiscal year 2011. None of the General Revenue appropriated for TANF maintenance of effort in Strategy D.1.1, TANF (Cash Assistance) Grants, may be transferred to any other item of appropriation or expended for any purpose other than the specific purpose for which the funds are appropriated. However, General Revenue appropriated for TANF maintenance of effort may be transferred to Strategy A.1.2, Integrated Eligibility and Enrollment, subject to the following limitations:

a. Declines or shifts in TANF caseloads prevent the Health and Human Services Commission from expending all General Revenue appropriated for TANF maintenance of effort in Strategy D.1.1, TANF (Cash Assistance) Grants, within the appropriate fiscal year;

b. The amount of TANF MOE General Revenue transferred from Strategy D.1.1, TANF Cash Assistance) Grants, shall be expended as TANF maintenance of effort within Strategy A.1.2, Integrated Eligibility and Enrollment, for TANF program operating costs, within the appropriate fiscal year; and

c. At least 30 days prior to transferring General Revenue Funds between Strategy D.1.1, TANF (Cash Assistance) Grants, and Strategy A.1.2, Integrated Eligibility and Enrollment, the Health and Human Services Commission shall notify the Legislative Budget Board and the Governor.

23. Earned Income Disregard. Out of amounts appropriated above to Strategy D.1.1, TANF (Cash Assistance) Grants, the Health and Human Services Commission shall maintain the earned income disregard for working TANF families. When determining eligibility and benefits, the commission shall exclude $120 of earnings and 90 percent of the remaining earnings for each of the first four months of employment by a recipient. After the first four months of employment, the commission shall exclude $120 of a recipient's earnings each month.

24. Performance Reporting for the Prescription Drug Rebate Program. The Commission shall report on an annual basis the following information to the Legislative Budget Board, the State Auditor's Office and the Governor: the outstanding prescription drug rebate balances for the Medicaid, CHIP, Kidney Health, and Children with Special Health Care Needs programs. The report shall include rebate principal and interest outstanding, age of receivables, and annual collection rates. The reports shall specify amounts billed, dollar value of pricing and utilization adjustments, and dollars collected. The Commission shall report these data on each year for which the Prescription Drug Rebate program has collected rebates and also on a cumulative basis for all years.

25. TANF (Cash Assistance) Grants. Out of funds appropriated above in Strategy D.1.1, TANF (Cash Assistance) Grants, the commission shall adjust the TANF grant amount each year to ensure that the maximum monthly grant for a family of three is at least 17 percent of the federal poverty level and provide a one-time per year grant of up to $30 for each TANF child on August 1 of each year.

26. Texas Integrated Eligibility Redesign Systems (TIERS). To fund the debt related to TIERS, the commission may seek funding from the most cost-effective type of financing, including but not limited to cash acquisition, commercial financing, and financing provided by the Texas Public Finance Authority. From any funds appropriated to the Health and Human Services Commission for the purpose of implementing the project, an amount not to exceed $6,131,027 (amounts needed for Master Lease Purchase Program) for the biennium in All Funds may be transferred to the Texas Public Finance Authority for lease payments to the Texas Public Finance Authority to pay debt service on the obligations issued by the Texas Public Finance Authority on behalf of the commission for the above-mentioned project.

27. Capital Purchases on Behalf of other Government Entities or Service Providers. Any capital items purchased by the Health and Human Services Commission (HHSC) for use by local governmental entities for which the commission is reimbursed do not apply to the commission for the purpose of the capital budget rider limitations specified in Article IX, Sec. 14.03, Limitation on Expenditures - Capital Budget, of the General Provisions of this Act, nor to HHSC Rider 2, Capital Budget.

28. Reimbursement of Advisory Council Members. Pursuant to Government Code §531.408, reimbursement of travel expenses for Health and Human Services Council members, out of funds appropriated above, is hereby authorized such that the sum total of all reimbursements for members of the Council shall not exceed $13,200 per fiscal year, at the rates specified in the general provisions of this Act.

29. Other Reporting Requirements.

a. Federal Reports. The Health and Human Services Commission shall submit the following information to the Legislative Budget Board, the Governor, and all Members of the Texas Legislature no later than the date the respective report is submitted to the federal government:

(1) Notification of proposed State Plan amendments or waivers for Medicaid, CHIP, TANF, and any other federal grant requiring a state plan. State Plan amendments and waiver submissions shall also be provided to the Senate Health and Human Services, House Human Services, and House Public Health committees.

(2) A copy of each report or petition submitted to the federal government relating to Medicaid, CHIP, and TANF.

b. Federal Issues. The Health and Human Services Commission shall notify the Legislative Budget Board and the Governor on a timely basis about emerging issues that could result in the loss of more than $1 million in federal revenue assumed in the appropriations act.

c. Monthly Financial Reports. The Health and Human Services Commission shall submit the following information to the Legislative Budget Board and the Governor on a monthly basis:

(1) Information on appropriated, budgeted, expended, and projected funds and full-time-equivalents, by strategy and method of finance.

(2) Information on appropriated, budgeted, expended, and projected revenues, including program income, interest earnings, experience rebates, vendor drug rebates (Medicaid, CHIP and supplemental), Medicaid subrogation receipts, premium co-payments, earned federal funds, cost sharing - Medicaid clients, and appropriated receipts used as match for federal funds.

(3) Narrative explanations of significant budget adjustments, ongoing budget issues, and other items as appropriate.

(4) Description of specific provisions of managed care contracts and resulting increases or decreases in revenue.

(5) Narrative and tabular explanation of adjustments made to translate actuarial forecasts of incurred claims into budgeted/expended amounts on a cash basis for the Medicaid program.

(6) Any other information requested by the Legislative Budget Board or the Governor.

d. Additional Monthly Reports. The Health and Human Services Commission shall provide monthly enrollment totals in all the programs for which there is a performance measure target for the Commission.

e. Notification. The Health and Human Services Commission shall electronically notify the Members of the Legislature that information provided in the sections above is available on the agency's website and shall provide copies as requested.

The monthly financial reports shall be prepared in a format specified by the Legislative Budget Board.

30. Office for Prevention of Developmental Disabilities. The Health and Human Services Commission shall expend, from funds otherwise appropriated to the commission by this Act, an amount not to exceed $111,805 each fiscal year for salaries, benefits, travel expenses, and other support of the Office for Prevention of Developmental Disabilities. However, grants and donations received through the authority provided by Article IX Sec. 8.01, Acceptance of Gifts of Money, are not subject to this limit and may be expended by the Office.

31. Prohibition on Abortions.

a. It is the intent of the Legislature that no funds shall be used to pay the direct or indirect costs (including overhead, rent, phones and utilities) of abortion procedures provided by contractors of the commission.

b. It is also the intent of the Legislature that no funds appropriated for Medicaid Family Planning, shall be distributed to individuals or entities that perform elective abortion procedures or that contract with or provide funds to individuals or entities for the performance of elective abortion procedures.

c. The commission shall include in its financial audit a review of the use of appropriated funds to ensure compliance with this section.

32. Family Planning. Of funds appropriated for Medicaid Family Planning, no state funds may be used to dispense prescription drugs to minors without parental consent. An exemption shall be allowed for emancipated 16- and 17-year old parents.

33. Appropriation of Unexpended Balances - Master Lease Purchase Program (MLPP). Any unexpended balances of MLPP funds for the TIERS project from previous appropriations, estimated to be $12,658,228, are hereby authorized for the Health and Human Services Commission. The commission shall provide to the Legislative Budget Board and the Governor a detailed description of the project and cost at least 45 days prior to the expenditure of such funds.

34. CHIP Enrollment. In the event that appropriations are insufficient to sustain enrollment at authorized eligibility and benefit levels in CHIP, it is the intent of the legislature that the Executive Commissioner transfer necessary funds to Goal C, CHIP Services, pursuant to the notification and approval requirements contained in other provisions, and request additional appropriation authority from the Legislative Budget Board prior to establishing a waiting list and suspending enrollment pursuant to Health and Safety Code § 62.101.

35. Children's Health Insurance Program Priority. In the event that the Health and Human Services Commission receives less CHIP Federal Funds than are anticipated above in Goal C, CHIP Services, the commission is authorized to prioritize services to recipients of the traditional CHIP program. Serving those eligible for the CHIP Perinatal program may be a secondary priority.

36. Medical Treatments. The Health and Human Services Commission may distribute funds for medical, dental, psychological or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Chapter 32 of the Texas Family Code. In the event that

compliance with this rider would result in the loss of Federal Funds to the state, the department may modify, or suspend this rider to the extent necessary to prevent such loss of funds, provided that 45 day prior notification is provided to the Governor and the Legislative Budget Board.

37. Unexpended Balance Authority for Eligibility Determination Services. Unexpended balances in General Revenue Funds appropriated in Strategy A.1.2, Integrated Eligibility and Enrollment, for the fiscal year ending August 31, 2010, are appropriated to the agency for the following fiscal year only upon prior written approval by the Legislative Budget Board and the Governor.
For authorization to expend the funds, an agency shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request must be organized by fiscal year as follows:

a. The following information shall be provided for the fiscal year with an unexpended balance:

(1) an explanation of the causes of the unexpended balance(s);

(2) the amount of the unexpended balance(s) by strategy; and

(3) the associated incremental change in service levels compared to performance targets in this Act for that fiscal year.

b. The following information shall be provided for the fiscal year receiving the funds:

(1) an explanation of purpose for which the unexpended balance(s) will be used and whether the expenditure will be one-time or ongoing;

(2) the amount of the expenditure by strategy;

(3) the incremental change in service levels compared to performance targets in this Act for that fiscal year; and

(4) the capital budget impact.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the use of unexpended balances authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

38. Continued Medicaid Coverage for Clients Unable to Access Medicare Part D Benefit and for Certain Excluded Medicare Part D Drug Categories. It is the intent of the Legislature that from funds appropriated above in Strategy B.2.2, Medicaid Vendor Drug Program, the Health and Human Services Commission shall continue to provide Medicaid coverage for dual eligible clients who are unable to access their Medicare Part D drug benefit. The Health and Human Services Commission shall recoup funds for these expenditures from Part D drug plans that are determined to be responsible for the dual eligible clients' drug costs. It is also the intent of the Legislature that from funds appropriated above in Strategy B.2.2, Medicaid Vendor Drug Program, the Health and Human Services Commission shall continue to provide Medicaid coverage for certain categories of drugs not covered under the federal Medicare Part D program, under Section 1935(d)(2) of the Social Security Act, for full dual eligible clients. This coverage is limited to only those categories of excluded Medicare Part D drugs that continue to be eligible for federal Medicaid matching funds and that are currently covered under the Medicaid Vendor Drug Program (e.g., prescribed over-the-counter medications, barbiturates, and benzodiazepines).

39. Upper Payment Limit Reimbursement for Children's Hospitals. Out of the funds appropriated above in Strategy B.2.5, Upper Payment Limit, the Health and Human Services Commission shall use the amounts of $12,500,000 in fiscal year 2010 and $12,500,000 in fiscal year 2011 in General Revenue to provide upper payment limit reimbursement to children's hospitals (having a separate provider number). The Health and Human Services Commission shall implement Medicaid upper payment limit reimbursement to cover the actual costs incurred in providing Medicaid inpatient and outpatient services and Graduate Medical Education at children's hospitals. In the event that

appropriations are insufficient to cover these Medicaid costs in all children's hospitals, the Health and Human Services Commission shall prioritize this Medicaid upper payment limit reimbursement to reduce the Medicaid losses in any children's hospital with a Medicaid patient load that exceeds 60 percent of the hospital's total inpatient days.

40. Hospital Uncompensated Care. No funds appropriated under this Article for medical assistance payments may be paid to a hospital if the Health and Human Services Commission determines that the hospital has not complied with the Commission's reporting requirements. The Commission shall ensure that the reporting of uncompensated care (defined to include bad debt, charity care and unreimbursed care) by Texas hospitals is consistent for all hospitals and subjected to a standard set of adjustments that account for payments to hospitals that are intended to reimburse uncompensated care. These adjustments are to be made in such a way that a reliable determination of the actual cost of uncompensated care in Texas is produced. In pursuing this objective, the commission, in coordination with the Attorney General, and with advice from representatives from the hospital industry, will:

a. review the current instruments for reporting uncompensated care by Texas hospitals to ensure that accounting for uncompensated care as well as its reporting is consistent across hospitals;

b. coordinate the different instruments for reporting uncompensated care in Texas, e.g., Statement of Community Benefits, Annual Hospital Survey, and DSH Survey, so that there is consistency in reporting among these instruments while maintaining the integrity of each instrument's purpose;

c. identify the sources of funding to hospitals that are intended to offset uncompensated care;

d. develop a standard set of adjustments that apply the funding sources to reported uncompensated care in such a manner that a reliable determination of the actual cost to a hospital for uncompensated care can be made; and

e. identify a standard ratio of cost to charges (RCC) to standardize the conversion of reported charges to costs.

The commission shall conduct an appropriate number of audits to assure the accurate reporting of the cost of uncompensated hospital care.

The commission shall submit a biennial report on uncompensated care costs, which considers the impact of patient specific and lump sum funding as offsets to uncompensated costs, to the Governor and Legislative Budget Board no later than December 1, 2010. The commission may report by hospital type.

41. Hospital Reimbursement. Contingent upon federal approval, and to the extent allowed by law, no funds appropriated under this Article for the payment of inpatient hospital fees and charges under the medical assistance program may be expended, except under a prospective payment methodology for all Medicaid inpatient claims that employs sound cost reimbursement principles and:

a. enhances the Health and Human Services Commission's ability to be a prudent purchaser of health care;

b. reflects costs that are allowable, reasonable and medically necessary to deliver health care services to the state's Medicaid population;

c. reduces the variability in the Medicaid reimbursement rates paid to hospitals for treating patients with the same diagnoses;

d. promotes and rewards increased efficiency in the operation of hospitals;

e. emphasizes and rewards quality of outcomes and improves the treatment of Medicaid patients through pay-for-performance principles;

f. recognizes, through add-on payments or other methods, the unique needs of rural hospitals;

g. reformulates the Disproportionate Share Hospital (DSH) supplemental payment methodology to increase its focus on paying hospitals for uncompensated care and reduces the existence of the inpatient Medicaid shortfall that prevents the State from achieving this objective; and

h. reimburses inpatient services in freestanding psychiatric facilities similar to the prospective payment system used by the Centers for Medicare and Medicaid Services.

42. Payments to Health Centers for Medicaid Family Planning. It is the intent of the Legislature that the Health and Human Services Commission shall, to the extent allowed by federal law, reimburse Federally Qualified Health Centers for family planning services under Medicaid, including the Women's Health Program, using a prospective payment system at a per visit rate, not to exceed three payments during a calendar year.

43. Payments to Hospital Providers. Until the Health and Human Services Commission implements a new reimbursement system for Fee-for-Service (FFS) and Primary Care Case Management (PCCM) inpatient services, hospitals that meet one of the following criteria: 1) located in a county with 50,000 or fewer persons, or 2) is a Medicare-designated Rural Referral Center (RRC) or Sole Community Hospital (SCH), that are not located in a metropolitan statistical area (MSA) as defined by the U.S. Office of Management and Budget, or 3) is a Medicare-designated Critical Access Hospital (CAH), shall be reimbursed the greater of the prospective payment system rate or a cost-reimbursement methodology authorized by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) using the most recent data. Hospitals reimbursed under TEFRA cost principles shall be paid without the imposition of the TEFRA cap. Hospitals that meet the criteria as of September 1, 2009, retain this reimbursement for FFS and PCCM inpatient services.

44. Staffing and Capital Authorization in Lieu of Contracted Responsibilities. Notwithstanding any other provisions in this Act, if the executive commissioner of the Health and Human Services Commission (HHSC) determines that a service performed under a contract as of the effective date of this Act would be more effectively performed by state personnel, the executive commissioner is authorized to adjust the agency's full-time equivalent (FTE) and/or capital authority limitation to the extent necessary to ensure the successful assumption of such contracted duties and to comply with federal performance standards.

Authority granted by this provision is contingent upon a written notification from HHSC to the Legislative Budget Board and the Governor at least 30 days prior to adjusting budgeted FTE levels and/or acquiring capital equipment that includes the following information:

a. a detailed explanation of the adjustments to the affected contract and the reason(s) for the adjustment;

b. the estimated reduction in spending in All Funds on the contract by fiscal year;

c. the increase in both the annual average and end-of-year FTEs by fiscal year;

d. the estimated increase in expenditures by object of expense and method of financing for each fiscal year; and

e. the estimated increase in capital expenditures by method of financing by fiscal year for each increased or new project.

The Comptroller of Public Accounts shall not allow the adjustment of FTE or capital authority limitations authorized by this provision if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

45. Graduate Medical Education. The Health and Human Services Commission is authorized to spend Appropriated Receipts - Match for Medicaid and matching Medicaid Federal Funds out of Strategy B.2.1, Cost Reimbursed Services, for Graduate Medical Education payments to state-owned teaching hospitals, contingent upon receipt of allowable funds from state-owned teaching hospitals to be used as the non-federal share for Medicaid Graduate Medical Education. Appropriated Receipts - Match for Medicaid shall be the only source of funds used for the non-federal share for Medicaid Graduate Medical Education, and the Health and Human Services Commission shall develop a payment methodology for Medicaid Graduate Medical Education payments to state-owned teaching hospitals.

46. Enterprise Data Warehouse. Out of funds appropriated above in Strategy A.2.1, Consolidated System Support, the Health and Human Services Commission (HHSC) may expend $14,899,934 in General Revenue and any associated matching Federal Funds to develop/implement an enterprise data warehouse for data related to Medicaid services, human services, and public health services. In order to ensure maximum accountability, HHSC shall contract with a single vendor for the data warehouse.

HHSC shall submit reports to the Legislative Budget Board and the Governor on September 1, 2009 and September 1, 2010 reflecting actual expenditures and accomplishments to date. The reports shall also reflect an estimate of planned expenditures and accomplishments for the remainder of the 2010-11 biennium.

47. Healthy Marriage Development Program. Out of funds appropriated above in Strategy A.1.2, Integrated Eligibility and Enrollment, the Health and Human Services Commission shall devote $8,435,044 in All Funds, including $6,181,722 in General Revenue Funds and $415,544 in TANF Federal Funds for the biennium to a Healthy Marriage Development Program and similar activities that strengthen families.

48. Physician-administered Biologics and Drugs. To the extent compatible with state and federal law, drugs and biological products are deemed covered benefits of Medicaid if those products are approved for sale by the U.S. Food and Drug Administration and satisfy the criteria of the Omnibus Budget Reconciliation Act of 1990 and the Deficit Reduction Act of 2005. The manufacturers of drugs and biological products which are deemed covered benefits under Medicaid shall obtain a unique HCPCS code of C, Q, or J and a National Drug Code that will enable the state Medicaid office to track the product for the purpose of receiving Medicaid rebates.

HHSC shall develop and make available a process to analyze new, "first-in-class," physician-administered drugs and biological products for the purpose of issuing a Medicaid coverage report or opinion.

For new physician-administered drugs and biological products slated for inclusion in an existing class covered by Medicaid, HHSC shall develop and make available an expedited process to analyze fiscal impact and incremental cost over current drug treatment and therapy.

HHSC shall develop and make available a process for approving new FDA-approved indications of physician-administered drugs and biological products covered by Medicaid.

HHSC may apply any reasonable administrative measures, including medical policy development and utilization controls that it deems prudent as the conditions of coverage that apply to each physician-administered drug or biological product.

49. Medicaid Drug Utilization Review Program. Out of funds appropriated above in Goal B, Medicaid, the Health and Human Services Commission shall develop and submit a report on strategies implemented by the agency after the effective date of this Act to strengthen the Texas Medicaid Drug Utilization Review Program to the Legislative Budget Board and the Governor by December 1, 2009 and provide a follow-up report on December 1, 2010. Each report should include savings realized during the previous fiscal year and anticipated savings for the following fiscal year.

50. Behavioral Health Service Delivery in STAR and STAR+PLUS. Out of funds appropriated above in Goal B, Medicaid, the Health and Human Services Commission shall develop and submit a report on strategies implemented by the agency after the effective date of this Act to improve the transparency and accountability of behavioral health service delivery in STAR and STAR+PLUS Medicaid HMOs to the Legislative Budget Board and the Governor by September 1, 2010.

51. Vendor Drug Program E-prescribing Plan. Out of funds appropriated above in Goal B, Medicaid, the Health and Human Services Commission shall develop an E-prescribing implementation plan, including relevant timeframes and projected expenditures and cost savings per fiscal year, to improve patient safety and to standardize electronic prescribing systems in the state's Vendor Drug Program for the Medicaid and Children's Health Insurance Programs and submit the plan to the Legislative Budget Board and the Governor by January 1, 2010. The Health and Human Services Commission shall also submit a progress report on the E-prescribing implementation plan, including any projected expenditures and cost savings per fiscal year, to the Legislative Budget Board and the Governor by January 1, 2011.

52. SAVERR to TIERS. Out of funds appropriated above in Strategy F.1.1, TIERS & Eligibility Supporting Technologies, the Health and Human Services Commission will convert all the remaining SAVERR cases into the TIERS system, contingent upon receipt of required approval by federal funding partners, no later than August 31, 2011.

53. Appropriations Related to Frew Strategic Initiatives. General Revenue appropriated above in Goal B, Medicaid, for Frew strategic initiatives is contingent on an unexpended balance from fiscal year 2009. The amount of appropriation is limited to the amount of the unexpended balance. Unexpended balances in General Revenue Funds appropriated to the Health and Human Services Commission for Frew strategic initiatives for the fiscal year ending August 31, 2009 (estimated to be $113,000,000) are appropriated to the agency for the fiscal biennium beginning September 1, 2009. This unexpended balance is the remainder of the one-time appropriation of $150,000,000 in General Revenue Funds that was appropriated for Strategic Initiatives for the 2008-09 biennium by the Eightieth Legislature.

54. Medicaid Substance Abuse Treatment.[7] Contingent on passage of Senate Bill 796, or similar legislation relating to substance abuse treatment for adult Medicaid clients, the Health and Human Services Commission shall use funds appropriated above in Goal B, Medicaid, to provide coverage for comprehensive substance abuse treatment services for adult Medicaid clients.

55. Medical Transportation. To the extent allowed by federal and state law, a portion of the funds appropriated above to Strategy B.2.3, Medical Transportation, shall be used to implement a regionalized full-risk brokerage model which utilizes a pre-payment methodology (capitation) to reimburse the broker or brokers. This program will be for all Medicaid non-emergency transportation under the Medical Transportation program in areas of the state that the Commission finds can sustain a regionalized model. To implement this change, the Commission shall apply to the Centers for Medicare and Medicaid Services for a state plan amendment as provided for in the Social Security Act, Section 1902(a)(70), and in accordance with Federal Regulations 42 CFR 440.170(a)(4).

56. FTE Authority during Federally-Declared Disasters. In the event the Health and Human Services Commission determines a need for additional staff related to providing services for federally-declared disasters, the Commission is hereby authorized to increase the number of FTEs, and adjust the agency limitation on FTEs, for this purpose, contingent upon notification to the Legislative Budget Board and the Governor within 30 days of the intent to hire additional staff and quantify the staffing level. Only federal funds may be used to pay salaries and benefits for the FTEs hired for this purpose.

57. Local Reporting on UPL, DSH and Indigent Care Expenditures. Out of funds appropriated above, and as the state Medicaid operating agency, the Health and Human Services Commission shall develop a report that non-state public hospitals, private hospitals, hospital districts, physicians and private administrators shall use to describe any expenditures they make through the Upper Payment Limit (UPL) program, the Disproportionate Share Hospital (DSH) program, and the Indigent Care program. The commission shall determine the format of the report, which must include expenditures by method of finance per year. In addition, the commission annually shall require contracted hospital providers to report payments to entities who provide consultative services regarding revenue maximization under the medical assistance program and any other governmentally funded program, including UPL and DSH. Information included in the reports of payments to entities providing consultative services from contracted hospitals shall include:

a. the total amount of aggregated payments to all such entities by county;

b. the purpose of the payment(s);

c. the source of the payment(s);

d. the program for which consultative services were provided; and

e. any other information the commission believes pertinent.

---

[7] Although Senate Bill 796 did not pass, Article IX, § 17.15 Medicaid Substance Abuse Treatment, directs HHSC to implement provisions of the legislation.

58. Umbilical Cord Blood Bank Funding. Out of funds appropriated above in Strategy A.1.1, Enterprise Oversight and Policy, the Health and Human Services Commission shall use $5,000,000 in General Revenue for the biennium for research and an unrelated donor umbilical cord blood bank, as follows:

a. The Health and Human Services Commission shall enter into a contract with a public cord blood bank in Texas for $4,000,000 for the gathering and retention of umbilical cord blood from live births at its unrelated cord blood bank for the primary purpose of making the umbilical cord blood available for transplant purposes. The blood bank must be accredited by the American Association of Blood Banks and the International Organization of Standardization. Any unexpended balances of these funds remaining as of August 31, 2010, are appropriated to the Health and Human Services Commission for the fiscal year beginning September 1, 2010, for the same purposes.

b. The Health and Human Services Commission shall enter into a contract with a Texas academic health institution for $1,000,000 for the primary purpose of research leading to new cures derived by the usage of stem cells from umbilical cord blood. Such funds shall be used only for research from stem cells obtained from umbilical cord blood from a live birth. Any unexpended balances of these funds remaining as of August 31, 2010, are appropriated to the Health and Human Services Commission for the fiscal year beginning September 1, 2010, for the same purposes.

59. Medicaid Cost Savings. The appropriations made above to the Health and Human Services Commission assume savings estimated to be $107.1 million in General Revenue Funds. The Health and Human Services Commission should consider the following cost savings initiatives in order to achieve these savings.

a. Managed Care

(1) efforts to increase provider participation in managed care networks; and

(2) efforts to achieve additional HMO savings; savings amount may include experience rebates.

b. Medical Transportation: expand use of broker model.

c. Ultra Sound Utilization Project: limit use based on practice guidelines.

d. Managed Care for Disabled Children: improve coordination of acute care for existing recipients.

e. Market Rating of Managed Care Plans: phase-in market rating that considers the acuity of clients served and whether the hospital is TEFRA reimbursed.

f. Third-party Sources: efforts to increase third-party sources of payment for Medicaid payments and Medicaid recipients.

g. Additional Initiatives Identified by the Health and Human Services Commission.

The Commission shall provide a report explaining estimated cost savings measure to be utilized and estimating the savings in General Revenue and All Funds to be achieved during the biennium, including any additional initiatives identified by the Executive Commissioner during the biennium to achieve the targeted savings. The report shall be submitted to the Legislative Budget Board and the Governor by July 1, 2010 prior to implementing any of the saving measures.

60. Nurse Family Partnership Federal Funding. Contingent on receipt of additional Federal Funding specifically for nurse home visitations to families with young children, the Health and Human Services Commission shall budget these funds for the Nurse Family Partnership program in Strategy A.1.1, Enterprise Oversight and Policy.

61. Office of Eligibility Services Staffing. It is the intent of the Legislature that the Executive Commissioner shall ensure that the agency will fill and maintain eligibility staffing at a level necessary to maintain a reasonable workload designed to meet required federal timeliness and reduce error rates.

a. The Health and Human Services Commission is authorized to maintain staffing, supporting technology and indirect costs at the fiscal year 2009 budgeted level of 9,039 full-time equivalents (FTEs). In determining the need for additional funding, the Commission shall take into account increases in contractor costs and supporting technology to be paid from amounts appropriated in Strategy A.1.2, Integrated Eligibility and Enrollment. Upon a determination that the amounts remaining in Strategy A.1.2 are insufficient to maintain the staffing level of 9,039 FTEs, the Health and Human Services Commission is hereby authorized to transfer from General Revenue appropriations made in Goal B, Medicaid to Strategy A.1.2, Integrated Eligibility and Enrollment, an amount not to exceed $55 million for the biennium. The Commission shall notify the Governor, the Legislative Budget Board, and the Comptroller 15 days prior to any proposed funding transfer.

b. The Commission may request to increase its cap by up to 656 FTEs in fiscal year 2010 and up to 822 FTEs in fiscal year 2011 for anticipated workload and caseload growth. Upon a determination that funding in Strategy A.1.2 is insufficient to maintain the costs associated with staffing levels, contractors, supporting technology or any other related costs, the Executive Commissioner may request to transfer from General Revenue appropriations made in Goal B, Medicaid to Strategy A.1.2, Integrated Eligibility and Enrollment, amounts necessary to maintain the support of up to 9,695 FTEs in fiscal year 2010 and up to 9,861 FTEs in fiscal year 2011. The Commission shall request approval from the Governor, the Legislative Budget Board, and the Comptroller at least 30 days prior to any proposed funding transfer. The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

62. Respiratory Syncytial Virus. Out of funds appropriated above, the Health and Human Services Medicaid Vendor Drug Program shall implement a pharmacy payment based on the state's reimbursement methodology approved by the Centers for Medicare and Medicaid (CMS) as of August 31, 2007, minus five percent, for drugs used for the prevention of Respiratory Syncytial Virus in newborns. Prior authorization criteria must be met. In order to ensure full access to Respiratory Syncytial Virus prophylaxis, the Health and Human Service Commission shall ensure that providers are informed of the availability of a variety of specialty pharmacies dispensing Respiratory Syncytial Virus prophylaxis.

63. Dual Diagnosis Pilot. From funds appropriated by this Act, the Health and Human Services Commission is authorized to utilize up to $75,000 per year to provide a grant to a non-profit organization to maintain a pilot project directed at enhancing the well being and care of citizens who are dually diagnosed with mental retardation and mental illness.

64. Women's Health Services Demonstration Project: Savings and Performance Reporting. It is the intent of the Legislature that the Health and Human Services Commission submit an annual report to the Legislative Budget Board and the Governor that includes the following information:

a. enrollment levels of targeted low-income women, including service utilization by geographic region, delivery system, and age;

b. savings or expenditures attributable to enrollment levels as reported in section (a) and;

c. descriptions of all outreach activities undertaken for the reporting period.

65. In-patient Psychiatric Services. The Health and Human Services Commission shall analyze the benefit to the state of modification of the Intensive Psychiatric Treatment Program and establishment of a program for the provision of Medicaid inpatient psychiatric services in Psychiatric Residential Treatment Facilities for child and adolescent Medicaid beneficiaries (as defined in Section 483.354 of the Code of Federal Regulations, Title 42). Contingent upon findings that a Medicaid state plan amendment is cost effective, the Health and Human Services Commission shall seek approval of this amendment and make necessary regulatory changes.

66. Study Regarding the Need for Community Support and Residential Services for Individuals Suffering from Acquired Brain Injury.

a. It is the intent of the legislature that, out of General Revenue funds appropriated above, the executive commissioner of the Health and Human Services Commission conduct a study, not later than September 1, 2010, regarding the need for a system of community support and residential services for individuals suffering from acquired brain injury. The study must, at a minimum:

(1) evaluate current services and supports provided by the state to persons suffering from acquired brain injury;
(2) assess the need in this state for community support and residential services to persons suffering from acquired brain injury;

(3) ascertain opportunities available to this state to draw down federal funds for individuals with acquired brain injury for whom the state currently provides services and supports through general revenue funds; and

(4) determine the feasibility and cost-effectiveness of implementing a system of community support and residential services through either a Medicaid state plan amendment or medical assistance waiver for persons with acquired brain injury.

b. The executive commissioner of the Health and Human Services Commission shall submit the results of the study described above to the Governor, Lieutenant Governor, Speaker of the House of Representatives, and the chairs of the Senate Committee on Health and Human Services and the House Committee on Public Health.

67. Fiscal Accountability for Programs for Persons with Intellectual or Developmental Disabilities. Contingent upon the implementation of a rate enhancement system or other appropriate financial performance standards for programs for persons with intellectual or developmental disabilities to ensure prudent use of funding appropriated by this Act, the Health and Human Services Commission is authorized to discontinue fiscal accountability spending requirements. If, before implementing this provision, the Commission determines that a waiver or authorization from a federal agency is necessary for implementation, the commission shall request the waiver or authorization and may delay implementing this provision until the waiver or authorization is granted.

68. Reimbursement of Acute Care Hospital Services.

a. The Legislature finds that the standard dollar amounts currently used to reimburse acute care hospitals for medical assistance were established under a methodology that is no longer current and does not adequately reflect changes in federal and state laws, regulations, allowable costs, and current economic factors. The Legislature also finds that such standard dollar amounts were determined using cost data that is outdated and therefore does not reflect current costs of providing such medical assistance.

b. Accordingly, the commission shall ensure that the amounts paid to each acute care hospital for medical assistance, as determined by the standard dollar amount for the hospital and diagnostic related group factors established by the commission in accordance with state law, are proportionately adjusted for each hospital in accordance with:

(1) the most current cost data available for each acute care hospital;

(2) the amount of funds appropriated elsewhere in this Act for such purpose;

(3) consistent with the requirements of federal law and the state plan for medical assistance, regional differences, if any, in the cost of providing medical assistance; and

(4) changes to the new system cannot result in expenditures higher than what the previous methodology would have provided.

69. Hemophilia Reimbursement Rates. Contingent upon approval from the Centers for Medicare and Medicaid Services (CMS), the Health and Human Services Commission (HHSC) shall amend the reimbursement methodology provided under the Vendor Drug Program for blood factor

products by adding a $0.05 furnishing fee to each unit of factor reimbursed in a prescription claim. The furnishing fee will be added to the existing dispensing fee methodology.

70. Healthy Marriage Program: Performance Report. Out of funds appropriated above in Strategy A.1.2, Integrated Eligibility and Enrollment, for the Healthy Marriage Program, the Health and Human Services Commission (HHSC) shall provide an annual report to the Legislative Budget Board, Governor, Senate Finance Committee, House Appropriations Committee, Senate Health and Human Services Committee, and House Human Services Committee that includes the following data elements for the past fiscal year:

a. unduplicated number of couples who received services;

b. unduplicated number of couples who requested services, but did not receive them;

c. amount of expenditures on direct care, broken out by type of service;

d. amount of expenditures not related to direct care, broken out by category.

The report shall be submitted October 15 of each year of the biennium in a format specified by the Legislative Budget Board.

RETIREMENT AND GROUP INSURANCE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1, 2]		
General Revenue Fund, estimated	$ 274,589,910	$ 297,411,736
General Revenue Dedicated Accounts, estimated	5,557,264	5,950,601
Federal Funds, estimated	222,445,253	236,072,109
Other Special State Funds, estimated	410,975	732,513
Total, Method of Financing	$ 503,003,402	$ 540,166,959
Items of Appropriation:		
A. Goal: EMPLOYEES RETIREMENT SYSTEM		
A.1.1. Strategy: RETIREMENT CONTRIBUTIONS[1] Retirement Contributions. Estimated.	$ 113,281,253	$ 115,635,013
A.1.2. Strategy: GROUP INSURANCE[2] Group Insurance. Estimated.	$ 389,722,149	$ 424,531,946
Total, Goal A: EMPLOYEES RETIREMENT SYSTEM	$ 503,003,402	$ 540,166,959
Grand Total, RETIREMENT AND GROUP INSURANCE	$ 503,003,402	$ 540,166,959

[1] Incorporates Article IX, § 17.02(a), of this Act, relating to additional appropriations for employee benefits, which increases Retirement benefits proportionally with the number of full-time equivalents increased in agency bill patterns, resulting in increases of $569,664 in General Revenue Funds, $438,084 in Federal Funds, and $113,004 in Other Funds in FY 2010; and increases of $877,200 in General Revenue Funds, $627,456 in Federal Funds, and $191,952 in Other Funds in FY 2011.

[2] Incorporates Article IX, § 17.02(a), of this Act, relating to additional appropriations for employee benefits, which increases Group Insurance benefits proportionally with the number of full-time equivalents increased in agency bill patterns, resulting in increases of $1,502,101 in General Revenue Funds, $1,155,148 in Federal Funds, and $297,971 in Other Funds in FY 2010; and increases of $2,470,302 in General Revenue Funds, $1,766,993 in Federal Funds, and $540,561 in Other Funds in FY 2011.

SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund, estimated	$ 85,277,054	$ 86,997,574
General Revenue Dedicated Accounts, estimated	3,168,606	3,198,791
Federal Funds, estimated	75,123,575	75,214,571
Other Special State Funds, estimated	178,704	227,664
Total, Method of Financing	$ 163,747,939	$ 165,638,600
Items of Appropriation:		
A. Goal: SOCIAL SECURITY/BENEFIT REPLACEMENT		
Comptroller - Social Security.		
A.1.1. Strategy: STATE MATCH – EMPLOYER[1]	$ 149,918,818	$ 152,500,936
State Match — Employer. Estimated.		
A.1.2. Strategy: BENEFIT REPLACEMENT PAY	$ 13,829,121	$ 13,137,664
Benefit Replacement Pay. Estimated.		
Total, Goal A: SOCIAL SECURITY/BENEFIT REPLACEMENT	$ 163,747,939	$ 165,638,600
Grand Total, SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY	$ 163,747,939	$ 165,638,600

[1] Incorporates Article IX, § 17.02(a), of this Act, relating to additional appropriations for employee benefits, which increases Social Security benefits proportionally with the number of full-time equivalents increased in agency bill patterns, resulting in increases of $900,864 in General Revenue Funds, $692,784 in Federal Funds, and $178,704 in Other Funds in FY 2010; and increases of $1,040,400 in General Revenue Funds, $744,192 in Federal Funds, and $227,664 in Other Funds in FY 2011.

BOND DEBT SERVICE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 30,638,658	$ 29,279,710
Federal Funds	2,362,984	2,361,154
Other Funds		
MH Collections for Patient Support and Maintenance	112,122	112,122
MH Appropriated Receipts	15,828	15,828
MR Collections for Patient Support and Maintenance	120,063	120,063
MR Appropriated Receipts	16,949	16,949
Subtotal, Other Funds	$ 264,962	$ 264,962
Total, Method of Financing	$ 33,266,604	$ 31,905,826
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: BOND DEBT SERVICE	$ 33,266,604	$ 31,905,826 & UB
To Texas Public Finance Authority for Payment of Bond Debt Service.		
Grand Total, BOND DEBT SERVICE PAYMENTS	$ 33,266,604	$ 31,905,826

LEASE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 7,526,864	$ 6,349,892
Total, Method of Financing	$ 7,526,864	$ 6,349,892
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: LEASE PAYMENTS	$ 7,526,864	$ 6,349,892 & UB
To TFC for Payment to TPFA.		
Grand Total, LEASE PAYMENTS	$ 7,526,864	$ 6,349,892

SPECIAL PROVISIONS RELATING TO ALL HEALTH AND HUMAN SERVICES AGENCIES

Sec. 2. Night Shift and Weekend Differential.

a. Clinical and Support Personnel. The Department of State Health Services and the Department of Aging and Disability Services are authorized to pay an additional night shift salary differential not to exceed 15 percent of the monthly pay rate to personnel who work the 3:00 p.m. to 11:00 p.m. or the 11:00 p.m. to 7:00 a.m. shift or its equivalent. A weekend shift salary differential not to exceed 5 percent of the monthly pay rate may be paid to persons who work weekend shifts. The evening or night shift salary differential may be paid in addition to the weekend shift salary differential for persons working weekend, evening, or night shifts.

b. Data Processing Personnel. The Department of State Health Services, the Department of Aging and Disability Services, the Department of Family and Protective Services, the Health and Human Services Commission, and the Health and Human Services Consolidated Print Shop may pay an evening or night shift salary differential not to exceed 15 percent of the monthly pay rate to personnel in data processing or printing operations who work the 3:00 p.m. to 11:00 p.m. shift or 11:00 p.m. to 7:00 a.m. shift, or their equivalents. A weekend shift salary differential not to exceed 5 percent of the monthly pay rate may be paid to persons who work weekend shifts. The evening or night shift salary differential may be paid in addition to the weekend shift salary differential for persons working weekend, evening, or night shifts.

c. Statewide Intake Personnel. The Department of Family and Protective Services is authorized to pay an evening or night shift salary differential not to exceed 15 percent of the monthly pay rate to Statewide Intake personnel who work the 3:00 p.m. to 11:00 p.m. shift or 11:00 p.m. to 7:00 a.m. shift, or their equivalents. A weekend shift salary differential not to exceed 5 percent of the monthly pay rate may be paid to persons who work weekend shifts. The evening or night shift salary differential may be paid in addition to the weekend shift salary differential for persons working weekend, evening, or night shifts.

Sec. 3. Services to Employees. Out of the appropriations authorized, the Department of State Health Services and Department of Aging and Disability Services may expend funds for the provision of first aid or other minor medical attention for employees injured in the course and scope of their employment and for the repair and/or replacement of employees' items of personal property which are damaged or destroyed in the course and scope of their employment so long as such items are medically prescribed equipment. Expenditures for such equipment may not exceed $500 per employee per incident.

Sec. 4. Charges to Employees and Guests. Collections for services rendered employees and guests shall be made by a deduction from the recipient's salary or by cash payment in advance. Such deductions and other receipts for these services from employees and guests are hereby appropriated to the facility. Refunds of excess collections shall be made from the appropriation to which the collection was deposited.

As compensation for services rendered and notwithstanding any other provision in this Act, any facility under the jurisdiction of the Department of State Health Services or the Department of Aging and

Disability Services may provide free meals for food service personnel and volunteer workers, and may furnish housing facilities, meals, and laundry service in exchange for services rendered by interns, chaplains in training, and student nurses.

Sec. 5. New or Additional Facilities. No funds appropriated may be spent for constructing new or additional facilities or for the purchase of sites without specific authorization of the Legislature. All facilities shall be kept where they are located by the Legislature, and all new buildings to be constructed shall be on these sites unless otherwise specifically authorized by the Legislature. For the purpose of this subsection, specific authorization may be granted either by basic statute or special authorization in this Act.

Sec. 6. Revolving Petty Cash Funds. Each facility under the jurisdiction of the Department of State Health Services or the Department of Aging and Disability Services may establish a petty cash fund to be maintained in cash or at a local bank. The petty cash fund, not to exceed $25,000, shall be used only for making emergency payments and small purchases which will increase the efficiency of the operation; for payments to client workers on a regular payday basis; for use as change funds in specific locations where financial activities of the agency require a change fund; and for supplies and equipment purchases for sheltered workshops.

Sec. 7. Federal Match Assumptions and Limitations on Use of Available General Revenue Funds.

a. **Federal Match Assumptions.** The following percentages reflect federal match assumptions used in Article II of this Act.

Federal Medical Assistance Percentage (FMAP)

	2010	2011
Federal Fiscal Year	58.73%	58.29%
State Fiscal Year	58.79%	58.33%

Enhanced Federal Medical Assistance Percentage (EFMAP)

	2010	2011
Federal Fiscal Year	71.11%	70.80%
State Fiscal Year	71.15%	70.83%

b. **Limitations on Use of Available General Revenue Funds.** In the event the actual FMAP and EFMAP should be greater than shown in section (a), the health and human services agencies listed in Chapter 531, Government Code, are authorized to expend the General Revenue Funds thereby made available only upon prior written approval from the Legislative Budget Board and Governor.

To request authorization to expend available General Revenue Funds, an agency shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information, by fiscal year:

(1) a detailed explanation of the proposed use(s) of the available General Revenue Funds and whether the expenditure(s) will be one-time or ongoing;

(2) the amount available by strategy;

(3) the strategy(ies) in which the funds will be expended and the associated amounts, including any matching federal funds;

(4) an estimate of performance levels and, where relevant, a comparison to targets included in this Act; and

(5) the capital budget and/or full-time equivalent impact.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issue a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the expenditure of General Revenue Funds made available if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

Sec. 8. Contracts for Purchase of Client Services. No funds appropriated to an agency covered by this article may be utilized for contracts for the purchase of program-related client services unless:

a. such contracts include clearly defined goals, outputs, and measurable outcomes which directly relate to program objectives;

b. such contracts include clearly defined sanctions or penalties for noncompliance with contract terms and conditions;

c. such contracts specify the accounting, reporting, and auditing requirements applicable to funds received under the contract;

d. the agency has implemented a formal program using a risk assessment methodology to monitor compliance with financial and performance requirements under the contract, including a determination of whether performance objectives have been achieved; and

e. the agency has implemented a formal program to obtain and evaluate program costs information to ensure that all costs, including administrative costs, are reasonable and necessary to achieve program objectives.

Sec. 9. Attorney General Representation. The Attorney General and the respective head of the Health and Human Services Commission or a health and human services agency listed in Chapter 531, Government Code, are hereby authorized to use the funds appropriated above to jointly select one or more Assistant Attorneys General to be assigned to the respective agency.

Sec. 10. Medicaid Managed Care Contracts. Regarding the use of funds appropriated elsewhere in this Act for payment of managed care contracts, the Health and Human Services Commission and the health and human services agencies listed in Chapter 531, Government Code, shall include and award value added points in the scoring of applications submitted for Medicaid managed care contracts. At a minimum, the following considerations are to be considered as items for value added points:

a. Continuity of care for the Medicaid client;
b. Graduate Medical Education as part of the delivery system;
c. Amount of charity care provided by the party applying for a contract award; and
d. Inclusion of prompt pay provisions for provider payments.

Sec. 11. Limitations on Transfer Authority. Notwithstanding the general transfer provisions of this Act, but in concert with agency-specific limitations on transfer authority in this Article, the Executive Commissioner of the Health and Human Services Commission is authorized to make transfers of funding, full-time equivalents (FTEs), and capital budget authority within and between health and human services agencies as listed in Chapter 531, Government Code, subject to the prior written approval of the Legislative Budget Board and the Governor. No single transfer may exceed 12.5 percent of the originating strategy's appropriation for funding or FTEs for the fiscal year.

To request a transfer, the Executive Commissioner of the Health and Human Services Commission shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

a. a detailed explanation of the purpose(s) of the transfer, including the following:

(1) a description of each initiative with funding and FTE information by fiscal year; and

(2) an indication of whether the expenditure will be one-time or ongoing.

b. the names of the originating and receiving agencies and/or strategies and the method of financing and FTEs for each strategy by fiscal year;

c. an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving agencies and/or strategies; and

d. the capital budget impact.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The Comptroller of Public Accounts shall not allow the transfer of funds if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

In the case of disaster or other emergency, this provision is superseded by the emergency-related transfer authority in Article IX of this Act.

Sec. 12. Payment for Compensatory Time. It is expressly provided that the Department of State Health Services and the Department of Aging and Disability Services, to the extent permitted by law, may pay FLSA non-exempt employees of state mental health and mental retardation facilities on a straight-time basis for work on a holiday or for regular compensatory time hours when the taking of regular compensatory time off would be disruptive to normal business functions. In addition, any health and human service agency, with the explicit approval of the Health and Human Services Executive Commissioner, to the extent permitted by law, may pay FLSA non-exempt employees required to provide support during a federally declared disaster on a straight-time basis for work on a holiday or for regular compensatory time hours when the taking of regular compensatory time off would be disruptive to normal business functions.

Sec. 13. Access to Health Care Services. It is the intent of the Legislature that all agencies administering or responsible for any part of the medical assistance program under Chapter 32, Human Resources Code or listed in Chapter 531, Government Code, use the funds appropriated by this Act to work together to maximize the number of providers, including providers of pediatric care, primary care, nursing home care, and home health services to promote access to quality health care services for all enrollees.

Sec. 14. Medicaid Informational Rider.[1] This rider is informational only and does not make any appropriations. The Health and Human Services Commission is the single state agency for Title XIX, the Medical Assistance Program (Medicaid) in Texas. Other agencies receive appropriations for and responsibility for the operations of various Medicaid programs. Appropriations made elsewhere in this Act and certain appropriations made in House Bill 4586, Eighty-first Legislature, related to the Medicaid program include the following:

Agency Name	**FY 2010**	**FY 2011**
Department of Aging and Disability Services	$6,205,722,826	$6,267,709,624

[1] Incorporates certain Article IX adjustments and contingency appropriations. Also incorporates HB 4586, 81st Legislature, Regular Session. Appropriations related to HB 4586 are subject to the appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to General Provisions contained in Article IX of SB 1, 81st Legislature, 2009.

Department of Assistive and Rehabilitative Services	74,688,630	79,760,440
Department of Family and Protective Services	20,593,944	20,675,778
Department of State Health Services	171,586,284	170,410,003
Health and Human Services Commission	15,811,441,567	16,081,151,347
Article II, Special Provisions	0	0
Total, Medical Assistance Program	**$22,284,033,251**	**$22,619,707,192**

Method of Financing:

General Revenue for Medicaid	$8,949,921,821	$9,243,209,168
Tobacco Settlement Receipts for Medicaid	236,092,691	227,410,026
Subtotal, General Revenue Funds	9,186,014,512	9,470,619,194
General Revenue - Dedicated	62,149,979	61,649,979
Federal Funds	12,942,855,738	12,994,424,995
Interagency Contracts	2,169,092	2,169,092
Medicaid Subrogation Receipts	38,417,543	38,417,543
Appropriated Receipts--Match for Medicaid	31,669,354	31,669,354
MR Collections for Patient Support and Maintenance	20,757,033	20,757,035
Subtotal, Other Funds	93,013,022	93,013,024
Total, All Funds	**$22,284,033,251**	**$22,619,707,192**

Sec. 15. Caseload and Expenditure Reporting Requirements.

a. **Quarterly Forecasts**. The Health and Human Services Commission, in cooperation with operating agencies, shall submit to the Legislative Budget Board and the Governor, at the end of each fiscal quarter, reports projecting anticipated caseload and prescription drug data and related expenditure amounts for the 36 month period beginning with the first month after the reports are due, for the following programs:

(1) Medicaid (acute and long-term care);
(2) Medicare;
(3) Children's Health Insurance Program (CHIP) and related programs;
(4) Temporary Assistance for Needy Families;
(5) Children with Special Health Care Needs;
(6) Foster care and adoption subsidies;
(7) Early Childhood Intervention Services; and
(8) Other programs upon request of the Legislative Budget Board or the Governor.

The reports shall be prepared in a format specified by the Legislative Budget Board.

b. **Monthly Data.** The Health and Human Services Commission, in cooperation with operating agencies, shall submit to the Legislative Budget Board and the Governor, at the end of each month, caseload and prescription drug data and related expenditure amounts for the programs identified in subsection (a) for at least the preceding 36 months. The data shall be submitted in a format specified by the Legislative Budget Board.

c. Each report submitted to the Legislative Budget Board and the Governor pursuant to this provision must be accompanied by supporting documentation detailing the sources and methodologies utilized to develop any caseload or cost projections contained the report and any other supporting material specified by the Legislative Budget Board and the Governor.

d. Each report submitted pursuant to this provision must contain a certification by the person submitting the report that the information provided is true and correct based upon information and belief together with supporting documentation.

e. The Comptroller of Public Accounts shall not allow the expenditure of funds appropriated by this Act to the Health and Human Services Commission if the Legislative Budget Board and the Governor certify to the Comptroller of Public Accounts that the Health and Human Services Commission is not in compliance with this provision.

In the event that the forecasting function is transferred to another health and human services agency listed in Chapter 531, Government Code, the requirement for the Health and Human Services Commission to provide quarterly forecasts under subsection (a), monthly data under subsection (b), or supporting documentation under subsection (c) shall apply to the other health and human services agency.

Sec. 16. Rate Limitations and Reporting Requirements. Notwithstanding other provisions of this Act, the use of appropriated funds for a rate paid by a health and human services agency as listed in Chapter 531, Government Code, shall be governed by the specific limitations included in this provision.

For purposes of this provision, "rate" is defined to include all provider reimbursements (regardless of methodology) that account for significant expenditures by a health and human services agency. Additionally, estimates of fiscal impacts should be based on the most current caseload forecast submitted by the Health and Human Services Commission pursuant to other provisions in this Act and should specify General Revenue Funds, TANF Federal Funds, and All Funds. Fiscal estimates that impact multiple risk groups may be reported at an aggregate level.

a. **Notice of Initial Rates**. No later than September 1 of each fiscal year, the Executive Commissioner of the Health and Human Services Commission shall submit the following information in writing to the Legislative Budget Board, the Governor, and the State Auditor:

(1) a list of each rate in effect on September 1 of the fiscal year and each rate in effect at the beginning and the end of the prior fiscal year;

(2) an estimate of the fiscal impact, by agency and by year, for each rate change listed for subsection (1); and

(3) a schedule and description of the rate-setting process for all rates listed for subsection (1).

b. **Notice of New or Revised Rates**. At least 30 calendar days prior to the payment of a rate not initially reported in section (a) or to increase a rate that would have an annual fiscal impact greater than $1,000,000 in General Revenue-related funds or TANF Federal Funds or other non-matching federal funds for the 2010-11 biennium, the Executive Commissioner of the Health and Human Services Commission shall submit the following information in writing to the Legislative Budget Board, the Governor, and the State Auditor:

(1) a list of each new rate and/or each rate that will be increased, including the current and proposed rate;

(2) an estimate of the fiscal impact, by agency and by year, for each rate listed for subsection (1);

(3) a schedule and description of the rate-setting process, if different from the original submission as required by section (a); and

(4) an explanation of the factors related to each rate listed for subsection (1).

c. **Limitation on Rates that Exceed Appropriated Funding**. Without the prior written approval of the Legislative Budget Board and the Governor, no agency listed in Chapter 531, Government Code, may pay a rate that would result in expenditures that exceed, in any fiscal year, the amounts appropriated by this Act to a strategy for the services to which the rate applies, unless the reimbursement level was in effect prior to September 1, 2009.

To request authorization for such a rate, the Executive Commissioner of the Health and Human Services Commission shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

(1) a list of each new rate and/or each rate for which an increase is proposed;

(2) an estimate of the fiscal impacts of the new rate and/or rate increase, by agency and by fiscal year; and

(3) the amount of General Revenue Funds, TANF Federal Funds, and All Funds, by fiscal year, by which each rate would exceed appropriated funding for each fiscal year.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the request for authorization for the rate and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

d. Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. Notifications, requests and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

e. The Office of the State Auditor may review the fiscal impact information provided under sections (a) through (c) along with supporting documentation, supporting records, and justification for the rate increase provided by the Health and Human Services Commission and report back to the Legislative Budget Board and the Governor before the rate is implemented by the Health and Human Services Commission or operating agency.

f. The Comptroller of Public Accounts shall not allow the expenditure of funds for a new or increased rate if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

Sec. 17. Audit of Medicaid Funds. All transactions involving the payment, transfer, or investment of any funds of the Title XIX Medicaid program for the state by any non-governmental entity shall be subject to audit by the State Auditor's Office.

Sec. 18. Mental Health (MH) and Mental Retardation (MR) Collections for Patient Support and Maintenance.

a. **Definitions.** For the purposes of this section and appropriation authority for the Department of State Health Services and the Department of Aging and Disability Services: (1) MH Collections for Patient Support and Maintenance are defined as reimbursements received for health and other services provided to individuals in state hospitals from third party payers including insurance companies, clients, relatives, trusts and estates, and government retirement benefit programs including the U.S. Civil Service, Federal Railroad, State, Social Security, Teacher and Veteran's Administration and (2) MR Collections for Patient Support and Maintenance are defined as reimbursements received for health and other services provided to individuals in state operated intermediate care facilities for the mentally retarded (ICF-MR) and state schools from third party payers including insurance companies, clients, relatives, trusts and estates, and government retirement benefit programs including the U.S. Civil Service, Federal Railroad, State, Social Security, Teacher and Veteran's Administration.

b. **Classification for depositing revenues and reporting of expenditures.** For the purpose of revenue classification for depositing and expending certain collections related to the support and maintenance of patients in state mental health and mental retardation

facilities, the following Revenue Object Codes as defined by the Comptroller of Public Accounts shall be used for recording collections, reporting expenditures, and requesting legislative appropriations by the Department of State Health Services and the Department of Aging and Disability Services:

(1) Revenue Object Codes 3595, 3606, 3614, and 3618 as defined by the Comptroller of Public Accounts shall be used to record collections and deposits from the above defined sources into the General Revenue Fund:

(i) 3595: Medical Assistance Cost Recovery
(ii) 3606: Support and Maintenance of Patients
(iii) 3614: Counseling, Care and Treatment of Outpatients
(iv) 3618: Welfare/MHMR Service Fees (Child Support)

(2) Automated Budget and Evaluation System of Texas (ABEST) Method of Financing Code 8031- MH Collections for Patient Support and Maintenance, and ABEST Method of Financing Code 8095 - MR Collections for Patient Support and Maintenance, shall be used to report expenditures and request legislative appropriations from collections/deposits related to the support and maintenance of patients in state mental health and mental retardation facilities made to Revenue Object Codes 3595, 3606, 3614, and 3618.

c. **Appropriation authority and accounting for expenditures of MH and MR Collections for Patient Support and Maintenance.** The Department of State Health Services and the Department of Aging and Disability Services are authorized to receive and expend MH and MR Collections for Patient Support and Maintenance as a first source, and general revenue shall be used as a second source, to support mental health state hospitals and state operated intermediate care facilities for the mentally retarded (ICF-MR). In the event that these revenues should be greater than the amounts identified in the method of financing above as MH and MR Collections for Patient Support and Maintenance, the departments are hereby appropriated and authorized to expend these state funds hereby made available. The expenditure of MH and MR Collections for Patient Support and Maintenance is subject to the following requirements:

(1) Amounts available shall be expended prior to utilization of any general revenue available for the same purpose;

(2) In the event general revenue has been expended prior to the receipt of MH and MR Collections for Patient Support and Maintenance, the departments shall reimburse general revenue upon receipt of the revenue. This process shall be completed on a monthly basis in order to maintain a minimum balance on hand in excess MH and MR Collections for Patient Support and Maintenance; and

(3) The departments shall report monthly to the Legislative Budget Board, Comptroller of Public Accounts, and Governor on MH and MR Collections for Patient Support and Maintenance, expenditures and anticipated revenues and balances.

d. **Responsibility for proportionate share of indirect costs and benefits.** The Department of State Health Services and the Department of Aging and Disability Services shall ensure that MH and MR Collections for Patient Support and Maintenance fund their proportionate share of benefits and statewide allocated indirect costs as required and directed in Article IX of this act.

e. **Exclusive appropriation authority.** The preceding subsections of this rider shall be the exclusive appropriation authority for receipts from the above identified sources and none of these receipts shall be appropriated by a provision of Article IX of this Act.

Sec. 19. General Revenue Funds for Medicaid Mental Health and Mental Retardation Services. For the purposes of this section and appropriation authority for the Medicaid mental health and mental retardation program responsibilities of the Department of State Health Services and the Department of Aging and Disability Services, the following subsections provide governance relating to appropriate use, classification and expenditure of funds.

a. **General Revenue Match for Medicaid.** ABEST Method of Financing Code 758 - GR Match for Medicaid shall be used to report general revenue expenditures and request general revenue appropriations for the state's share of Medicaid payments for the following Medicaid mental health and mental retardation services:

(1) Community-based Intermediate Care Facilities for the Mentally Retarded (ICF-MR) that are privately operated through contractual arrangements between private providers and the Department of Aging and Disability Services;

(2) Community-based Intermediate Care Facilities for the Mentally Retarded (ICF-MR), also known as Bond Homes, that are operated by the Department of Aging and Disability Services;

(3) Home and Community-based Services (HCS) authorized by a 1915(c) federal waiver and provided through contractual arrangements between private providers and the Department of Aging and Disability Services;

(4) Home and Community-based Services - Omnibus Budget Reconciliation Act of 1981 (HCS-O) authorized by a 1915(c) federal waiver and provided through contractual arrangements between private providers and the Department of Aging and Disability Services;

(5) Texas Home Living services authorized by a 1915(c) federal waiver and provided through contractual arrangements between private providers and the Department of Aging and Disability Services;

(6) Mental Retardation Local Authority (MRLA) waiver services;

(7) Mental health services provided through contracts with Behavioral Health Organizations as a component of the NorthSTAR Project; and

(8) Salaries and operating costs related to direct program administration and indirect administration of the departments.

b. **General Revenue Certified as Match for Medicaid**. The Department of State Health Services and the Department of Aging and Disability Services shall use ABEST Method of Financing code 8032 - General Revenue Certified Match for Medicaid to identify general revenue funds requested and reported as expended for the purpose of drawing federal funds and to document that State funds have been spent for Medicaid mental health and mental retardation services and administrative expenditures for the following services:

(1) Intermediate care facilities for the mentally retarded that are operated by the State and known as "state schools";

(2) Services delivered in mental health state hospitals operated by the Department of State Health Services including inpatient services for clients under the age of 21 and services that qualify under the federally approved Institutions for Mental Diseases (IMD) option for clients over the age of 65;

(3) Rehabilitation Services as approved in the State Medicaid Plan which are provided by Mental Health Authorities and Mental Retardation Authorities;

(4) Targeted Case Management Services as approved in the State Medicaid Plan provided by Mental Health Authorities and Mental Retardation Authorities;

(5) Service Coordination Services as approved in the State Medicaid Plan provided by Mental Health Authorities and Mental Retardation Authorities; and

(6) Medicaid Administrative Claims as approved in the State Medicaid Plan which are based on certain activities of Mental Health Authorities and Mental Retardation Authorities.

c. **Reporting requirements related to General Revenue Matching Funds for Medicaid Mental Health and Mental Retardation Services.** The Department of State Health Services and the Department of Aging and Disability Services shall report monthly to the Legislative Budget Board, Comptroller of Public Accounts and Governor on the expenditures of General Revenue for Medicaid federal matching purposes by the method of financing codes identified above and the amounts of local, non-profit expenditures certified as state match for Medicaid federal funds by the departments for services provided by Mental Health Authorities and Mental Retardation Authorities.

d. **Medicaid Federal Funds.** The Department of State Health Services and the Department of Aging and Disability Services shall report their expenditures and request legislative appropriations for federal Medicaid matching funds for client services, program administration and agency indirect administration. Automated Budgeting and Evaluation System of Texas (ABEST) Method of Financing Code (MOF) 555 and Medicaid CFDA 93.778 shall be used for the following:

(1) Federal funds drawn from the U.S. Centers for Medicare and Medicaid Services (CMS) using general revenue funds classified as General Revenue Match for Medicaid (ABEST MOF Code 758), General Revenue Certified as Match for Medicaid (ABEST MOF Code 8032), Tobacco Settlement Receipts Match for Medicaid (ABEST MOF Code 8024) or Tobacco Receipts Certified as Match for Medicaid (ABEST MOF Code 8023);

(2) Federal funds drawn from CMS using the departments' certification of local, non-profit expenditures made by the Mental Health Authorities and Mental Retardation Authorities on behalf of Medicaid-eligible individuals;

(3) Federal funds received from CMS for services rendered to certain Medicaid-eligible individuals over the age of 65 by federally recognized Institutions for Mental Diseases (IMD Medicaid option) based on billings from mental health state hospitals operated by the Department of State Health Services to the claims processing agent for the Texas Medicaid program in its capacity as the State's fiscal agent for certain Medicaid payments; and

(4) Federal funds received from CMS for general Medicaid health services including the Comprehensive Care Program for children based on billings from the state mental health and mental retardation facilities operated by the Department of State Health Services and the Department of Aging and Disability Services to the claims processing agent for the Texas Medicaid program in its capacity as the State's fiscal agent for certain Medicaid payments.

e. **Appropriation authority and accounting for Federal Funds for Medicaid Mental Health and Mental Retardation Services.** Amounts defined as Medicaid Federal Funds shall be used as a first source, and general revenue which was not used as matching funds shall not be used to fund Medicaid eligible services. In the event that these revenues should be greater than the amounts included above in Federal Funds for mental health and mental retardation services for the Department of State Health Services and the Department of Aging and Disability Services, the departments are hereby appropriated and authorized to expend these federal funds made available, subject to the following requirements:

(1) Amounts made available shall be expended prior to utilization of any general revenue made available for the same purpose;

(2) In the event general revenue has been expended prior to the receipt of Medicaid Federal Funds, the departments shall reimburse general revenue upon receipt of the revenue. This process shall be completed on a monthly basis in order to not have an excess balance of Medicaid Federal Funds; and

(3) The departments shall report monthly to the Legislative Budget Board, Comptroller of Public Accounts and Governor on the amounts of Medicaid Federal Funds drawn and expended.

f. **Responsibility for proportionate share of indirect costs and benefits**. Nothing in this provision shall exempt the departments from provisions of Article IX of this Act which apply equally to direct recoveries of benefits and indirect costs and to amounts recovered through an approved rate structure for services provided. Specifically, the departments do not have appropriation authority for Medicaid federal funds claimed on behalf of services provided by other agencies, including:

(1) Health and retirement services for active and retired Department of State Health Services and Department of Aging and Disability Services employees paid by the Employee Retirement System;

(2) Social Security payments, salary increases authorized in General Provisions, and Benefit Replacement Pay for Department of State Health Services and Department of Aging and Disability Services employees paid by the Comptroller of Public Accounts;

(3) Debt service amounts paid on behalf of the Department of State Health Services and Department of Aging and Disability Services by the Texas Public Finance Authority; and

(4) Indirect cost allocation plans negotiated with CMS for the purposes of the State-wide Cost Allocation Plan (SWCAP).

g. **Exclusive Appropriation Authority.** The preceding subsections of this provision shall be the exclusive appropriation authority for Medicaid mental health and mental retardation services Federal Fund receipts from the above identified sources and none of these receipts shall be appropriated by a provision of Article IX of this Act.

Sec. 20. Mental Health (MH) and Mental Retardation (MR) Appropriated Receipts.

a. **Definition.** For the purposes of this section and appropriation authority for the Department of State Health Services and the Department of Aging and Disability Services, MH Appropriated Receipts are defined as revenues from state mental health facilities deposited by the Department of State Health Services into the following Revenue Object Codes as defined by the Comptroller of Public Accounts, and MR Appropriated Receipts are defined as revenues from state mental retardation facilities deposited by the Department of Aging and Disability Services into the following Revenue Object Codes as defined by the Comptroller of Public Accounts:

(1) 3628: Dormitory, Cafeteria & Merchandise Sale
(2) 3719: Fees for Copies or Filing of Records
(3) 3722: Conference, Seminar, and Training Registration Fees
(4) 3738: Grants-Cities/Counties
(5) 3739: Grants-Other Political Subdivisions
(6) 3740: Grants/Donations-Operating/Capital Grants and Contributions
(7) 3747: Rental - Other
(8) 3750: Sale of Furniture and Equipment
(9) 3752: Sale of Publication/Advertising (General)
(10) 3754: Other Surplus or Salvage Property/Material Sales
(11) 3767: Supplies/Equipment/Services/Federal/Other (General)
(12) 3769: Forfeitures
(13) 3773: Insurance & Damages
(14) 3802: Reimbursements-Third Party
(15) 3806: Rental of Housing to State Employees

b. **Reporting.** ABEST Method of Financing Code 8033 - MH Appropriated Receipts, and ABEST Method of Financing Code 8096 - MR Appropriated Receipts, shall be used to report expenditures and request legislative appropriations for state mental health and mental retardation facilities from the Revenue Object Codes identified above.

c. **Appropriation authority and accounting for MH and MR Appropriated Receipts.** Amounts defined as MH and MR Appropriated Receipts shall be deposited into the General Revenue Fund according to the identified Revenue Object Codes above. The

Department of State Health Services and the Department of Aging and Disability Services are authorized to receive and expend MH and MR Appropriated Receipts as a first source, and General Revenue shall be used as a second source. In the event that these revenues should be greater than the amounts identified in the method of financing above as MH and MR Appropriated Receipts, the departments are hereby appropriated and authorized to expend these state funds hereby made available. The expenditure of MH and MR Appropriated Receipts is subject to the following requirements:

(1) Amounts available shall be expended prior to utilization of any General Revenue available for the same purpose. In the event General Revenue must be expended, the agency will provide prior notification to the Legislative Budget Board and the Governor;

(2) In the event General Revenue has been expended prior to the receipt of MH and MR Appropriated Receipts as defined above, the departments shall reimburse General Revenue upon receipt of the revenue. This process shall be completed on a monthly basis in order to maintain a minimum balance on hand in excess MH and MR Appropriated Receipts; and

(3) The departments shall report monthly to the Legislative Budget Board, Comptroller of Public Accounts and Governor on MH and MR Appropriated Receipts collections by Revenue Object Code, expenditures and anticipated revenues and balances.

d. **Exclusive appropriation authority.** The preceding subsections of this provision shall be the exclusive appropriation authority for Appropriated Receipts from the above identified sources and none of these receipts shall be appropriated by a provision of Article IX of this Act.

Sec. 21. Texas Capital Trust Fund Account No. 543.

a. **Definition.** For the purposes of this section and appropriation authority, General Revenue Dedicated-Funds referred to as Texas Capital Trust Fund Account No. 543 (Chapter 2201, Government Code) are defined as revenues deposited by the Department of State Health Services and the Department of Aging and Disability Services into the following Revenue Object Codes as defined by the Comptroller of Public Accounts:

(1) 3340: Land Easements
(2) 3341: Grazing Lease Rental
(3) 3344: Sand, Shell, Gravel and Timber Sales
(4) 3349: Land Sales
(5) 3746: Rental of Lands and Miscellaneous Land Income
(6) 3747: Rental - Other
(7) 3851: Interest on State Deposits

b. **Appropriation authority and accounting for Texas Capital Trust Fund Account No. 543.** For the purpose of revenue classification for expending and depositing certain collections related to the Texas Capital Trust Fund Account No. 543, ABEST Method of Finance Code 543 shall be used to report expenditures and request legislative appropriations from collections/deposits made to Revenue Object Codes 3340, 3341, 3344, 3349, 3746, 3747, and 3851 by the departments. Appropriations of the Texas Capital Trust Fund Account No. 543 are limited to the amounts identified above.

Sec. 22. Mental Health (MH) and Mental Retardation (MR) Medicare Receipts.

a. For the purposes of this section and appropriation authority, MH and MR Medicare Receipts are classified as deposits in Revenue Object Code 3634 that are collected by the Department of State Health Services and the Department of Aging and Disability Services as payment for:

(1) hospital, physician and other services rendered to Medicare-eligible individuals in state mental health and mental retardation facilities operated by the departments;

(2) cost settlements for services rendered in state mental health and mental retardation facilities operated by the department as authorized by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA); and

(3) prescription drugs reimbursed through the Medicare, Part D, prescription drug program.

b. **Accounting and Reporting.** Amounts defined as MH and MR Medicare Receipts shall be deposited into the General Revenue Fund according to the identified Comptroller Revenue Object Code above. The departments shall report monthly to the Legislative Budget Board, Comptroller of Public Accounts and Governor on MH and MR Medicare Receipts collections by Comptroller Revenue Object Code, expenditures and anticipated revenues and balances.

c. **Mental Health Medicare Receipts.** Included in the General Revenue Funds appropriated above to the Department of State Health Services in Strategy C.1.3, Mental Health State Hospitals, is $23,821,799 per year for the 2010-11 biennium, contingent upon generation of funds from MH Medicare Receipts collections. These funds shall be expended as collected and only within Strategy C.1.3, Mental Health State Hospitals. Appropriations made elsewhere in this Act for employee benefits include approximately $2,227,201 per year from MH Medicare Receipts. MH Medicare Receipts collections above $26,049,000 per year (excluding any amounts needed to comply with Article IX, Sec. 6.08, Benefits Paid Proportional by Fund) are hereby appropriated as Method of Financing Code 8034 - MH Medicare Receipts (General Revenue Funds) to the department for expenditures in Strategy C.1.3, Mental Health State Hospitals, pursuant to the limitations of this provision.

d. **Mental Retardation Medicare Receipts.** Included in the GR Match for Medicaid Funds appropriated above to the Department of Aging and Disability Services in Strategy A.8.1, MR State Schools Services, is $21,806,467 per year for the 2010-11 biennium, contingent upon generation of funds from MR Medicare Receipts collections. These funds shall be expended as collected and only within Strategy A.8.1, MR State Schools Services. Appropriations made elsewhere in this Act for employee benefits include approximately $376,533 per year from MR Medicare Receipts. MR Medicare Receipts collections above $22,183,000 per year (excluding any amounts needed to comply with Article IX, Sec. 6.08, Benefits Paid Proportional by Fund) are hereby appropriated as Method of Financing Code 8097 - MR Medicare Receipts (General Revenue Funds)to the department for expenditures in Strategy A.8.1, MR State Schools Services, pursuant to the limitations of this provision.

Sec. 23. Community Mental Health and Mental Retardation Centers. Notwithstanding other provisions of this Act, if the Department of State Health Services or the Department of Aging and Disability Services determine that a community mental health and mental retardation center is unable or unwilling to fulfill its contractual obligations to provide services or to exercise adequate control over expenditures and assets, the departments may take necessary steps, including the appointment of a management team as authorized by Health and Safety Code, §§ 534.038 through 534.040 and recoupment of funds, to protect the funds appropriated under this Act and ensure the continued provision of services. Any recouped funds shall be used to achieve equity. In conjunction with the reallocation of funds, the departments shall provide a report to the Legislative Budget Board and the Governor on the amount of funds, the reasons for the recoupment, the local authorities involved, any performance contract requirements that were not met, and the purposes of the reallocation.

Sec. 24. Medicaid and Medicare Collections. The Department of State Health Services and the Department of Aging and Disability Services shall use the funds appropriated by this Act to maximize reimbursement of Medicare and Medicaid funding for all eligible individuals and for all expenditures at the mental health state hospitals, state schools, and state centers.

Sec. 25. Surplus Property. In order to conserve funds appropriated, surplus personal property may be transferred from one state mental health or mental retardation facility to another with or without reimbursement. The Department of State Health Services and the Department of Aging and Disability Services may transfer surplus personal property from a state mental health or mental retardation facility to a community MHMR center with or without reimbursement. Surplus personal property belonging to any state mental health or mental retardation facility may be sold; provided, however, that such transfers or sales shall be made under the same procedure as provided by Government Code, Chapter 2175.

Sec. 26. Employee Meals. Notwithstanding any other provision in this Act, the Department of State Health Services and the Department of Aging and Disability Services may provide free meals to employees of state mental health and mental retardation facilities who are required to eat meals with clients.

Sec. 27. Maximum Security Salaries. As a specific exception to the General Provisions of this Act governing salary rates of classified positions, funds are included above for the Department of State Health Services and the Department of Aging and Disability Services to pay employees working in designated Maximum Security Units or designated specialized Behavioral Management Units of state mental health and mental retardation facilities up to a 6.8 percent increase over those salary rates provided by the General Provisions.

Sec. 28. Fire Prevention and Safety. In instances in which regular employees of state mental health and mental retardation facilities located in remote areas are assigned extra duties in fire prevention programs, the following payments are authorized in addition to the salary rates stipulated by the General Provisions of this Act relating to the position classifications and assigned salary ranges:

Fire Chief	$ 75 per month
Assistant Fire Chief	$ 65 per month
Fire Brigade Member	$ 50 per month

Sec. 29. Patient or Client Assistance. Subject to the approval of rules and regulations of the Department of State Health Services and the Department of Aging and Disability Services, patients or clients in any state mental health or mental retardation facility who are assisting in the operation of the facility as part of their therapy, may receive compensation out of any funds available to the respective facilities.

Sec. 30. Barber and Cosmetology Services. The Department of State Health Services and the Department of Aging and Disability Services may be reimbursed for barber and cosmetology services in state mental health and mental retardation facilities provided the reimbursement is consistent with an individual's ability to pay. These reimbursements are appropriated above to the departments to offset the cost of providing barber and cosmetology services. The departments may also use patient benefit funds to offset the cost of these services for indigent clients.

Sec. 31. Language Interpreter Services. In order to compensate employees of state mental health and mental retardation facilities for assuming the duty of providing interpreter services to consumers whose primary language is not English, facilities of the Department of State Health Services and the Department of Aging and Disability Services, upon written authorization of the commissioner or his/her designee, may, from funds appropriated above, increase the salary of classified employees by an amount equal to a one step increase, or 3.4 percent, so long as the resulting salary rate does not exceed the rate designated as the maximum rate for the applicable salary group. This increase shall be granted only for the regular provision of interpreter services above and beyond the regular duties of the position, and shall be removed when these services are, for whatever reason, no longer provided by the employee or when they are no longer needed by the facility. Salary increases provided for this purpose are not merit increases and shall not affect an employee's eligibility to receive a merit increase. This authorization also includes employees who provide interpreter services in American Sign Language.

Sec. 32. State-Owned Housing. The Superintendent, Medical Director, Assistant Superintendent for Programs, and Director of Plant Maintenance at each state mental health and mental retardation facility are authorized to live in state-owned housing at a rate determined by the Department of State Health Services or the Department of Aging and Disability Services. Other department employees may live in state-owned housing as set forth in Article IX, State Owned Housing - Recover Housing Costs, of this Act. Fees for employee housing are appropriated above to be used for maintaining employee housing.

Sec. 33. Collection of Fees from the Copyright of Training Materials and Patent of Technologies Developed. Pursuant to § 12.020 of the Health and Safety Code, the Health and Human Services Commission is hereby authorized to collect the following fees relating to mental health and mental retardation program activities:

a. Fees from the sale of written training materials, video tapes, audio tapes and in the form of electronic media, such materials having been developed in part or whole by the commission; and

b. Licensing fees collected by the department in exchange for allowing individuals and companies to use any patented technology developed, in part or in whole, by the commission.

The commission is authorized to license the use of any copyright-protected material, trademark, trade secrets, and any patented technology relating to mental health or mental retardation program activities. The authorization provided under this provision does not include any mineral royalties. Fees collected in the sale of training materials described under (a) above may be in excess of the actual reproduction cost incurred by the commission and shall be used to recoup the costs associated with developing the training materials. Fifty percent of the fees collected in licensing of any patented technology shall be devoted to further research and development of technologies reasonably believed to be of assistance to priority populations. The remaining 50 percent shall be deposited to the General Revenue Fund.

Sec. 34. Professional Trainees and Interns. The Department of State Health Services and the Department of Aging and Disability Services are authorized to compensate professional trainees or interns in recognized educational programs related to the provision of mental health or mental retardation services, radiation control, or any critical health care profession as determined by the Health and Human Services Executive Commissioner at any salary rate not to exceed the following amounts:

Psychiatrist Interns	$3,548 per month
Physician Interns	$3,042 per month
Psychologist Trainees	$2,859 per month
Registered Nurse Trainees	$2,387 per month
Chaplain Interns	$2,247 per month
Physical, Occupational, or Registered Therapist Trainees	$2,117 per month
Social Worker Trainees	$1,998 per month
Medical Technologist Trainees	$1,998 per month
Licensed Vocational Nurse Trainees	$1,785 per month
Health Physicist Interns	$2,247 per month
Health Physicist Trainees	$1,686 per month

Sec. 35. Limit on Spending New Generation Medication Funds.

a. It is the intent of the Legislature that the Department of State Health Services (DSHS) and the Department of Aging and Disability Services (DADS) utilize funds appropriated for New Generation Medications for no other purpose than the provision, prescribing, and monitoring of New Generation Medications. This limitation shall apply to funds appropriated for New Generation Medications in the following strategies at DSHS: B.2.1, Mental Health Services for Adults, B.2.2, Mental Health Services for Children, B.2.4, NorthSTAR Behavioral Health Waiver, and C.1.3, Mental Health State Hospitals; and in the following strategy at DADS: A.8.1, MR State Schools Services.

b. Notwithstanding the limitation described above, the department shall allow a local mental health or mental retardation authority to expend an amount not to exceed 15 percent of its New Generation Medication funds on support programs that are related to the administration of New Generation Medications, provided, however, that an authority using its New Generation Medication funds for support services must meet its contracted performance target for persons served with New Generation Medications and that the availability of New Generation Medication funds to expend on services must result from cost efficiencies achieved by the authority.

c. To the extent that the local authorities or state contracted managed care organizations are able to obtain cost savings associated with state-approved purchasing arrangements, private sector donations of medications for clients and/or financial contributions for the purchase of New Generation Medications in DSHS Strategies B.2.1, Mental Health Services for Adults, B.2.2, Mental Health Services for Children, and B.2.4, NorthSTAR Behavioral Health Waiver, and they meet or exceed their contracted performance targets for persons served with New Generation Medications, they may expend up to an equivalent amount from these strategies on direct services to clients.

Sec. 36. Purchasing of Medication. The Department of State Health Services and the Department of Aging and Disability Services shall require that local mental health and mental retardation authorities, as a condition of receiving funds appropriated by this Act, document their effort to make needed medications available to consumers at the lowest possible prices and to utilize the most cost effective medication purchasing arrangement available. It is the intent of the Legislature that the Department of State Health Services and the Department of Aging and Disability Services shall provide technical assistance to community centers as necessary to maximize efficiency.

Sec. 37. Donations from Individuals, Community Groups and Volunteer Services Councils. It is expressly provided that the Department of State Health Services and the Department of Aging and Disability Services, in accordance with § 533.001 of the Health and Safety Code and to the extent permitted by law, may accept donations for permanent improvements at the state mental health facilities and the state mental retardation facilities from individuals, community groups and local Volunteer Services Councils. Such funds are not subject to limitations on capital budget expenditures as contained in Article IX or any other similar provisions in this Act. Permanent improvements are defined as an improvement to a state facility that involves construction, building system(s), and/or landscaping.

Sec. 38. Contracted Medical Services. Out of funds appropriated above, the Department of State Health Services (DSHS) and the Department of Aging and Disability Services (DADS) shall not pay more than the approved reimbursement rate set by the Health and Human Services Commission for hospital services provided to an indigent DSHS or DADS consumer in a private or public hospital.

Sec. 39. Efficiencies at Local Mental Health and Mental Retardation Authorities. It is the intent of the Legislature that the local mental health and mental retardation authorities that receive allocations from the funds appropriated above to the Department of Aging and Disability Services and the Department of State Health Services shall maximize the dollars available to provide services by minimizing overhead and administrative costs and achieving purchasing efficiencies. Among the strategies that should be considered in achieving this objective are consolidations among local authorities and partnering among local authorities on administrative, purchasing, or service delivery functions where such partnering may eliminate redundancies or promote economies of scale. The Legislature also intends that each state agency which enters into a contract with or makes a grant to local authorities does so in a manner that promotes the maximization of third party billing opportunities, including to Medicare and Medicaid.

It is the Legislature's intent that local authorities not expend funds appropriated to the Department of Aging and Disability Services in Strategy A.4.2, Mental Retardation Community Services, or Strategy A.4.5, Mental Retardation In-Home Services, to supplement the rate-based payments they receive to fund their costs as providers of waiver or ICF-MR services.

Sec. 40. Equal Opportunity Principles in Contracting for Social Services. The Legislature intends that each state agency that contracts with or makes a grant to a nongovernmental entity to provide social services, using money appropriated by this Act, enter the contract or make the grant in a manner that is consistent with the equal opportunity principles and safeguards provided by federal law under 42 U.S.C. § 604a.

Sec. 41. Limitation on Unexpended Balances: General Revenue for Medicaid. Unexpended balances in General Revenue Funds appropriated for the Medicaid program (GR Match for Medicaid and GR Certified as Match for Medicaid) to the Health and Human Services Commission, the Department of Aging and Disability Services, and the Department of State Health Services for fiscal year 2010 are appropriated for the same purposes to the respective agencies for fiscal year 2011 only upon prior written approval by the Legislative Budget Board and the Governor.

For authorization to expend the funds, an agency shall submit a written request to the Legislative Budget Board and the Governor by April 1, 2010. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request must be organized by fiscal year as follows:

a. The following information shall be provided for fiscal year 2010:

(1) a detailed explanation of the cause(s) of the unexpended balance(s);

(2) the amount of the unexpended balance(s) by strategy; and

(3) an estimate of performance levels and, where relevant, a comparison to targets in this Act.

b. The following information shall be provided for fiscal year 2011:

(1) a detailed explanation of the purpose(s) for which the unexpended balance(s) will be used and whether the expenditure will be one-time or ongoing;

(2) the amount of the expenditure by strategy;

(3) an estimate of performance levels and, where relevant, a comparison to targets in this Act; and

(4) the capital budget impact.

An agency shall submit a revised written request by October 1, 2010 if the amount of the estimated unexpended balance(s) varies by more than five percent from the amount estimated in the original request.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the use of unexpended balances if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

Sec. 42. Appropriation of Receipts: Civil Monetary Damages and Penalties. Included in the amounts appropriated above for the 2010-11 biennium are the following:

a. $2,660,000 in General Revenue Match for Medicaid for the Department of Aging and Disability Services;

b. $1,414,870 in General Revenue Match for Medicaid for the Health and Human Services Commission; and

c. $520,000 in General Revenue for the Department of State Health Services.

These amounts are contingent upon the collection of civil monetary damages and penalties under Human Resources Code § 32.021 and Health and Safety Code § 431.047. Any amounts collected above these amounts by the respective agency are hereby appropriated to the respective agency in amounts equal to the costs of the investigation and collection proceedings conducted under those sections, and any amounts collected as reimbursement for claims paid by the agency.

Sec. 43. Financial Monitoring of Community MHMR Centers. The Department of Aging and Disability Services (DADS), the Department of State Health Services (DSHS), and the Health and Human Services Commission (HHSC) shall enter into a written agreement that defines each agency's responsibilities for monitoring the expenditure by community mental health and mental retardation centers of funds appropriated by this Act. The written agreement shall include provisions for monitoring that require community mental health and mental retardation centers to account for state funds separately from other sources of funds.

Sec. 44. Appropriation of Unexpended Balances: Funds Recouped from Local Authorities. Notwithstanding other provisions of this Act, any state funds appropriated for fiscal year 2010 recouped by the Department of Aging and Disability Services or the Department of State Health Services from a

local mental health or mental retardation authority for failing to fulfill its performance contract with the State, are hereby appropriated to the respective agency for the same strategy, to reallocate to other local mental health or mental retardation authorities in fiscal year 2011.

Each agency shall provide a report to the Legislative Budget Board and the Governor by June 1, 2010 that includes the amount of the recoupment by strategy, the reasons for the recoupment, the local authorities involved, any performance contract requirements that were not met, and the purposes of the reallocation.

Sec. 45. Enterprise Support Services. Out of funds appropriated above, the following amounts are allocated for enterprise support services:

Enterprise Support Service Category	2010	2011
1. Regional Cost Pools	$136,197,671	$136,677,341
2. Consolidated System Support	$111,771,968	$108,215,326
3. Centralized Cost Pools	$ 35,422,093	$ 35,422,093
4. Regional Program Support	$ 16,720,244	$ 16,720,244
5. Enterprise Oversight and Policy	$ 16,081,748	$ 16,081,748
6. Central Program Support	$ 13,894,027	$ 13,894,027
7. IT Program Support	$ 11,909,752	$ 11,909,752
8. Office of Inspector General	$ 10,811,479	$ 10,811,479
9. Seat Management	$ 9,547,694	$ 9,585,157
10. Peoplesoft (HHSAS)	$ 8,774,264	$ 11,143,264
Total, All Funds for Article II	**$371,130,940**	**$370,460,431**

a. **Limitation on Assessments**. The Health and Human Services Commission may not collectively assess agencies more than the total amount per fiscal year indicated above for all enterprise support service categories without prior written approval from the Legislative Budget Board and the Governor.

For authorization to make an assessment that exceeds the total amount per fiscal year indicated above, the Executive Commissioner of the Health and Human Services Commission shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the Executive Commissioner shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information by fiscal year:

(1) a detailed explanation of the reasons for the assessment and why it exceeds the total amount per fiscal year indicated above;

(2) the amount of the assessment by enterprise support service category at both the agency and enterprise levels;

(3) the amount of the assessment by major fund type at both the agency and enterprise levels; and

(4) the impact of the assessment on each agency's performance levels.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposed assessment and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

b. **Reporting Requirements**.

(1) **Annual Assessments**. The Executive Commissioner of the Health and Human Services Commission shall submit to the Legislative Budget Board and the Governor, by September 1 of each fiscal year, a report that indicates the amounts assessed for enterprise support services for the new and two prior fiscal years. The report shall include the following information at both the agency and enterprise levels:

(i) amounts by service category; and

(ii) amounts by major fund type.

(2) **Monthly Expenditures**. No later than 30 days following the close of each fiscal quarter, the Executive Commissioner shall submit to the Legislative Budget Board and the Governor a report that provides information about actual monthly expenditures for enterprise support services for the current and two prior fiscal years by service category.

(3) **Annual Expenditures**. No later than October 1 of each year, the Executive Commissioner shall submit to the Legislative Budget Board and the Governor a report that provides information about actual annual expenditures for enterprise support services for the two prior fiscal years. The report shall include the following information at both the agency and enterprise levels:

(i) amounts by service category; and

(ii) amounts by major fund type.

The reports shall be prepared in a format approved by the Legislative Budget Board.

c. **Controlling Expenditures and Minimizing Use of General Revenue Funds**. The Health and Human Services Commission shall critically examine the current methodologies (including cost allocation plans) used to allocate enterprise support services expenses among agencies and their strategies, including the resulting allocation of expenses to General Revenue Funds.

The examination should compare enterprise support services expenditures across at least three fiscal years and include recommendations and/or cite actions taken to control expenditures and to minimize the General Revenue Fund share of such expenditures.

The report, including supporting analysis and explanation, shall be prepared in a format approved by the Legislative Budget Board and submitted to the Legislative Budget Board and the Governor no later than April 1, 2010.

The Comptroller of Public Accounts shall not allow the expenditure of funds for an increased assessment if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

Sec. 46. Integrated Model of Care - Aged/Blind/Disabled Population. It is the intent of the Legislature that the Health and Human Services Commission implement the most cost effective integrated managed care model for the aged/blind/disabled population in the Dallas and Tarrant service area.

It is specifically provided that funds appropriated for the provision of services to the Medicaid aged/blind/disabled population may not be expended to implement an integrated managed care model which would eliminate the revenues received for hospital and physician payments under the current federal Upper Payment Limit (UPL) program.

Medicaid funds appropriated to the Department of Aging and Disability Services and the Health and Human Services Commission may be transferred between the agencies during the 2010-11 biennium to support the implementation of an integrated model of care under this provision, with prior approval.

The Commission shall request approval from the Governor and the Legislative Budget Board at least 30 days prior to any proposed funding transfer. The request shall indicate the impact to performance measures at both agencies.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

Sec. 47. Maintenance of Certain Program Service Levels. Funds appropriated in this Act are based on projections of the amounts needed to maintain current or legislatively authorized eligibility criteria, service or staffing levels, and provider payment levels for the following Article II entitlement and critical health care programs:

a. Entitlement Programs

(1) Medicaid - Acute and Long-term Care

(2) Early Childhood Intervention

(3) Foster Care

(4) Adoption Subsidies

b. Critical Health Programs

(1) State Hospitals

(2) Children's Health Insurance (CHIP)

In the event that appropriations made for these purposes are insufficient to sustain enrollments and services for any of the entitlement or critical health programs listed above, it is the intent of the Legislature that the executive commissioner (1) notify the Legislative Budget Board and the Governor of any projected shortfalls and describe factors contributing to costs in excess of appropriated levels, and (2) submit options that may be considered by the Legislative Board and the Governor that would reduce or eliminate projected funding shortfalls and assess the impact that each option would have on enrollments, service or staffing levels, projected payments, or federal funding.

This provision is not intended to prohibit programmatic changes or adjustments that are necessary to ensure prudent and responsible administration of the affected program.

Sec. 48. Contingency Appropriation for the Reshaping of the System for Providing Services to Individuals with Developmental Disabilities. $207,900,000 in General Revenue Funds and $256,603,063 in Federal Funds ($464,503,063 in All Funds) appropriated elsewhere in this Act to the Department of Aging and Disability Services (DADS) and the Health and Human Services Commission (HHSC) for the 2010-11 biennium is contingent upon changes outlined below. These funds are appropriated for home and community-based programs and 1915(c) waivers for persons with mental retardation, intellectual disabilities, and developmental disabilities as an effort to reduce the disproportionately long wait time for services, expand waiver-related community services slots by 7,832 by August 2011, and to provide specific direction related to reshaping the system of care for persons with developmental disabilities.

DADS is required to increase the number of Home and Community-Based Services (HCS) slots during fiscal years 2010 and 2011 for (1) individuals moving out of medium and large ICFs/MR, (2) children aging out of foster care services at the Department of Family and Protective Services, (3) children who are at risk of being institutionalized in ICFs/MR, and (4) individuals who are at imminent risk of institutionalization as a result of emergency or crisis situations.

Additionally, the appropriation is contingent upon the following:

a. DADS reducing the number of state school residents, through census management, not closure, and limiting the number of residents residing at each state school, without removing

a state school resident from a state school against the resident's will or against the will of the resident's legally authorized guardian for the purpose of meeting any potential capacity limits, and without denying admission to a state school on the basis that the admission would cause the state school to exceed any potential capacity limit. It is the intent of the Legislature that the costs of serving reallocated residents be financed through reduced expenditures for the operation of state schools.

b. DADS identifying state school residents through the community living options information process who could move into community programs; and

c. transferring the case management function from HCS providers to local Mental Retardation Authorities (MRAs).

The appropriation includes the following amounts:

a. $157,700,000 in General Revenue to expand community service options as identified below for persons with mental retardation.

(1) $37,500,000 in General Revenue to Strategy A.3.3. Community Living Assistance and Support Services (CLASS) to add 1,890 CLASS slots;

(2) $99,400,000 in General Revenue to Strategy A.3.2. Home and Community-Based Services (HCS) to add 5,120 HCS slots;

(3) $100,000 in General Revenue to Strategy A.3.4. Deaf-Blind Multiple Disabilities (DBMD) to add 6 DBMD slots;

(4) $16,100,000 in General Revenue to Strategy A.3.2. Home and Community-Based Services (HCS) to add 620 Promoting Independence slots; and

(5) $4,600,000 in General Revenue to Strategy A.3.2. Home and Community-Based Services (HCS) to add 196 Emergency Institutionalization slots;

b. $10,200,000 in General Revenue in A.1.1, Intake, Access, and Eligibility for DADS and MRAs to train and hire case managers to provide targeted case management;

c. $15,000,000 in General Revenue to Strategy A.4.2. MR Community Services;

d. $2,100,000 in General Revenue to Strategies B.1.1. Facility/Community-Based Regulation;

e. $22,900,000 in General Revenue transferred from the Strategy A.3.2. Home and Community-Based Services to A.1.1, Intake, Access, and Eligibility; and

f. $22,900,000 in General Revenue to Strategies A.3.2, Home and Community-Based Services and A.1.1, Intake, Access, and Eligibility. HHSC is directed to allocate $22,900,000 in General Revenue to implement rate increases for Home and Community-Based Services across the supervised living/residential support services, foster/companion care, and supported home living service types and is authorized to allocate funding as appropriate to the direct and indirect portions of each service rate. This authorization is granted to the extent allowed by state and federal law.

Transfers related to reshaping the system of services for individuals with developmental disabilities to meet the objectives described above are subject to DADS Rider 9, Limitation: Medicaid Transfer Authority.

It is the intent of the Legislature that the fiscal impact on each strategy and associated with each initiative be estimated and identified as to fully understand the cost implications to other agencies.

It is the intent of the Legislature that HHSC and DADS shall jointly design a plan to implement a capitated or non-capitated pilot to serve persons with intellectual and developmental disabilities. The agency may contract to conduct a study, which shall include input from individuals receiving services,

their families, service providers, mental retardation authorities, advocate organizations, and other interested parties. The plan shall include managed care models employed by other states for this population.

HHSC and DADS shall provide a report to the Governor's Office, Lieutenant Governor's Office, Speaker's Office, Senate Finance Committee, House Appropriations Committee, Senate Health and Human Services Committee, House Human Services Committee, and the Legislative Budget Board by December 1, 2010. The report shall include recommendations for the pilot regarding: geographic scope, options for consolidating waiver services, costs and financing, utilization review, provider network, eligibility, service coordination, quality management, waiver development and federal requirements, and other issues as appropriate.

Sec. 49. Client Abuse, Neglect, and Exploitation Reporting in State Schools and State Hospitals. The Department of Aging and Disability Services, the Department of State Health Services, and the Department of Family and Protective Services shall establish sufficient input, processing, and output controls as well as a system for auditing client abuse/neglect/exploitation data to ensure each agency has accurate, complete data.

Sec. 50. Advisory Committee Limitation and Reporting Requirement. Notwithstanding other provisions of this Act, the use of appropriated funds for a reimbursement to an advisory committee for travel and related expenses that occur during the 2010-11 biennium and are paid by a health and human services agency shall be governed by the following limitation and reporting requirement:

a. An advisory committee shall be reimbursed for travel and related expenses that occur during the 2010-11 biennium only if that committee has met at least one time between January 1, 2007 and January 1, 2009. A committee created after January 1, 2009 is exempted from this restriction.

b. Reimbursements made according to section (a) shall not exceed $10,000 per committee in any given fiscal year unless a higher amount is specifically authorized for the committee by another provision of this Act.

c. The Health and Human Services Commission shall submit a report to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts by September 1, 2009 that includes the following information:

   (1) a list, by agency, of all advisory committees;

   (2) an indication, for each committee listed, of whether or not the committee is eligible for reimbursement during the 2010-11 biennium; and

   (3) the amount budgeted, by fiscal year, for each committee eligible for reimbursement.

Sec. 51. Rio Grande State Center. Out of funds appropriated above to the Department of Aging and Disability Services (DADS) in Strategy A.8.1, MR State School Services, DADS shall enter into an interagency contact with the Department of State Health Services (DSHS) to transfer $2,736,420 in All Funds for each fiscal year of the biennium to DSHS, Strategy C.1.3, Mental Health State Hospitals, to fund 79.5 full-time equivalents and related services at the Rio Grande State Center.

Sec. 52. Expansion of Community-based Services. This section does not make any appropriations. It summarizes appropriations made elsewhere in this Act to expand community-based services.

a. **Limitations and Reporting**. Funds appropriated elsewhere in this Act, totaling $190,220,675 in General Revenue Funds and $433,202,506 in All Funds for the 2010-11 biennium, are contingent upon each agency listed in the tables below providing the following information to the Legislative Budget Board and the Governor:

   (1) by September 1, 2009, a written report detailing, by month and fiscal year, planned client service levels, average monthly cost per client, and total expenditures for each listed strategy for fiscal year 2010 and fiscal year 2011; and

(2) no later than 30 days following the close of a fiscal quarter, a written report on actual client service levels, average monthly cost per client, and total expenditures for each listed strategy for the fiscal year.

Each report shall compare the reported service levels, costs, and expenditures to those adopted by the Legislature in this Act.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The Comptroller of Public Accounts shall not allow the expenditure of funds if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

b. **Appropriations**. Tables 1 and 2 indicate General Revenue Funds and All Funds annual appropriations (made elsewhere in this Act) to expand community-based programs.

Table 1
General Revenue Appropriations

Agency/Strategy/Program	FY 2010	FY 2011	Biennial
DADS			
A.3.1. Community Based Alternatives (CBA)	$ 1,530,237	$ 4,619,732	$ 6,149,969
A.3.2. Home and Community-based Services (HCS)*	$28,747,802	$ 81,921,391	$110,669,193
includes the following:			
- Independent Living	*$22,760,277*	*$ 67,236,747*	*$ 89,997,024*
- Promoting Independence	*$ 4,800,465*	*$ 11,318,387*	*$ 16,118,852*
- Preventing Institutionalization	*$ 1,187,060*	*$ 3,366,257*	*$ 4,553,317*
A.3.3. Community Living Assistance and Support Services (CLASS)*	$ 7,808,350	$ 23,467,839	$ 31,276,189
A.3.4. Deaf-Blind Multiple Disabilities (DBMD)*	$ 19,682	$ 79,228	$ 98,910
A.3.5. Medically Dependent Children Program (MDCP)	$ 609,506	$ 1,840,085	$ 2,449,591
A.3.6. Consolidated Waiver Program	$ -	$ -	$ -
A.4.1. Non-Medicaid Community Services	$ 294,555	$ 890,105	$ 1,184,660
A.4.4. In-home and Family Support	$ 170,994	$ 512,981	$ 683,975
A.4.5. Mental Retardation In-home Services	$ -	$ -	$ -
Primary Home Care/Community Attendant Services Offset	$ (378,913)	$ (1,132,600)	$ (1,511,513)
Administration/FTEs	$ 598,974	$ 1,113,821	$ 1,712,795
Subtotal, DADS	**$39,401,187**	**$113,312,582**	**$152,713,769**
Waiver subset	***$38,715,577***	***$111,928,275***	***$150,643,852***
* related to Special Provisions Sec. 48			
DARS			
B.3.3. Independent Living Services	$ 190,837	$ 198,855	$ 389,692
B.3.4. Comprehensive Rehabilitation	$ 2,016,033	$ 2,356,402	$ 4,372,435
Administration/FTEs	$ -	$ -	$ -
Subtotal, DARS	**$ 2,206,870**	**$ 2,555,257**	**$ 4,762,127**
DSHS			
A.3.4. Children with Special Health Care Needs	$ 1,987,109	$ 2,160,940	$ 4,148,049
B.2.2. Mental Health Services for Children	$ 2,677,068	$ 2,677,070	$ 5,354,138
Administration/FTEs	$ 290,016	$ 257,893	$ 547,909
Subtotal, DSHS	**$ 4,954,193**	**$ 5,095,903**	**$ 10,050,096**

HHSC			
STAR+PLUS	$ 149,165	$ 451,230	$ 600,695
Acute Care for Medical Assistance Waiver Clients	$ 3,310,933	$ 10,262,562	$ 13,573,495
Incremental Vendor Drug cost for Waiver Clients	$ 1,907,104	$ 6,277,343	$ 8,184,447
Administration/FTEs	$ 114,875	$ 221,171	$ 336,046
Subtotal, HHSC	**$ 5,482,377**	**$ 17,212,306**	**$ 22,694,683**
Grand Total	**$52,044,627**	**$138,176,048**	**$190,220,675**

Table 2
All Funds Appropriations

Agency/Strategy/Program	**FY 2010**	**FY 2011**	**Biennial**
DADS			
A.3.1. Community Based Alternatives (CBA)	$ 3,713,265	$ 11,251,174	$ 14,964,439
A.3.2. Home and Community-based Services (HCS)*	$67,787,850	$197,353,830	$265,141,680
includes the following:			
- Independent Living	*$55,041,794*	*$163,384,286*	*$218,426,080*
- Promoting Independence	*$ 9,865,542*	*$ 25,771,158*	*$ 35,636,700*
- Preventing Institutionalization	*$ 2,880,514*	*$ 8,198,386*	*$ 11,078,900*
A.3.3. Community Living Assistance and Support Services (CLASS)*	$18,901,276	$ 57,064,945	$ 75,966,221
A.3.4. Deaf-Blind Multiple Disabilities (DBMD)*	$ 47,761	$ 192,956	$ 240,717
A.3.5. Medically Dependent Children Program (MDCP)	$ 1,479,024	$ 4,481,454	$ 5,960,478
A.3.6. Consolidated Waiver Program	$ -	$ -	$ -
A.4.1. Non-Medicaid Community Services	$ 294,555	$ 890,105	$ 1,184,660
A.4.4. In-home and Family Support	$ 170,994	$ 512,981	$ 683,975
A.4.5. Mental Retardation In-home Services	$ -	$ -	$ -
Primary Home Care/Community Attendant Services Offset	$ (919,468)	$ (2,758,402)	$ (3,677,870)
Administration/FTEs	$ 993,014	$ 1,854,892	$ 2,847,906
Subtotal, DADS	**$92,468,271**	**$270,843,935**	**$363,312,206**
Waiver subset	***$91,929,176***	***$270,344,359***	***$362,273,535***
* related to Special Provisions Sec. 48			
DARS			
B.3.3. Independent Living Services	$ 190,837	$ 198,855	$ 389,692
B.3.4. Comprehensive Rehabilitation	$ 2,016,033	$ 2,356,402	$ 4,372,435
Administration/FTEs	$ -	$ -	$ -
Subtotal, DARS	**$ 2,206,870**	**$ 2,555,257**	**$ 4,762,127**
DSHS			
A.3.4. Children with Special Health Care Needs	$ 1,987,109	$ 2,160,940	$ 4,148,049
B.2.2. Mental Health Services for Children	$ 2,677,068	$ 2,677,070	$ 5,354,138
Administration/FTEs	$ 290,016	$ 257,893	$ 547,909
Subtotal, DSHS	**$ 4,954,193**	**$ 5,095,903**	**$ 10,050,096**
HHSC			
STAR+PLUS	$ 362,691	$ 1,098,952	$ 1,461,643
Acute Care for Medical Assistance Waiver Clients	$ 8,034,294	$ 24,994,064	$ 33,028,358

Incremental Vendor Drug cost for Waiver Clients	$ 4,627,769	$ 15,288,219	$ 19,915,988
Administration/FTEs	$ 229,749	$ 442,339	$ 672,088
Subtotal, HHSC	**$13,254,503**	**$ 41,823,574**	**$ 55,078,077**
Grand Total	**$ 112,883,837**	**$320,318,669**	**$433,202,506**

c. **Targets for Selected Community-based Programs**. Tables 3 through 5 reflect performance targets as established by this Act for each of the strategies/programs listed below. Reports required by section (a) of this provision and by other provisions of this Act shall include comparisons and variance explanations relative to these targets.

(1) Table 3, Continuing Clients/Slots, indicates the number of client/slots in fiscal year 2009 who will continue to receive services in the 2010-11 biennium.

(2) Table 4, Expansion Clients/Slots indicates the number of additional clients/slots who will be served as a result of increased funding specified in subsection (a).

(3) Table 5 indicates the combined continuing and new clients/slots.

The "End of Year Clients" column indicates the number of clients/slots who will be served in the final month of the fiscal year. The "Average Monthly" column indicates the number of clients/slots to be served on average for the fiscal year overall. Average monthly values reflect the approved rollout of new slots and tie to performance targets established within each agency's bill pattern.

Table 3
Continuing Client/Slots

	End of Year Clients		**Average Monthly Caseload**	
	FY 2010	**FY 2011**	**FY 2010**	**FY 2011**
Agency/Strategy/Program				
DADS				
A.3.1. Community Based Alternatives (CBA)	26,087	26,087	26,087	26,087
A.3.2. Home and Community-based Services (HCS)	15,516	15,516	15,516	15,516
A.3.3. Community Living Assistance and Support Services (CLASS)	4,199	4,199	4,199	4,199
A.3.4. Deaf-Blind Multiple Disabilities (DBMD)	154	154	154	154
A.3.5. Medically Dependent Children Program (MDCP)	2,745	2,745	2,745	2,745
A.3.6. Consolidated Waiver Program	160	160	160	160
A.3.7. Texas Home Living Waiver	994	994	994	994
A.4.1. Non-Medicaid Community Services	39,005	39,005	39,005	39,005
A.4.2. Mental Retardation Community Services	12,927	12,927	12,927	12,927
A.4.4. In-home and Family Support	4,590	4,590	4,590	4,590
A.4.5. Mental Retardation In-home Services	3,060	3,060	3,060	3,060
Primary Home Care/Community Attendant Services Offset	0	0	0	0
Subtotal, DADS	**109,437**	**109,437**	**109,437**	**109,437**
Waiver subset	***49,855***	***49,855***	***49,855***	***49,855***
DARS				
B.3.3. Independent Living Services	1,743	1,743	221	221
B.3.4. Comprehensive Rehabilitation	581	581	185	185
Subtotal, DARS	**2,324**	**2,324**	**406**	**406**

DSHS				
A.3.4. Children with Special Health Care Needs	1,650	1,650	2,600	2,600
B.2.2. Mental Health Services for Children	18,661	19,554	12,100	12,100
Subtotal, DSHS	**20,311**	**21,204**	**14,700**	**14,700**
Grand Total	**132,072**	**132,965**	**124,543**	**124,543**

Table 4
Expansion Client/Slots

	End of Year Clients		Average Monthly Caseload	
Agency/Strategy/Program	**FY 2010**	**FY 2011**	**FY 2010**	**FY 2011**
DADS				
A.3.1. Community Based Alternatives (CBA)	430	861	215	645
A.3.2. Home and Community-based Services (HCS)*	2,968	5,936	1,501	4,469
includes the following:				
- Independent Living	*2,560*	*5,120*	*1,280*	*3,840*
- Promoting Independence	*310*	*620*	*168*	*478*
- Preventing Institutionalization	*98*	*196*	*53*	*151*
A.3.3. Community Living Assistance and Support Services (CLASS)*	945	1,890	472	1,417
A.3.4. Deaf-Blind Multiple Disabilities (DBMD)*	3	6	1	4
A.3.5. Medically Dependent Children Program (MDCP)	174	348	87	261
A.3.6. Consolidated Waiver Program	0	0	0	0
A.3.7. Texas Home Living Waiver	0	0	0	0
A.4.1. Non-Medicaid Community Services	249	498	125	374
A.4.2. Mental Retardation Community Services	0	0	0	0
A.4.4. In-home and Family Support	326	651	163	489
A.4.5. Mental Retardation In-home Services	0	0	0	0
Primary Home Care/Community Attendant Services Offset	(215)	(431)	(108)	(323)
Subtotal, DADS	**4,880**	**9,759**	**2,456**	**7,336**
Waiver subset	***4,520***	***9,041***	***2,276***	***6,796***
* related to Special Provisions Sec. 48				
DARS				
B.3.3. Independent Living Services	8	8	6	6
B.3.4. Comprehensive Rehabilitation	12	13	21	24
Subtotal, DARS	**20**	**21**	**27**	**30**
DSHS				
A.3.4. Children with Special Health Care Needs	87	87	87	87
B.2.2. Mental Health Services for Children	412	412	412	412
Subtotal, DSHS	**499**	**499**	**499**	**499**
Grand Total	**5,399**	**10,279**	**2,982**	**7,865**

Table 5
Total Client/Slots (Continuing and Expansion)

	End of Year Clients		Average Monthly Caseload	
	FY 2010	**FY 2011**	**FY 2010**	**FY 2011**
Agency/Strategy/Program				
DADS				
A.3.1. Community Based Alternatives (CBA)	26,517	26,948	26,302	26,732
A.3.2. Home and Community-based Services (HCS)	18,484	21,452	17,017	19,985
A.3.3. Community Living Assistance and Support Services (CLASS)	5,144	6,089	4,671	5,616
A.3.4. Deaf-Blind Multiple Disabilities (DBMD)	157	160	155	158
A.3.5. Medically Dependent Children Program (MDCP)	2,919	3,093	2,832	3,006
A.3.6. Consolidated Waiver Program	160	160	160	160
A.3.7. Texas Home Living Waiver	994	994	994	994
A.4.1. Non-Medicaid Community Services	39,254	39,503	39,130	39,379
A.4.2. Mental Retardation Community Services	12,927	12,927	12,927	12,927
A.4.4. In-home and Family Support	4,916	5,241	4,753	5,079
A.4.5. Mental Retardation In-home Services	3,060	3,060	3,060	3,060
Primary Home Care/Community Attendant Services Offset	(215)	(431)	(108)	(323)
Subtotal, DADS	**114,317**	**119,196**	**111,893**	**116,773**
Waiver subset	***54,375***	***58,896***	***52,131***	***56,651***
DARS				
B.3.3. Independent Living Services	1,751	1,751	227	227
B.3.4. Comprehensive Rehabilitation	593	594	206	209
Subtotal, DARS	**2,344**	**2,345**	**433**	**436**
DSHS				
A.3.4. Children with Special Health Care Needs	1,737	1,737	2,687	2,687
B.2.2. Mental Health Services for Children	19,073	19,966	12,512	12,512
Subtotal, DSHS	**20,810**	**21,703**	**15,199**	**15,199**
Grand Total	**137,471**	**143,244**	**127,525**	**132,408**

Sec. 53. Informational Listing of Stimulus Funds in Article II Agencies. The following is an informational list of the amounts in Article XII, American Recovery and Reinvestment Act funding related to agencies in Article II, Health and Human Services, and does not make appropriations.

Department of Aging and Disability Services:	
Senior Nutrition Program - Congregate Nutrition	$ 4,000,000
Senior Nutrition Program - Home Delivered Meals	$ 2,000,000
Title XX	$ 4,200,000
Title XX- Reduce GR	$ (4,200,000)
Department of Assistive and Rehabilitative Services:	
IDEA, Part C, Special Education Grants for Infants and Families	$ 39,400,000
Independent Living Services - State Grants	$ 1,100,000
Independent Living Services - Elderly/Blind	$ 2,300,000
Vocational Rehabilitation Services	$ 44,800,000

Department of Family and Protective Services:	
Child Care and Development Block Grant (CCDBG)	$ 16,388,233
Temporary Assistance for Needy Families (TANF)	$ 47,982,709
Department of State Health Services:	
Section 317 Immunizations (Prevention and Wellness)	$ 3,160,681
Prevention and Wellness Fund: Prevention Services and Programs	$ 400,000
Infection Reduction Activities	$ 2,137,389
Temporary Assistance for Needy Families (TANF) to Title XX	$ 4,200,000
Reduce Federal Funds - Title XX	$ (4,200,000)
Health and Human Services Commission:	
Food Stamps (Supplemental Nutritional Assistance Program)	$ 27,600,000
Medicaid Enhanced FMAP	$ 2,513,000,000
Medicaid Enhanced FMAP- Reduce GR	$(2,513,000,000)
Prevention and Wellness Fund: Prevention Services and Programs	$ 2,126,424

Sec. 54. Information on Funding Provided for One-time Attendant Wage and Provider Rate Increases.

a. Appropriations made elsewhere in this Act for the 2010-11 biennium, totaling $229.2 million in General Revenue and $524.5 million in All Funds, include $129.5 million in General Revenue and $300.2 million in All Funds for a one step and temporary attendant wage increase and $99.7 million in General Revenue and $224.3 million in All Funds for a one step and temporary provider rate increase. The following biennial amounts (in millions) are allocated to the health and human services agencies as listed below (All Funds amounts are estimated):

(1) Department of Aging and Disability Services: $186.8 in General Revenue, $439.6 in All Funds

(i) Attendant Wage Increase: $118.6 in General Revenue, $273.8 in All Funds

(ii) Provider Rate Increase: $68.2 in General Revenue, $165.8 in All Funds

(2) Department of Family and Protective Services: $20.8 in General Revenue, $32.2 in All Funds for foster care provider rate increases

(3) Health and Human Services Commission: $21.6 in General Revenue, $52.6 in All Funds

(i) Attendant Wage Increase: $10.9 in General Revenue, $26.4 in All Funds

(ii) Provider Rate Increase: $10.7 in General Revenue, $26.2 in All Funds

b. Article XII of this Act includes $29 million for Early Childhood Intervention (ECI) temporary provider rate increases at the Department of Assistive and Rehabilitative Services, subject to certain conditions. The estimated one step increase in rates is 8%.

RECAPITULATION - ARTICLE II
HEALTH AND HUMAN SERVICES
(General Revenue)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Aging and Disability Services	$ 2,728,616,248	$ 2,770,489,406
Department of Assistive and Rehabilitative Services	111,848,770	113,745,122
Department of Family and Protective Services	517,439,635	574,971,299
Department of State Health Services	1,093,157,172	1,112,150,346
Health and Human Services Commission	7,177,629,544	7,395,489,419
Subtotal, Health and Human Services	$ 11,628,691,369	$ 11,966,845,592
Retirement and Group Insurance	274,589,910	297,411,736
Social Security and Benefit Replacement Pay	85,277,054	86,997,574
Subtotal, Employee Benefits	$ 359,866,964	$ 384,409,310
Bond Debt Service Payments	30,638,658	29,279,710
Lease Payments	7,526,864	6,349,892
Subtotal, Debt Service	$ 38,165,522	$ 35,629,602
TOTAL, ARTICLE II - HEALTH AND HUMAN SERVICES	$ 12,026,723,855	$ 12,386,884,504

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE II
HEALTH AND HUMAN SERVICES
(General Revenue - Dedicated)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Aging and Disability Services	$ 55,064,625	$ 54,564,624
Department of Assistive and Rehabilitative Services	14,614,763	14,614,959
Department of Family and Protective Services	7,663,848	7,663,848
Department of State Health Services	407,034,578	411,129,239
Subtotal, Health and Human Services	$ 484,377,814	$ 487,972,670
Retirement and Group Insurance	5,557,264	5,950,601
Social Security and Benefit Replacement Pay	3,168,606	3,198,791
Subtotal, Employee Benefits	$ 8,725,870	$ 9,149,392
TOTAL, ARTICLE II - HEALTH AND HUMAN SERVICES	$ 493,103,684	$ 497,122,062

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE II
HEALTH AND HUMAN SERVICES
(Federal Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Aging and Disability Services	$ 3,817,692,334	$ 3,831,655,712
Department of Assistive and Rehabilitative Services	478,239,156	485,216,047
Department of Family and Protective Services	768,651,417	781,021,587
Department of State Health Services	1,248,712,555	1,253,463,556
Health and Human Services Commission	10,242,820,343	10,311,457,322
Subtotal, Health and Human Services	$ 16,556,115,805	$ 16,662,814,224
Retirement and Group Insurance	222,445,253	236,072,109
Social Security and Benefit Replacement Pay	75,123,575	75,214,571
Subtotal, Employee Benefits	$ 297,568,828	$ 311,286,680
Bond Debt Service Payments	2,362,984	2,361,154
Subtotal, Debt Service	$ 2,362,984	$ 2,361,154
TOTAL, ARTICLE II - HEALTH AND HUMAN SERVICES	$ 16,856,047,617	$ 16,976,462,058

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE II
HEALTH AND HUMAN SERVICES
(Other Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Aging and Disability Services	$ 89,201,991	$ 32,688,728
Department of Assistive and Rehabilitative Services	18,461,847	18,467,255
Department of Family and Protective Services	7,098,276	7,098,276
Department of State Health Services	193,276,206	134,978,662
Health and Human Services Commission	316,807,611	310,568,737
Subtotal, Health and Human Services	$ 624,845,931	$ 503,801,658
Retirement and Group Insurance	410,975	732,513
Social Security and Benefit Replacement Pay	178,704	227,664
Subtotal, Employee Benefits	$ 589,679	$ 960,177
Bond Debt Service Payments	264,962	264,962
Subtotal, Debt Service	$ 264,962	$ 264,962
Less Interagency Contracts	$ 308,925,984	$ 311,653,848
TOTAL, ARTICLE II - HEALTH AND HUMAN SERVICES	$ 316,774,588	$ 193,372,949

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE II
HEALTH AND HUMAN SERVICES
(All Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Aging and Disability Services	$ 6,690,575,198	$ 6,689,398,470
Department of Assistive and Rehabilitative Services	623,164,536	632,043,383
Department of Family and Protective Services	1,300,853,176	1,370,755,010
Department of State Health Services	2,942,180,511	2,911,721,803
Health and Human Services Commission	17,737,257,498	18,017,515,478
Subtotal, Health and Human Services	$ 29,294,030,919	$ 29,621,434,144
Retirement and Group Insurance	503,003,402	540,166,959
Social Security and Benefit Replacement Pay	163,747,939	165,638,600
Subtotal, Employee Benefits	$ 666,751,341	$ 705,805,559
Bond Debt Service Payments	33,266,604	31,905,826
Lease Payments	7,526,864	6,349,892
Subtotal, Debt Service	$ 40,793,468	$ 38,255,718
Less Interagency Contracts	$ 308,925,984	$ 311,653,848
TOTAL, ARTICLE II - HEALTH AND HUMAN SERVICES	$ 29,692,649,744	$ 30,053,841,573
Number of Full-Time-Equivalents (FTE)	57,352.8	57,493.0

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

ARTICLE III

EDUCATION

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated agencies and institutions of education.

TEXAS EDUCATION AGENCY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund		
General Revenue Fund[2]	$ 352,956,925	$ 361,373,136
Available School Fund No. 002, estimated	600,709,129	150,086,929
State Textbook Fund No. 003, estimated	175,673,871	642,121,071
Foundation School Fund No. 193, estimated[3]	12,600,413,817	14,537,856,886
Certification and Assessment Fees (General Revenue Fund), estimated[4]	24,766,918	25,001,123
GR MOE for Temporary Assistance for Needy Families	2,000,000	2,000,000
Lottery Proceeds, estimated	949,400,000	932,400,000
Educator Excellence Fund No. 5135	197,781,457	197,781,457
Subtotal, General Revenue Fund	$ 14,903,702,117	$ 16,848,620,602

[1] Appropriations identified below do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency, Article XII includes a General Revenue reduction of $3,611,792,500 and a Federal Funds increase of $5,875,392,500 in FY 2010 resulting in net General Revenue appropriations of $11,291,909,617 and a net All Funds appropriation of $25,782,984,618 in FY 2010.

[2] Incorporates Article IX, § 17.14, due to the enactment of HB 3646, 81st Legislature, Regular Session, which contains language similar to HB 2567, which failed to pass, amending Texas Education Code § 547.701, resulting in an increase in General Revenue Funds of $10,000,000 in FY 2011 contingent on approval of an implementation plan to be developed by the Texas Transportation Institute. Incorporates Article IX, § 17.25, due to the enactment of HB 3, 81st Legislature, Regular Session, relating to public school accountability, curriculum, and promotion requirements, resulting in an increase in General Revenue Funds of $10,000,000 and an increase of 11.0 FTEs in each fiscal year of the 2010-11 biennium. Incorporates Article IX, § 17.46, due to the enactment of SB 1317, 81st Legislature, Regular Session, relating to driver's education courses, resulting in an increase in General Revenue Funds of $263,342 and an increase of 2.5 FTEs in each fiscal year of the 2010-11 biennium. Incorporates Article IX, § 17.95, due to the enactment of SB 858, 81st Legislature, Regular Session, relating to driver's education courses, resulting in an increase in General Revenue Funds of $145,000 and an increase of 2.0 FTEs in each fiscal year of the 2010-11 biennium. Incorporates passage of HB 4586, § 101, due to enactment of HB 3689, 81st Legislature, Regular Session, which contains language similar to SB 1362, which did not pass, relating to a Texas Youth Commission comprehensive plan to improve student reading skills and behavior, resulting in an increase in General Revenue Funds of $375,000 in each fiscal year of the 2010-11 biennium. Incorporates passage of HB 4586, § 102, due to enactment of HB 3646 and HB 3, 81st Legislature, Regular Session, which contain language similar to SB 1313, which did not pass, relating to public school career and technical training programs, resulting in an increase in General Revenue Funds of $1,350,000 in FY 2011 for industry certifications for non-economically disadvantaged students and $540,000 in FY 2011 for the State Board of Education to conduct course review. Appropriations related to HB 4586 are subject to the appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, Regular Session, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to General Provisions contained in Article IX of SB 1, 81st Legislature, Regular Session, 2009.

[3] Incorporates Article IX, § 17.16, of this Act, relating to funding for the Foundation School Program, resulting in a reduction from Fund 193, Foundation School Fund, of $150,000,000 in each fiscal year of the 2010-11 biennium.

[4] Incorporates the passage of HB 4586, § 98, due to the enactment of SB 174, relating to educator preparation programs, resulting in an increase in Certification and Assessment Fees, Fund 751, of $137,500 and an increase of 2.0 FTEs in each fiscal year of the 2010-11 biennium. Appropriations related to HB 4586 are subject to the appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to General Provisions contained in Article IX of SB 1, 81st Legislature, 2009.

General Revenue Fund - Dedicated		
Specialty License Plates General No. 5140	13,000	6,000
Read to Succeed Account No. 5027	58,000	32,000
YMCA License Plates Account No. 5089	1,173	1,173
Knights of Columbus Plates No. 5118	13,000	11,000
Share the Road Plates No. 5121	51,000	48,000
Subtotal, General Revenue Fund - Dedicated	$ 136,173	$ 98,173
Federal Funds		
Federal Funds	15,291,639	15,366,400
Federal Health, Education and Welfare Fund No. 148	3,024,263,751	3,024,170,813
Federal School Lunch Fund No. 171	1,457,926,986	1,520,637,515
Subtotal, Federal Funds	$ 4,497,482,376	$ 4,560,174,728
Other Funds		
Property Tax Relief Fund, estimated	2,748,200,000	2,797,800,000
Permanent School Fund No. 044	11,557,681	11,557,681
Appropriated Receipts, estimated[5]	1,354,000,000	1,347,800,000
Interagency Contracts	4,306,271	4,306,271
Subtotal, Other Funds	$ 4,118,063,952	$ 4,161,463,952
Total, Method of Financing	$ 23,519,384,618	$ 25,570,357,455
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 3,065,584	$ 3,162,426
This bill pattern represents an estimated 72.2% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[6]	1,038.8	1,038.8
Schedule of Exempt Positions:		
Commissioner of Education, Group 8	$186,300	$186,300
Items of Appropriation:		
A. Goal: PROVIDE ED SYS LDRSP GUID'CE RES'S		
Provide Education System Leadership, Guidance, and Resources.		
A.1.1. Strategy: FSP - EQUALIZED OPERATIONS[7] Foundation School Program - Equalized Operations.	$ 16,999,537,117	$ 18,439,237,117
A.1.2. Strategy: FSP - EQUALIZED FACILITIES Foundation School Program - Equalized Facilities.	$ 696,250,000	$ 766,250,000

[5] Incorporates Article IX, § 17.16, of this act, resulting in an increase in Fund 666, Appropriated Receipts, of $80,100,000 in fiscal year 2010 and $111,900,000 in fiscal year 2011.

[6] Incorporates the following FTE adjustments:
(a) Article IX, § 17.25, due to the enactment of HB 3, 81st Legislature, resulting in an increase of 11.0 FTEs in each fiscal year of the 2010-11 biennium;
(b) Article IX, § 17.46, due to the enactment of SB 1317, 81st Legislature, resulting in an increase of 2.5 FTEs in each fiscal year of the 2010-11 biennium;
(c) Article IX, § 17.95, due to the enactment of SB 858, 81st Legislature, resulting in an increase of 2.0 FTEs in each fiscal year of the 2010-11 biennium;
(d) HB 4586, § 98, due to the enactment of SB 174, resulting in an increase of 2.0 FTEs in each fiscal year of the 2010-11 biennium.

[7] Incorporates Article IX, § 17.16, of this Act, resulting in a reduction in Fund 193, Foundation School Fund, of $150,000,000 in each fiscal year of the 2010-11 biennium and an increase in Fund 666, Appropriated Receipts, of $80,100,000 in FY 2010 and $111,900,000 in FY 2011.

A.2.1. Strategy: STATEWIDE EDUCATIONAL PROGRAMS[8]	$ 453,435,703	$ 456,083,112
A.2.2. Strategy: ACHIEVEMENT OF STUDENTS AT RISK Resources for Low-income and Other At-risk Students.	$ 1,542,520,890	$ 1,541,861,822
A.2.3. Strategy: STUDENTS WITH DISABILITIES Resources for Mentally/Physically Disabled Students.	$ 986,377,532	$ 986,377,532
A.2.4. Strategy: SCHOOL IMPROVEMENT & SUPPORT PGMS[9] Grants for School and Program Improvement and Innovation.	$ 163,327,508	$ 173,402,513
A.2.5. Strategy: ADULT EDUCATION & FAMILY LITERACY	$ 62,388,769	$ 62,139,362
Total, Goal A: PROVIDE ED SYS LDRSP GUID'CE RES'S	$ 20,903,837,519	$ 22,425,351,458
B. Goal: PROVIDE SYSTEM OVERSIGHT & SUPPORT		
B.1.1. Strategy: ASSESSMENT & ACCOUNTABILITY SYSTEM[10]	$ 88,015,765	$ 91,525,766
B.2.1. Strategy: TECHNOLOGY/INSTRUCTIONAL MATERIALS Technology and Instructional Materials.	$ 344,918,107	$ 813,848,887
B.2.2. Strategy: HEALTH AND SAFETY[11]	$ 55,475,916	$ 53,215,951
B.2.3. Strategy: CHILD NUTRITION PROGRAMS	$ 1,472,445,986	$ 1,535,396,515
B.2.4. Strategy: WINDHAM SCHOOL DISTRICT Educational Resources for Prison Inmates.	$ 64,058,448	$ 64,058,447
B.3.1. Strategy: IMPROVING EDUCATOR QUALITY/LDRSP Improving Educator Quality and Leadership.	$ 456,555,179	$ 456,570,002
B.3.2. Strategy: AGENCY OPERATIONS[12]	$ 61,067,999	$ 59,697,900
B.3.3. Strategy: STATE BOARD FOR EDUCATOR CERT[13] State Board for Educator Certification.	$ 11,363,885	$ 11,363,885

[8] Incorporates passage of HB 4586, § 102, due to enactment of HB 3646 and HB 3, 81st Legislature, Regular Session, which contain language similar to SB 1313, which did not pass, relating to public school career and technical training programs, resulting in an increase in General Revenue Funds of $1,350,000 in FY 2011 for industry certifications for non-economically disadvantaged students and $540,000 in FY 2011 for the State Board of Education to conduct course review. Appropriations related to HB 4586 are subject to the appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, Regular Session, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to General Provisions contained in Article IX of SB 1, 81st Legislature, Regular Session, 2009.

[9] Incorporates Article IX, § 17.14, due to the enactment of HB 3646, 81st Legislature, Regular Session, which contains language similar to HB 2567, which failed to pass, amending Texas Education Code § 547.701, resulting in an increase in General Revenue Funds of $10,000,000 in FY 2011 contingent on approval of an implementation plan to be developed by the Texas Transportation Institute.

[10] Incorporates Article IX, § 17.25, due to the enactment of HB 3, 81st Legislature, Regular Session, relating to public school accountability, curriculum, and promotion requirements, resulting in an increase in General Revenue Funds of $6,115,000 in FY 2010 and $8,325,000 in FY 2011.

[11] Incorporates passage of HB 4586, § 101, due to enactment of HB 3689, 81st Legislature, Regular Session, which contains language similar to SB 1362, which did not pass, relating to a Texas Youth Commission comprehensive plan to improve student reading skills and behavior, resulting in an increase in General Revenue Funds of $375,000 in each fiscal year of the 2010-11 biennium. Appropriations related to HB 4586 are subject to the appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, Regular Session, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to General Provisions contained in Article IX of SB 1, 81st Legislature, Regular Session, 2009.

[12] Incorporates Article IX, § 17.25, due to the enactment of HB 3, 81st Legislature, Regular Session, relating to public school accountability, curriculum, and promotion requirements, resulting in an increase in General Revenue Funds of $2,825,113 in FY 2010 and $1,455,014 in FY 2011. Incorporates Article IX, § 17.46, due to the enactment of SB 1317, 81st Legislature, Regular Session, relating to driver's education courses, resulting in an increase in General Revenue Funds of $263,342 in each fiscal year of the 2010-11 biennium. Incorporates Article IX, § 17.95, due to the enactment of SB 858, 81st Legislature, Regular Session, relating to driver's education courses, resulting in an increase in General Revenue Funds of $145,000 in each fiscal year of the 2010-11 biennium.

[13] Incorporates the passage of HB 4586, § 98, due to the enactment of SB 174, relating to educator preparation programs, resulting in an increase in Certification and Assessment Fees, Fund 751, of $137,500 in each fiscal year of the 2010-11 biennium. Appropriations related to HB 4586 are subject to the appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, Regular Session, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to General Provisions contained in Article IX of SB 1, 81st Legislature, Regular Session, 2009.

B.3.4. Strategy: CENTRAL ADMINISTRATION[14]	$ 14,037,799	$ 13,857,799
B.3.5. Strategy: INFORMATION SYSTEMS - TECHNOLOGY[15]	$ 33,666,723	$ 31,529,553
B.3.6. Strategy: CERTIFICATION EXAM ADMINISTRATION	$ 13,941,292	$ 13,941,292
Educator Certification Exam Services - Estimated and Nontransferable.		
Total, Goal B: PROVIDE SYSTEM OVERSIGHT & SUPPORT	$ 2,615,547,099	$ 3,145,005,997
Grand Total, TEXAS EDUCATION AGENCY	$ 23,519,384,618	$ 25,570,357,455
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 65,449,312	$ 65,567,884
Other Personnel Costs	1,503,674	1,503,674
Professional Fees and Services	167,060,963	167,469,337
Fuels and Lubricants	4,310	4,310
Consumable Supplies	368,019	368,019
Utilities	178,488	178,488
Travel	1,457,543	1,404,339
Rent - Building	763,222	763,222
Rent - Machine and Other	1,471,670	1,471,670
Other Operating Expense	201,431,632	667,664,361
Client Services	14,839,284	14,839,284
Grants	23,063,731,662	24,648,832,656
Capital Expenditures	1,124,839	290,211
Total, Object-of-Expense Informational Listing	$ 23,519,384,618	$ 25,570,357,455
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 3,727,438	$ 3,783,350
Group Insurance	9,218,540	10,064,098
Social Security	4,493,094	4,560,490
Benefits Replacement	252,462	239,839
Subtotal, Employee Benefits	$ 17,691,534	$ 18,647,777
Debt Service		
Lease Payments	$ 169,659	$ 159,631
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 17,861,193	$ 18,807,408

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Education Agency. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Education Agency. In order to achieve the objectives and service standards established by this Act, the Texas Education Agency shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: PROVIDE ED SYS LDRSP GUID'CE RES'S		
Outcome (Results/Impact):		
Percent of Students Completing High School	83.9%	84%
Percent of African-American Students Completing High School	77.9%	78%
Percent of Hispanic Students Completing High School	78.5%	78.6%
Percent of White Students Completing High School	90.5%	90.6%
Percent of Asian-American Students Completing High School	95.2%	95.3%
Percent of Native American Students Completing High School	82.8%	82.9%

[14] Incorporates Article IX, § 17.25, due to the enactment of HB 3, 81st Legislature, Regular Session, relating to public school accountability, curriculum, and promotion requirements, resulting in an increase in General Revenue Funds of $399,986 in FY 2010 and $219,986 in FY 2011.
[15] Incorporates Article IX, § 17.25, due to the enactment of HB 3, 81st Legislature, Regular Session, relating to public school accountability, curriculum, and promotion requirements, resulting in an increase in General Revenue Funds of $659,901 in FY 2010.

Percent of Economically Disadvantaged Students Completing High School	77.1%	77.2%
Percent of Students Graduating under the Distinguished Achievement High School Program	12.6%	13.4%
Percent of Students with Disabilities Who Graduate High School	94.6%	94.6%
Percent of Eligible Students Taking Advanced Placement/International Baccalaureate Exams	22.7%	23.4%
Percentage of AP/IB Exams Taken on Which the Score Qualifies for Potential College Credit or Advanced Placement	49%	49%
Percent of Students Exiting Bilingual/English as a Second Language Programs Successfully	82%	82%
Percent of Students Retained in Grade 3	2.7%	2.7%
Percent of Students Retained in Grade 5	2.1%	2.1%
Percent of Students Retained in Grade 8	4%	3.5%
Percent of Students in State-funded Optional Extended-year Programs Promoted to the Next Grade Level as a Result of the Program	90%	90%
Percent of Adult Education Students Who Complete the Level in Which They Are Enrolled	39%	39%
Percent of Parents Participating in AVANCE Programs Who Complete the Adult Education Level at Which They Are Enrolled	68%	68%
Percent Campuses That Meet Adequate Yearly Progress	60%	50%
A.1.1. Strategy: FSP - EQUALIZED OPERATIONS		
Output (Volume):		
Total Average Daily Attendance (ADA) - Includes Regular and Charter Schools	4,486,789	4,572,768
Total Average Daily Attendance (ADA) - Open-enrollment Charter Schools Only	95,813	103,804
Number of Students Served by Compensatory Education Programs and Services	2,487,428	2,560,451
Explanatory:		
Special Education Full-time Equivalents (FTEs)	127,639	128,471
Compensatory Education Average Daily Attendance	2,678,991	2,741,455
Career and Technology Education Full-time Equivalents (FTEs)	174,133	175,664
Bilingual Education/English as a Second Language Average Daily Attendance	688,436	712,944
Gifted and Talented Average Daily Attendance	218,419	222,227
A.1.2. Strategy: FSP - EQUALIZED FACILITIES		
Output (Volume):		
Number of Districts Receiving IFA	398	423
Total Amount of State and Local Funds Allocated for Debt for Facilities (Billions)	4.84	4.94
A.2.1. Strategy: STATEWIDE EDUCATIONAL PROGRAMS		
Output (Volume):		
Number of Students Served in Prekindergarten Grant Programs	63,758	63,758
Number of Students Participating in the Student Success Initiative Accelerated Reading Program	650,000	650,000
Number of Students in Tech Prep Programs	157,000	158,000
Number of Students Served in Summer School Programs for Limited English-proficient Students	55,000	56,000
A.2.2. Strategy: ACHIEVEMENT OF STUDENTS AT RISK		
Output (Volume):		
Number of Title I Campuses Rated Exemplary or Recognized	1,811	2,111
A.2.3. Strategy: STUDENTS WITH DISABILITIES		
Output (Volume):		
Number of Students Served by Regional Day Schools for the Deaf	5,159	5,259
Number of Students Served by Statewide Programs for the Visually Impaired	8,458	8,690
A.2.4. Strategy: SCHOOL IMPROVEMENT & SUPPORT PGMS		
Output (Volume):		
Number of Pregnant Teens and Teen Parents Served by Teen Pregnancy and Parenting Programs	27,250	27,500
Number of Students Served by State-funded Optional Extended-year Programs	197,766	200,766
Number of Case-Managed Students Participating in Communities in Schools	84,000	84,300
Efficiencies:		
Average State Cost Per Communities in Schools Participant	237.46	236.62

Explanatory:		
Number of Open-enrollment Charter Schools	212	215
A.2.5. Strategy: ADULT EDUCATION & FAMILY LITERACY		
Output (Volume):		
Number of Students Served through State Adult Education Cooperatives	118,000	117,000
B. Goal: PROVIDE SYSTEM OVERSIGHT & SUPPORT		
Outcome (Results/Impact):		
Percent of Students Passing All Tests Taken	74%	75%
Percent of African-American Students Passing All Tests Taken	58%	59%
Percent of Hispanic Students Passing All Tests Taken	66%	68%
Percent of White Students Passing All Tests Taken	88%	89%
Percent of Asian-American Students Passing All Tests Taken	93%	94%
Percent of Native American Students Passing All Tests Taken	78%	80%
Percent of Economically Disadvantaged Students Passing All Tests Taken	64%	65%
Percent of Students Passing TAKS Reading	93%	95%
Percent of Students Passing TAKS Mathematics	82%	83%
Percent of Students Who Are Tested And Included in the State Accountability System	95%	97%
Percent of Special Education Students Who Are Tested and Included in the State Accountability System	93%	95%
Percent of Limited English-proficient Students Who Are Tested and Included in the State Accountability System	88%	93%
Annual Statewide Dropout Rate for All Students	2.6%	2.5%
Percent of Districts Rated Exemplary or Recognized	15%	15%
Percent of Campuses Rated Exemplary or Recognized	30%	30%
Percent of Academically Unacceptable Districts in the Prior Year with a Higher Current Year Rating	60%	60%
Percent of Academically Unacceptable Campuses in the Prior Year with a Higher Current Year Rating	70%	70%
Percent of Charter Campuses Rated Academically Unacceptable	30%	30%
Annual Drug Use and Violence Incident Rate on School Campuses, Per 1,000 Students	17.78	17.42
Percent of Incarcerated Students Who Complete the Level in Which They Are Enrolled	42%	42%
Percent of Eligible Windham Inmates Who Have Been Served by a Windham Education Program during the Past Five Years	91%	91%
Percent of Formula Grant Applications Processed within 60 Days	80%	82%
Percent of Discretionary Grant Applications Processed within 90 Days and NOGAed Prior to the Beginning Date of the Grant	80%	83%
Percent Eligible Districts Awarded Grant under Educator Excellence Awards Program	21%	21%
Teacher Retention Rate at Campuses Participating in the Educator Excellence Awards Program	85	85
B.2.2. Strategy: HEALTH AND SAFETY		
Output (Volume):		
Number of Students in Disciplinary Alternative Education Programs (DAEPs)	98,296	96,330
B.2.4. Strategy: WINDHAM SCHOOL DISTRICT		
Output (Volume):		
Number of Contact Hours Received by Inmates within the Windham School District	16,953,642	18,036,060
Number of Offenders Passing General Education Development (GED) Tests	4,800	4,800
Efficiencies:		
Average Cost Per Contact Hour in the Windham School District	3.78	3.55
B.3.2. Strategy: AGENCY OPERATIONS		
Output (Volume):		
Number of LEAs Participating in Interventions Related to Student Assessment Participation	105	100
Number of Certificates of High School Equivalency (GED) Issued	35,000	42,000
Efficiencies:		
Internal PSF Managers: Performance in Excess of Assigned Benchmark	101%	101%

Explanatory:

Average Percent Equity Holdings in the Permanent School Fund (PSF)	59%	59%
Market Value of the Financial Assets of the Permanent School Fund (PSF) in Billions	17.9	18.6

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purposes of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

In order to maximize the use of federal matching, maintenance of effort and grant funds, the Texas Education Agency is hereby authorized to adjust amounts within the method of financing below, not to exceed the total Capital Budget method of financing except as provided elsewhere in this Act. General revenue and other state fund appropriations made herein may be offset with federal funds and fees collected.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Hardware/Software Infrastructure	$ 1,255,480	$ 1,255,480
(2) Foundation School Program (FSP) Consolidated Rewrite-Phase 2	1,976,592	1,352,187
(3) Consolidated Entitlements Management System (CEMS)	1,096,500	1,096,500
(4) PEIMS Redesign	1,926,000	1,926,000
(5) Data Center Consolidation	8,230,081	7,316,623
(6) SBEC Rewrite - Phase 2	236,520	0
(7) Security/Confidentiality Initiatives	$ 3,211,221	$ 2,570,243
Total, Acquisition of Information Resource Technologies	$ 17,932,394	$ 15,517,033
Total, Capital Budget	$ 17,932,394	$ 15,517,033
Method of Financing (Capital Budget):		
General Revenue Fund		
General Revenue Fund	$ 5,733,953	$ 4,493,201
State Textbook Fund No. 003	220,941	220,941
Foundation School Fund No. 193	5,400,983	4,462,894
Certification and Assessment Fees (General Revenue Fund)	967,326	730,806
Subtotal, General Revenue Fund	$ 12,323,203	$ 9,907,842
Federal Funds		
Federal Health, Education and Welfare Fund No. 148	4,861,389	4,861,389
Subtotal, Federal Funds	$ 4,861,389	$ 4,861,389
Other Funds		
Permanent School Fund No. 044	747,802	747,802
Subtotal, Other Funds	$ 747,802	$ 747,802
Total, Method of Financing	$ 17,932,394	$ 15,517,033

3. **Foundation School Program Funding.**[16] Out of the funds appropriated above, a total of $17,824,200,000 in fiscal year 2010 and $19,333,800,000 in fiscal year 2011 shall represent the

[16] Rider modified to incorporate Article IX, § 17.16, of this Act, resulting in a reduction in appropriations for the Foundation School Program from Fund 193, Foundation School Fund, of $150,000,000 in each fiscal year of the 2010-11 biennium and an increase in strategy appropriations from Fund 666, Appropriated Receipts, of $80,100,000 in FY 2010 and $111,900,000 in FY 2011 for a net reduction in All Funds appropriations of $69,900,000 in FY 2010 and $38,100,000 in FY 2011. Changes to the school finance system resulting from enactment of HB 3646, 81st Legislature, Regular Session, have nullified the basic allotment and the guaranteed yield amounts referenced in paragraph three of this rider. Under the provisions of HB 3646, 81st Legislature, Regular Session, amounts referenced in paragraphs one and seven relating to Rider 76, Educator Salary Increase, are incorporated into the Foundation School Program, and Rider 76 has no effect.

sum-certain appropriation to the Foundation School Program. The total appropriation may not exceed the sum-certain amount. This appropriation includes allocations under Chapters 41, 42 and 46 of the Texas Education Code, as well as allocations for science lab grants made in Rider 73, State Funding for Science Labs, and educator salary increases made in Rider 76, Educator Salary Increase.

Formula Funding: The Commissioner shall make allocations to local school districts under Chapters 41, 42 and 46 based on the March 2009 estimates of average daily attendance and local district tax rates as determined by the Legislative Budget Board and the final tax year 2008 property values. Property values, and estimates of local tax collections on which they are based, shall be increased by 2.98 percent for tax year 2009 and by 3.34 percent for tax year 2010.

For purposes of distributing the Foundation School Program basic tier state aid appropriated above and in accordance with §42.101 and §42.302(a-1)(1) of the Texas Education Code, the Basic Allotment is $3,737 in 2010 and $3,874 in 2011, and the Guaranteed Yield is $43.46 in 2010 and $45.04 in 2011.

For purposes of distributing the Foundation School Program enrichment tier state aid appropriated above and in accordance with §41.002(a)(2) and §42.302(a-1)(2) of the Texas Education Code, the Guaranteed Yield is $59.02 in 2010 and $59.97 in 2011.

Amounts appropriated above and allocated by this rider to the Foundation School Program from the Foundation School Fund No. 193 include $3.0 billion set aside for school district property tax relief under the provisions of House Bill 2, Eightieth Legislature, Regular Session.

Notwithstanding any other provision of this Act, the Texas Education Agency may make transfers as appropriate between Strategy A.1.1, FSP-Equalized Operations, and Strategy A.1.2, FSP-Equalized Facilities. The TEA shall notify the Legislative Budget Board and the Governor of any such transfers at least 45 days prior to the transfer.

Educator Salary Increases: Included in the sum-certain amounts above is $141,737,117 in fiscal year 2010 and $141,737,117 in fiscal year 2011 for educator salary increases.

The Texas Education Agency shall submit reports on the prior month's expenditures on programs described by this rider no later than the 20th day of each month to the Legislative Budget Board and the Governor's Office in a format determined by the Legislative Budget Board in cooperation with the agency.

4. **Foundation School Program Set-Asides.**[17] The programs and their funding levels identified in this rider represent all programs at the Texas Education Agency and other state agencies that are funded with amounts set aside from the Foundation School Program. The amounts listed in this rider are for informational purposes only, and do not constitute an appropriation:

	2010	2011
Gifted and Talented Performance Standards	$437,500	$437,500
Juvenile Justice Alternative Education Program	$11,476,023	$11,534,404
Early Childhood Intervention	$16,498,102	$16,498,102
Extended Year Programs	$15,300,000	$15,300,000
Investment Capital Fund	$4,497,478	$4,497,478
LEP Student Success Initiative	$9,700,000	$9,700,000
Communities in Schools	$15,630,976	$15,630,976
Teen Parenting Education Programs	$10,000,000	$10,000,000
TAKS Assessments and Study Guides	$44,578,806	$44,578,807
MATHCOUNTS Program	$200,000	$200,000
TOTAL, FSP Set-Asides	$128,318,885	$128,377,267

5. **Transportation Cost Allotment.** Pursuant to § 42.155 of the Texas Education Code, the appropriation for funding regular transportation programs for the 2009-10 and 2010-11 school years shall be calculated on the following basis:

[17] As a result of the enactment of HB 3646, 81st Legislature, Regular Session, certain programs referenced in this rider are no longer funded from funds set aside from the Foundation School Program. The programs referenced are funded at the levels identified in the rider with appropriations from General Revenue Funds.

Linear Density Grouping	Allocation Per Mile of Approved Route
2.40 and above	$1.43
1.65 to 2.40	1.25
1.15 to 1.65	1.11
.90 to 1.15	.97
.65 to .90	.88
.40 to .65	.79
up to .40	.68

Pursuant to § 42.155 of the Texas Education Code, the maximum mileage rate for special education transportation shall be $1.08 per mile. Private transportation rates shall be $0.25 per mile or a maximum of $816 per pupil for both special education and isolated areas as defined in sub-sections 42.155(g) and 42.155(e).

6. **Windham Schools.** The funds appropriated above in Strategy B.2.4, Windham School District, are to be expended only for academic and vocational educational programs approved by the Texas Education Agency. The Commissioner of Education shall allocate funds to the Windham Schools based on contact hours for the best 180 of 210 school days in each year of the biennium. The contact hour rates for the 2010-11 biennium are the following: $3.88349 for academic education, $2.95885 for vocational education.

   The Windham School District shall use funds appropriated above to serve those students whose participation will help achieve the goals of reduced recidivism and the increased success of former inmates in obtaining and maintaining employment. To achieve these goals, younger offenders with the lowest educational levels and the earliest projected release or parole eligibility dates should receive high priority. This policy shall not preclude the Windham School District from serving other populations according to needs and resources. The Windham School District will report to the Eighty-second Legislature regarding its effort and success in implementing this prioritization. For students who successfully complete the district's program during the 2010-11 biennium, the Windham School District also shall report to the Eighty-second Legislature on the following: recidivism rates, employment rates, and attainment of GEDs, high school diplomas, professional certifications, associate's degrees, and adult education literacy levels.

7. **Appropriation of Audit Adjustments, Settle-Up Funds and Attendance Credit Revenues.** When reviews and audits of allocations to school districts reveal the allocations previously made were greater or less than the amounts found to be due, the Texas Education Agency is authorized to recover or pay the sums necessary to adjust to the correct amounts. All such amounts recovered shall become a part of the Foundation School Fund or General Revenue Fund, and the amounts necessary to make such additional payments to the school districts are hereby appropriated from the Foundation School Fund or General Revenue Fund.

   All funds received from local school districts as recovery for overpayment pursuant to the provisions of § 42.258 of the Texas Education Code are hereby appropriated to the Texas Education Agency for distribution to local school districts for Foundation School Program purposes.

   All unexpended balances and all funds received from the payment of school districts for attendance credits in excess of the amounts appropriated above pursuant to the provisions of § 41.094 of the Texas Education Code, are hereby appropriated to the Texas Education Agency for distribution to school districts for Foundation School Program purposes.

8. **State Textbook Fund.** Except as explicitly allowed elsewhere in this Act, any amount expended for Textbook Administration, including new textbooks, rebinding, and other related expenses, shall be paid out of the State Textbook Fund appropriated for that purpose. A transfer of funds from the Available School Fund to the State Textbook Fund is authorized in an amount which, together with other revenues of the State Textbook Fund, is sufficient to finance the sum-certain appropriation from the State Textbook Fund for each fiscal year. Penalties assessed by the State Board of Education shall be deposited to the credit of the Textbook Fund.

   From funds appropriated from the State Textbook Fund, the Commissioner shall set aside an amount not to exceed $4,500,000 for the 2010-11 biennium for the establishment of online college readiness materials in mathematics, science, and social studies. Online materials must be made available to students by fall 2010 for mathematics and by fall 2011 for science and social studies.

9. **Day-care Expenditures.** It is expressly provided that the pre-school day care programs, such as the Early Childhood Program for Educationally Disadvantaged Children and Special Education and Training for Pre-School Children with Disabilities administered by the Texas Education Agency, are day-care programs. The funds expended in those programs on behalf of children meeting eligibility requirements in accordance with interagency contracts with the Texas Education Agency under the day care program of the Social Security Act shall be considered as expenditures for day care.

10. **Loss Due to Property Value Decline.**

    a. The Commissioner of Education is authorized to distribute no more than $26,000,000 in each fiscal year under § 42.2521 of the Texas Education Code, to the extent that excess funds are available under the Foundation School Program.

       It is the intent of the Legislature that, in expending these funds by making adjustments in the local share under § 42.2521, that the Commissioner shall consider only the amount of property value decline in each school district that is in excess of 4 percent in taxable values.

    b. Except as expressly provided by this rider, and notwithstanding the limitations in Rider 30, Limitation: Transfer Authority, none of the funds in this rider may be expended for any other purpose.

    c. It is the intent of the Legislature that any excess funds available under the Foundation School Program be applied first to fund adjustments under § 42.2521 of the Texas Education Code, second to fund adjustments under § 42.2522, and third to fund adjustments under § 42.2531.

11. **State Level Professional Development for School Personnel and Parents of Students with Autism.** It is the intent of the Legislature that the Texas Education Agency continue to implement state level professional development for school personnel and parents of students with autism. A sum not to exceed $150,000 in each fiscal year shall be expended for this purpose.

12. **Student Testing Program.**[18] The Commissioner shall use the Federal Funds appropriated above in Strategy B.1.1, Assessment and Accountability System, to cover the cost of preparing, administering and grading assessment instruments in the student testing program. In accordance with the provisions of § 42.152 and Chapter 39, Subchapter B of the Texas Education Code, the funds appropriated from the Foundation School Fund for the Compensatory Education allotment may be used for any remaining assessment costs, in amounts not to exceed the General Revenue amounts appropriated above in Strategy B.1.1, Assessment and Accountability System.

    In the expenditure of funds appropriated above in Strategy B.1.1, Assessment and Accountability System, the Commissioner shall implement agency-identified policies that reduce the cost of providing study guide materials without impairing the ability of students to obtain necessary assistance in studying for state assessments.

13. **Reimbursement of Advisory Committee Members.** Pursuant to Government Code § 2110.004 reimbursement of expenses for advisory committee members, out of the funds appropriated above, is limited to the following advisory committees:

    a. Title 1, Committee of Practitioners/Ed Flex State Panel
    b. Continuing Advisory Committee for Special Education
    c. Communities in Schools State Advisory Committee
    d. State Textbook Advisory Committee
    e. Policy Committee for Public Education Information

    It is the intent of the Legislature that advisory committees of the Texas Education Agency use videoconferencing technology to conduct meetings in lieu of physical assembly whenever possible.

14. **Vacation Leave for Commissioner of Education.** Notwithstanding any provision of the General Appropriations Act to the contrary, the Commissioner of Education is entitled to accrue and carry forward vacation leave at the highest rate authorized for employees by the General Provisions of this Act.

---

[18] As a result of the enactment of HB 3646, 81st Legislature, Regular Session, programs referenced in this rider are no longer funded from funds set aside from the State Compensatory Education allotment of the Foundation School Program. The programs referenced are funded at the levels identified in the rider with appropriations from General Revenue Funds.

15. **Reporting on Program Transfers to and Contracts with Regional Education Services Center.** At the end of each fiscal year, the Commissioner shall submit a report to the Legislative Budget Board, the Governor, and the chairmen of the standing committees of the Texas House of Representatives and the Texas Senate with primary jurisdiction over public education describing all programs and funding amounts transferred to Regional Education Service Centers during the fiscal year. The report shall identify instances in which a transfer added to the administrative cost of a program and any evidence suggesting that a transfer delayed the distribution of program funds to school districts. No funds transferred to Regional Education Service Centers or to school districts may be used to hire a registered lobbyist.

    In addition to complying with all applicable laws, the Texas Education Agency may not enter into a contract with a Regional Education Service Center involving any funds appropriated above without any employee of the agency with decision-making authority regarding the contract disclosing in writing to the Commissioner and the General Counsel of the agency all personal, professional, business, or familial relationships with an owner, employee, or paid consultant or subcontractor of the Regional Education Service Center. The agency shall publish notice in the Texas Register not later than the 14th day before the agency enters into a contract with a Regional Education Service Center and shall publish notice not later than the 14th day after the date on which the contract is entered into that designates the Regional Education Service Center, the amount of the contract, and a description of services and terms of the contract. For contracts valued over $25,000, the agency shall award contracts using competitive sealed proposals or other competitive procurement procedures. Professional services as defined in Texas Government Code, Chapter 2254, Subchapter A shall be procured in accordance with the provisions of that Subchapter.

16. **Regional Day Schools for the Deaf.** Funds appropriated above for Regional Day Schools for the Deaf shall be allocated on a weighted full time equivalent basis. Notwithstanding other provisions of this Act, if the allocations total more than $33,133,200 in each fiscal year, the Commissioner shall transfer sufficient amounts from other available funds to provide the full allocation.

17. **Summer School for Children with Limited English Proficiency.** Out of Federal Funds appropriated for Strategy A.2.2, Achievement of Students at Risk, $3,800,000 in each fiscal year is allocated for summer school programs for children with limited English proficiency as authorized under § 29.060 of the Texas Education Code.

18. **Statewide Services for Students With Visual Impairments.** Out of funds appropriated for Strategy A.2.3, Students with Disabilities, $5,655,268 in each fiscal year is allocated for statewide services for students with visual impairments as authorized under § 30.002 of the Texas Education Code.

19. **Non-educational Community-based Support Services.** Out of funds appropriated for Strategy A.2.3, Students with Disabilities, $987,300 in each fiscal year is allocated for non-educational community-based support services for certain students with disabilities as authorized under § 29.013 of the Texas Education Code.

20. **Professional Development for the Provision of Access to the General Curriculum for Students with Disabilities in the Least Restrictive Environment.** Out of the federal discretionary funds awarded to the Texas Education Agency through the Individuals with Disabilities Education Act (IDEA), Part B and appropriated above, the Commissioner shall set aside 10.5 percent during the biennium to fund capacity building projects, including follow-up professional development and support, for school districts to provide access to the general curriculum in the least restrictive environment for students with disabilities and Response to Intervention (RtI) processes for struggling learners in general education settings.

21. **Estimated Appropriation for Incentive Aid.** Out of Foundation School Program funds appropriated above in Strategy A.2.4, School Improvement and Support Programs, the Commissioner may allocate an estimated amount of $1,500,000 in each fiscal year for incentive aid payments under Subchapter G of Chapter 13 of the Texas Education Code.

22. **Payments to Texas School for the Blind and Visually Impaired and Texas School for the Deaf.** For all discretionary grants of state or federal funds by the Texas Education Agency, the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf shall be considered independent school districts for purposes of eligibility determination, unless the Commissioner of Education and the school Superintendents mutually agree to an alternate consideration.

Out of federal IDEA-B discretionary funds appropriated above, the Texas Education Agency shall allocate $1,296,981 in fiscal year 2010 and $1,297,581 in fiscal year 2011 to the Texas School for the Blind and Visually Impaired, and $457,679 in each year of the 2010-11 biennium to the Texas School for the Deaf, to support classroom instruction.

23. Permanent School Fund. In its annual report on the Permanent School Fund, completed by February 28 of each year, the Texas Education Agency shall report on the actual and projected costs of administering the Permanent School Fund for the year covered by the report and the following three years.

The Commissioner may establish an incentive compensation plan for Permanent School Fund staff employed by the agency. Payments may be from amounts appropriated to the agency for purposes of administration of the Fund and must be based on investment performance standards set prior to the beginning of the period for which any additional compensation is paid. When warranted, total compensation for PSF staff may exceed the state classification salary schedule by virtue of incentive compensation payments.

There is no intention for payments made pursuant to the plan to be eligible compensation for ERS pension plan purposes, and any payments made pursuant to the plan are to be considered fringe benefits and not base pay or otherwise eligible compensation for ERS pension plan purposes.

Any unexpended funds appropriated from the Permanent School Fund as of August 31, 2010 are hereby appropriated to fiscal year 2011 for the same purposes.

24. Texas Advanced Placement Incentive Program. Out of the funds appropriated above in Strategy A.2.1, Statewide Educational Programs, $14,200,000 in fiscal year 2010 and $14,200,000 in fiscal year 2011 is allocated for both the pre-Advanced Placement/International Baccalaureate activities and for the Advanced Placement Incentive Program. Any balances on August 31, 2010 are appropriated for the 2011 fiscal year.

In using funds allocated by this rider, the Texas Education Agency shall prioritize the examination fee subsidies for students. For funds allocated by this rider that are used for teacher training, the Texas Education Agency shall give funding priority to teachers at public school campuses that do not offer Advanced Placement/International Baccalaureate courses.

It shall be the goal of the Texas Education Agency that Advanced Placement/International Baccalaureate courses are available at as many public school campuses as possible, without regard to the rural/urban status of the campus and the socioeconomic characteristics of its students. For campus incentive awards given under this program, consideration may be given to school districts and charter schools in their 1st or 2nd year of operating an Advanced Placement/International Baccalaureate program.

25. MATHCOUNTS and Academic Competitions. Out of Foundation School Program Gifted and Talented funds appropriated in B.3.1, Improving Educator Quality and Leadership, the Commissioner shall set aside $200,000 in each year of the biennium for the MATHCOUNTS Program. In addition, out of funds appropriated in A.2.1, Statewide Educational Programs, not less than $500,000 in each fiscal year of 2010-11 biennium shall be allocated to programs that foster academic competition for predominantly high school students.

26. Communities in Schools.[19] Out of funds appropriated above for Strategy A.2.4, School Improvement and Support Programs, $15,630,976 in State Compensatory Education Funds, $500,000 in General Revenue funds, and $4,842,342 in TANF funds in fiscal year 2010, and $15,630,976 in State Compensatory Education Funds, $500,000 in General Revenue funds, and $4,842,341 in TANF funds in fiscal year 2011 are allocated for the Communities in Schools Program.

Notwithstanding any other limitation imposed elsewhere in this Act, the Texas Education Agency may transfer General Revenue funds identified above and appropriated for the purpose of providing grants under the Communities in Schools program to Strategies B.3.2-B.3.5 for the purpose of providing administrative support for the program. Transfers made under the authority of this rider may not exceed $300,000 for the 2010-11 biennium.

---

[19] As a result of the enactment of HB 3646, 81st Legislature, Regular Session, the Communities in Schools program is no longer funded from funds set aside from the Foundation School Program. The amounts identified as State Compensatory Education Funds are funded at the level identified in the rider with appropriations from General Revenue Funds.

Any unexpended balances as of August 31, 2010 are hereby appropriated to fiscal year 2011 for the same purpose.

27. Extended Year Programs.[20] Out of Foundation School Program Compensatory Education Funds appropriated in Strategy A.2.4, School Improvement and Support Programs, the Commissioner shall distribute an amount not to exceed $15,300,000 in fiscal year 2010 and $15,300,000 in fiscal year 2011 to finance extended year programs under § 42.152(p), Texas Education Code.

Any unexpended balances as of August 31, 2010 are hereby appropriated to fiscal year 2011 for the same purpose.

28. Allocation of Funds to South Texas Independent School District. Out of funds appropriated above for Strategy A.1.1, FSP - Equalized Operations, the Commissioner of Education shall provide the South Texas Independent School District with adequate access to funding under Tier 2 of the Foundation School Program. The Commissioner shall adjust payments to the South Texas Independent School District to equal an amount to which the district would be entitled at the average effective tax rate in other school districts in Cameron County less the tax rate set by the district itself.

29. Appropriation Limited Revenue Collections. It is the intent of the Legislature that, for the following fee-supported programs in Goals A, Provide Education System Leadership, Guidance, and Resources, and B, Provide System Oversight and Support, fees, fines, and other miscellaneous revenues as authorized and generated by the Texas Education Agency cover, at a minimum, the cost of the appropriations made to support the programs, as well as the "other direct and indirect costs" associated with those functions appropriated elsewhere in this Act. "Other direct and indirect costs" for these programs are estimated to be $3,065,584 in fiscal year 2010 and $3,162,426 in fiscal year 2011 including employee matching costs and other indirect operating costs:

Guaranteed Program for School District Bonds
General Education Development (GED)
Driver Training
Driver Education
Electronic Course Pilot Program
Educator Certification
Criminal History Background Check

For each individual fee program listed above, all fees collected in excess of the Comptroller of Public Accounts Biennial Revenue Estimate are hereby appropriated to the Texas Education Agency.

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

30. Limitation: Transfer Authority. Notwithstanding the General Provisions of this Act, none of the funds appropriated above in Goal A, Provide Education System Leadership, Guidance, and Resources, and Goal B, Provide System Oversight and Support, Strategies B.1.1.-B.3.1., may be transferred to Goal B, Strategies B.3.2.-B.3.6, except as noted below.

None of the funds appropriated to the Texas Education Agency for the purpose of funding the Foundation School Program under Chapter 42 and 46, Texas Education Code, may be transferred to any other item of appropriation or expended for any other purpose unless the Commissioner of Education provides written notice to the Legislative Budget Board and to the Governor of intent to transfer such funds at least 45 days prior to the execution of the transfer. Such transfers from the Foundation School Program to other items of appropriation shall not exceed $10 million in each fiscal year of the 2010-11 biennium. The Commissioner may transfer an amount not to exceed $1 million into Strategies B.3.2 - B.3.6 only upon approval of the Legislative Budget Board and the Governor's Office. Any unexpended and unencumbered balances remaining after the last day of a fiscal year in any of the appropriations made for a purpose described by this provision shall lapse

[20] As a result of the enactment of HB 3646, 81st Legislature, Regular Session, Extended Year Programs are no longer funded from funds set aside from the Foundation School Program. The amounts identified as State Compensatory Education Funds are funded at the level identified in the rider with appropriations from General Revenue Funds.

and accrue to the benefit of the unappropriated balance of the General Revenue Fund after taking into account the "settle-up" provision found in § 42.253 (i), Texas Education Code.

To the extent necessary to avoid reductions in state aid as authorized by § 42.253(h), Texas Education Code, the Commissioner of Education is authorized to transfer Foundation School Program funds from fiscal year 2011 to fiscal year 2010. Such transfers are subject to prior approval by the Governor and the Legislative Budget Board. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.

31. Additional Funding Sources. If the appropriations provided by this Act for the Foundation School Program are not sufficient to provide for expenditures for enrollment growth, district tax rate or taxable value of property, after accounting for any other appropriations made to the TEA and available for transfer for this purpose, the Legislative Budget Board and the Governor may provide for, and are hereby authorized to direct, the transfer of sufficient amounts of funds to the TEA from appropriations made elsewhere in this Act.

32. Disciplinary Alternative Education Programs. Out of the funds appropriated above in Strategy B.2.2, Health and Safety, there is hereby allocated the amount of $4,750,000 for each fiscal year of the biennium for safe schools programs under Texas Education Code § 37.008.

33. Funding for Juvenile Justice Alternative Education Programs. Out of the funds appropriated above in Strategy B.2.2, Health and Safety, $11,476,023 in fiscal year 2010 and $11,534,404 in fiscal year 2011 shall be set aside from the Compensatory Education allotment in each year and transferred to the Juvenile Probation Commission for the support of Juvenile Justice Alternative Education Programs. This set-aside shall not effect the calculation of the number of students in weighted average daily attendance under Texas Education Code § 42.302.

34. FSP Funding for the Texas Youth Commission. Out of the funds appropriated above in Strategy B.2.2, Health and Safety, the Texas Education Agency shall allocate to the Texas Youth Commission the basic allotment of the Foundation School Program minus the amounts allocated to the commission pursuant to Texas Education Code § 30.102 (a) for each student in average daily attendance. These amounts are estimated to be $5,852,939 in fiscal year 2010 and $5,534,593 in fiscal year 2011. This transfer shall not be subject to the limitation in Rider 30, Limitation: Transfer Authority.

35. Regional Education Service Center Dyslexia and Related Disorders Coordinators. Out of the funds appropriated above in Strategy A.2.3, Students with Disabilities, the Commissioner of Education may allocate $275,000 in each year of the biennium to assist the joint program of coordinators for dyslexia and related disorders services at the Regional Education Service Centers pursuant to § 38.003 of the Texas Education Code. The joint program shall not include regulatory oversight functions. The Regional Education Service Centers shall ensure that the program uses resources efficiently to provide a coordinator to any school district or charter school that needs one.

36. School Improvement and Parental Involvement Initiative. Out of the funds appropriated above in Strategy A.2.4, School Improvement and Support Programs, the Commissioner shall allocate $850,000 in each fiscal year of the 2010-11 biennium to the AVANCE family support and education program. The Commissioner shall ensure that all of the funds allocated for this program are spent on service delivery within the state of Texas. It is the intent of the Legislature that funds referenced in this rider shall not be used to supplant funding allocated for direct service delivery within the state of Texas under the AVANCE program.

Any unexpended balances as of August 31, 2010 are hereby appropriated to fiscal year 2011 for the same purpose.

37. Special Foundation School Program Payments. The Texas Academy of Leadership in Humanities is entitled to Foundation School Program (FSP) allotments for each student enrolled in the academy as if it were a school district, except that the local share applied is equal to the Beaumont ISD's local share. The same methodology shall apply to the Texas Academy of Mathematics and Science with a local share equal to Denton ISD's. From funds appropriated above in Strategy A.1.1, FSP- Equalized Operations, TEA shall transfer via interagency contract $175,000 in each fiscal year of the 2010-11 biennium to the Adjutant General's Department for the purpose of funding the Seaborne/ChalleNGe Youth Program.

38. Texas Reading, Math and Science Initiatives. Out of the funds appropriated above in Strategy A.2.1, Statewide Educational Programs, $8,068,730 in General Revenue Funds in fiscal year 2010 and $8,068,731 in General Revenue Funds in fiscal year 2011, with $17,000,000 in Federal Funds in fiscal year 2010 and $17,000,000 in Federal Funds in fiscal year 2011, shall be allocated to the Texas Reading, Math and Science Initiatives. These funds shall be allocated in the following manner:

a. The Commissioner shall fund reading, math, and science diagnostic instruments to be made available to independent school districts and charter schools. The Commissioner also may fund the distribution of non-consumable materials, to include electronic formats, in reading, math, and science.

b. Out of the Federal Funds identified above, the Commissioner shall allocate funds for the development and implementation of research-based training programs and materials in reading, math, and science. Out of the funds appropriated for this part, the Commissioner may allocate an amount not to exceed $5,000,000 in each fiscal year of the biennium for the development of educator training programs at regional education service centers, in a manner that ensures access to training for small and mid-sized school districts and charter schools.

Funds shall be distributed by the Commissioner on a competitive grant basis to be used by schools for the implementation of scientific, research-based science programs designed to improve the academic science performance of students, including programs designed to address the gender gap in performance. To be eligible for funding, schools must demonstrate a high need for additional intervention as evidenced by student performance, and must partner with a science department of an institution of higher education.

c. Out of the amounts identified above, the Commissioner may use funds to support the State Marine Science Center in Palacios, in amounts not to exceed $250,000 for the biennium.

d. Out of the funds identified above, the Commissioner may distribute an amount not to exceed $1,500,000 in each fiscal year of the biennium for stipends, incentives, and other programs to recruit and retain effective reading, math, and science teachers.

e. Any balances as of August 31, 2010, are appropriated for the 2011 fiscal year.

39. Funding for Tuition Credit Program. Out of the funds appropriated above in Strategy A.2.1, Statewide Educational Programs, and Strategy A.2.4, School Improvement and Support Programs, there is hereby transferred via interagency contract to the Texas Higher Education Coordinating Board an amount of funds, estimated to be $20,461,546 in each fiscal year of the biennium, from the Foundation School Fund sufficient to pay for the Early High School Graduation Scholarship Program and tuition and fee exemptions in accordance with Texas Education Code, §§ 54.212, 54.214, and 56.202.

40. Certification of Pre-kindergarten Expenditures. Out of the funds appropriated above in Strategy A.1.1, FSP - Equalized Operations, and Strategy A.2.1, Statewide Educational Programs, the Texas Education Agency shall certify each year of the biennium the maximum pre-kindergarten expenditures allowable under federal law as maintenance of effort for Temporary Assistance for Needy Families (TANF) and state match for the Child Care Development Fund.

41. Early Childhood School Readiness Program. Out of the funds appropriated in Strategy A.2.1, Statewide Educational Programs, $7,500,000 in fiscal year 2010 and $7,500,000 in fiscal year 2011 shall be used for the Early Childhood School Readiness Program, for programs providing an educational component to public pre-kindergarten, Head Start, university early childhood programs, or private non-profit early childhood care programs that have entered into an integrated program with a public school. The Texas Education Agency shall expend these funds in accordance with the provisions of Texas Education Code § 29.156, Grants for Educational Components of Head Start, and with the following provisions:

a. Funds shall be distributed on a competitive grant basis to preschool programs to provide scientific, research-based, pre-reading instruction, with the goal of directly improving the pre-reading skills of three- and four-year-old children and implementing school readiness integration community collaborations. To be eligible for the grants, applicants must serve at least 75 percent low-income students, as determined by the Commissioner. The Commissioner may require applicants to participate in the School Readiness Certification System according to the provisions of Texas Education Code § 29.161. It is the intent of the

Legislature that the Texas Education Agency participate to the extent practicable in interagency early childhood education and care coordination initiatives. This includes but is not limited to participation in the Head Start collaboration project or any other interagency entity formed to address the coordination of early childhood care and education service delivery and funding.

b. In the expenditure of funds referenced above, the Texas Education Agency or any entity with which the Texas Education Agency contracts for purposes of administering programs under this rider shall comply with contract management requirements pursuant to Texas Government Code, Chapter 2262.

c. The Texas Education Agency or any entity with which the Texas Education Agency contracts for purposes of administering programs under this rider shall submit a report to the Governor, the Lieutenant Governor, the Speaker of the House, the Legislative Budget Board, and the presiding officers of the standing committees of the Legislature with primary jurisdiction over public education not later than December 1 of each year providing detailed information on the expenditure of state funds for purposes of programs administered under this rider.

d. From funds allocated above, the Legislative Budget Board shall contract for an external evaluation of the management and implementation of demonstration projects authorized under Texas Education Code, § 29.160 and the school readiness certification system established under Texas Education Code, § 29.161. The evaluation shall include an assessment of program effectiveness based on student performance outcomes. The Texas Education Agency and the Legislative Budget Board shall enter into a Memorandum of Understanding for purposes of implementing this subsection.

e. Any balances as of August 31, 2010, are appropriated for the 2011 fiscal year.

42. Student Success Initiative. Out of the funds appropriated above in Strategy A.2.1, Statewide Educational Programs, $151,999,650 in fiscal year 2010 and $151,999,650 in fiscal year 2011 are allocated for the Student Success Initiative to focus on reading, math, and postsecondary readiness. The Commissioner shall provide grants to schools for the purpose of implementation of scientifically-validated and research-based instructional strategies on campuses at which students are identified as unlikely to achieve the TAKS reading standard by the end of the third grade, including those students with dyslexia and related disorders, students unlikely to achieve the TAKS reading or math standards by the end of the fifth grade, students unlikely to achieve TAKS reading or math standards by the end of the eighth grade, and/or students unlikely to meet the end-of-course Algebra I standards in the ninth grade/high school, and to ensure postsecondary readiness in all core content areas.

a. From funds identified above, the Commissioner may allocate $11,150,000 for the biennium to continue the Texas Adolescent Literacy Academies for teachers in grades 6, 7, and 8 who have not previously attended, and training in teaching reading across content areas for grades 6 through 8 math, science and social studies teachers. Where applicable, the academies shall include training in the use of diagnostic instruments.

b. From funds appropriated for the Student Success Initiative, and from any available Federal Funds, the Commissioner shall allocate an amount not to exceed $10,100,000 in each fiscal year of the 2010-11 biennium for math academies for grades 5 through 8. Where applicable, the academies shall include training in the use of diagnostic instruments and additional follow-up support for teachers.

From funds appropriated for the Student Success Initiative, and from any available Federal Funds, the Commissioner shall set aside an amount not to exceed $1,700,000 in each fiscal year of the 2010-11 biennium for the development of a supplemental diagnostic screening instrument for students who do not perform at proficient levels in math in grades 5 through 8.

From funds appropriated for the Student Success Initiative, and from any available Federal Funds, the Commissioner shall set aside an amount not to exceed $50,000,000 for the 2010-11 biennium to administer competitive grants aimed at improving student achievement in mathematics and preparing students to meet the Algebra I end-of-course standard to school districts and open-enrollment charter schools with students identified as unlikely to meet the end-of-course standard in Algebra I. From funds referenced in this paragraph, the Commissioner shall allocate $1,500,000 in each fiscal year of the 2010-11 biennium for the

purpose of providing programs for students in grades 5 through 8 in technology-based supplementary instruction in mathematics with proven effectiveness in improving student learning.

c. From funds identified above, the Commissioner shall allocate an amount not to exceed $50,000,000 for the biennium to establish teacher academies for content area teachers, bilingual/ESL teachers, and special education teachers to provide professional development in the revised Texas Essential Knowledge and Skills in English Language Arts, Science, and Social Studies, for teachers in grades 9 through 12 and to develop, provide, and distribute content-based professional development to improve student performance on End-of-Course assessments, and for campus leaders to ensure fidelity in implementation of strategies learned through professional development, including stipends for participants who complete the training. The Commissioner shall establish an online instructional component to provide ongoing support during the school year for those teachers who complete the academies.

d. From funds identified above, the Commissioner shall allocate an amount not to exceed $10,000,000 for the biennium to establish teacher academies for content area teachers, bilingual/ESL teachers, special education teachers, and administrators to provide professional development in English Language Proficiency Standards and instructional practices.

e. From funds identified above, the Commissioner shall allocate $1,000,000 in the 2010-11 biennium for the purpose of providing training to teachers of mathematics, science, and the arts aimed at the integration of learning in mathematics, science, and the arts through the coordination of lesson plans, instructional strategies, and curricula.

f. From funds identified above, the Commissioner shall allocate $25,000,000 for the biennium for targeted assistance to promote student success and close achievement gaps at campuses with disproportionately high numbers of students who have been identified as unlikely to achieve college readiness standards by the end of the 11th grade, including technical assistance from individuals with demonstrated expertise in improving student college readiness among academically struggling students and students with historically lower college success rates.

g. From funds identified above, the Commissioner shall allocate an amount not to exceed $5,000,000 for the biennium to establish School Leadership Academies for grades K through 12 to develop and provide professional development trainings to district and campus leadership regarding the best ways to evaluate campus and classroom needs, monitor instruction, implement campus and classroom improvement activities, ensure fidelity in implementation of strategies learned through professional development, and support their teachers and their needs in the classroom to be successful.

h. From funds identified above, the Commissioner shall set aside an amount not to exceed $2,000,000 for the biennium to conduct an ongoing evaluation based on school district and open-enrollment charter school reporting of data on cohorts of teachers being sent to the training to determine 1) the value of the training in terms of the ability to translate training to practice; 2) how training can be supported through the school year; and 3) how the training can be revised to better inform practice and instruction. Prior to expenditure of funds under this subsection, the Commissioner must obtain approval by the Legislative Budget Board of the evaluation methodology to be implemented under this subsection.

It is the intent of the Legislature that any evaluation undertaken related to programs under this rider focus on student achievement outcomes.

i. The commissioner is authorized to use federal funds as appropriate to augment the activities under subsections a.-h.

j. From funds identified above, the Commissioner shall set aside $13,750,000 in each fiscal year of the 2010-11 biennium for the purpose of funding the cost associated with administering the provisions of Texas Education Code § 39.0261(a)(1), § 39.0261(a)(2), and § 39.0261(a)(3).

k. The commissioner shall ensure that not less than eighty percent of the funds expended for each program and intervention described above shall be expended for scientifically validated and research-based instructional programs with a proven track record of improving individual student achievement.

l. From funds identified above, the Commissioner shall set aside an amount not to exceed $500,000 for the 2010-11 biennium to contract with an Education Research Center established under Texas Education Code § 1.005 for the purpose of conducting research to determine best practices in curriculum adjustments, instructional strategies, and professional development for teachers related to second dialects of English speakers.

m. Any balances as of August 31, 2010, are appropriated for fiscal year 2011 for the same purposes.

43. Arts Education. Out of the Foundation School Program funds appropriated above in Strategy A.1.1, FSP- Equalized Operations, $300,000 in fiscal year 2010, and $300,000 in fiscal year 2011 shall be directed to and expended by the Commission on the Arts under the Commission's Strategy A.1.2, Arts Education Grants, for the purpose of awarding grants for arts education. It is the intent of the Legislature that grantees receiving funds under this program fulfill a 1:1 match requirement. These amounts shall be directed and expended in addition to funds separately appropriated under this Act to the Commission on the Arts under Strategy A.1.2, Arts Education Grants.

44. Recorded Instructional Materials. Out of the funds appropriated above in Strategy A.2.3, Students with Disabilities, the Commissioner shall expend $200,000 in fiscal year 2010 and $200,000 in fiscal year 2011 to continue a program of providing state-adopted textbooks using recorded material technology for students with visual impairment, reading disabilities and other disabilities as appropriate in kindergarten through 12th grade.

Out of the funds appropriated above in Strategy A.2.3, Students with Disabilities, the Commissioner shall expend $1,500,000 in fiscal year 2010 and $1,500,000 in fiscal year 2011 for the purpose of conducting an educational outreach program providing access to digital audio textbooks which assist individuals with print disabilities affording reading accommodation and providing instruction and training in the use of digitally recorded audiobooks, playback equipment, and other resources. The program shall target economically disadvantaged students in kindergarten through 12th grade with learning disabilities, dyslexia, vision impairment, and physical disabilities.

45. Pre-kindergarten Early Start Grant Programs.[21] Out of the funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Commissioner of Education shall allocate $104,300,000 in General Revenue in each year of the 2010-11 biennium for the purpose of providing grants for pre-kindergarten programs consistent with the provisions of Texas Education Code § 29.155. Any unexpended balances as of August 31, 2010, are appropriated for any early childhood programs authorized by this Act for the 2011 fiscal year, subject to the approval of the Commissioner of Education.

Out of the amounts referenced above, contingent on the enactment by the Eighty-first Legislature, Regular Session, of House Bill 130, Senate Bill 21, or similar legislation relating to an enhanced quality full-day prekindergarten program provided by public school districts in conjunction with community providers, the Commissioner shall allocate $12,500,000 in each fiscal year of the biennium for the purpose of implementing the legislation.

46. Adult Education. Priority shall be given to adult literacy programs and may be given to adult literacy programs that include training in financial literacy and occupational foundation skills in the expenditure of adult education funds appropriated above. It is the intent of the Legislature that, in providing educational programs, the administering agency or agencies shall provide appropriate training to recipients of Temporary Assistance for Needy Families (TANF) in accordance with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Out of the $13,885,700 in General Revenue Funds appropriated each year above in Strategy A.2.5, Adult Education and Family Literacy, an amount not less than $2,000,000 each fiscal year shall be allocated to TEA's adult education cooperatives to provide education and training services to TANF recipients. In addition, out of the Federal TANF funds appropriated above in Strategy A.2.5, $3,800,000 in fiscal year 2010 and $3,800,000 in fiscal year 2011 shall be directed for services for adults who are eligible for TANF. Families that include a child living at home are deemed eligible for TANF-funded adult education services if a family member receives any of the following forms of assistance: Food Stamps, Medicaid, Children's Health Insurance Program, Child Care and Development Fund, or Free or Reduced Priced Child Nutrition Program meals. To implement these provisions, TEA shall enter into contracts or arrangements with the agency or

[21] HB 130 was vetoed by the Governor.

agencies administering welfare reform and may work with other community-based organizations to offer services directly to adult TANF recipients. All providers of adult education shall meet the requirements defined in the Texas Education Code. Federal funds appropriated for this purpose shall be used for administrative expenditures only to the extent allowable under Federal regulations.

TEA shall coordinate with the Higher Education Coordinating Board in efforts to develop and implement an action plan to align Adult Basic Education and post-secondary education and in the provision of data necessary to analyze performance outcomes.

It is the intent of the Legislature that the agency shall allocate state and federal adult basic education funds, other than federal funds set aside for state administration, special projects, and staff development, based on need for persons 18 years of age or older who have not received a high school diploma. Funds available to a service area in which there is no eligible service provider providing student contact hours shall be distributed proportionally by the agency to other eligible service providers in the county. If there are no other eligible service providers in the county, the funds allocated for that county shall be distributed proportionally by the agency throughout the state to eligible service providers by service area. Service providers providing student contact hours for the 2008-09 school year are entitled to at least the same level of student contact hours in the 2009-2010 and 2010-2011 school years as the service provider provided in the 2008-09 school year. It is the intent of the Legislature that the agency by rule or the Legislature by enactment of an Act of the Eighty-first Legislature, Regular Session, shall establish that service providers of adult education shall be paid on a student contact hour and student performance basis and shall require that the total number of eligible student contact hours must be based on the student's level of performance on a designated literacy or basic skills test so that the number of eligible student contact hours funded is increased for a student with a lower performance level.

47. Local Educational Agency Risk Pool. Out of the funds appropriated above in Strategy A.2.3, Students with Disabilities, the Commissioner shall implement the provisions of the Individuals with Disabilities Education Act (IDEA) of 2004, pertaining to a local educational agency risk pool. The Commissioner shall allocate allowable amounts under the Act for the 2010 fiscal year and the 2011 fiscal year to establish the high cost fund to assist districts with high need students with disabilities. It is the intent of the Legislature that the use of these funds by school districts and charter schools does not violate the least restrictive environment requirements of IDEA of 2004, relating to placement and state funding systems that distribute funds based on type of setting.

48. Early Childhood Intervention. Out of the funds appropriated above in Strategy A.2.3, Students with Disabilities, $16,498,102 in 2010 and $16,498,102 in 2011 shall be set aside from the Special Education allotment and transferred to the Department of Assistive and Rehabilitative Services to support Early Childhood Intervention eligibility determination, and comprehensive and transition services. This set-aside shall not affect the calculation of the number of students in weighted average daily attendance under Texas Education Code § 42.302.

49. Average Daily Attendance Decline. Out of the funds appropriated above in Strategy A.1.1, FSP-Equalized Operations, $11,000,000 in each year of the 2010-11 biennium shall be used to implement § 42.005, Texas Education Code. Expenditures pursuant to this provision shall not exceed $22,000,000 for the 2010-11 biennium.

50. Investment Capital Fund.[22] The Commissioner shall allocate an amount not to exceed $4,497,478 in each year of the biennium to the Investment Capital Fund. Of that total, an amount not to exceed $2,500,000 in each year shall be set aside from the Compensatory Education allotment, and an amount not to exceed $1,997,478 in each year shall be allocated directly from the Foundation School Program. Grants made from the Investment Capital Fund pursuant to this rider are subject to the provisions contained in § 7.024 of the Texas Education Code, and grants may only be made to entities that meet the criteria set forth in that section.

51. Texas High School Completion and Success Initiative. Out of funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Texas Education Agency:

---

[22] As a result of the enactment of HB 3646, 81st Legislature, Regular Session, the Investment Capital Fund is no longer funded from funds set aside from the Foundation School Program. The amounts identified as Compensatory Education allotment and Foundation School Program allotment are funded at the level identified in the rider with appropriations from General Revenue Funds.

a. shall allocate $50,812,500 in General Revenue in each year of the 2010-11 biennium to support research-based instructional support and professional development to secondary and middle schools with students at-risk of dropping out of school, conduct a study to be reported to the Legislature regarding the high dropout rates of students with limited English proficiency and students with parents with limited English proficiency, and for programs to support the improvement of high school graduation rates and postsecondary readiness, pursuant to the provisions of House Bill 2237, 80th Legislature, Regular Session, 2007;

b. shall continue to enter into a memorandum of understanding with the Texas Higher Education Coordinating Board for the transfer of appropriations from the Texas Education Agency to the Texas Higher Education Coordinating Board to implement the provisions of House Bill 2237, 80th Legislature, Regular Session, 2007. A signed copy of the memorandum of understanding shall be provided to the Legislative Budget Board and the Governor no later than December 31, 2009;

c. from funds referenced above, shall allocate $1,500,000 in fiscal year 2010 and $1,500,000 in fiscal year 2011 to the Texas Alliance of Boys and Girls Clubs for a statewide roll-out of the Texas Academic Innovation and Mentoring Program (Texas AIM); and

d. from funds referenced above, shall allocate up to $500,000 in General Revenue funds for the 2010-11 biennium for training high school counselors to assist students in preparation for the college enrollment process, including financial aid opportunities; and shall allocate up to $1,500,000 in General Revenue funds for the 2010-11 biennium to develop a pilot program to provide online college preparation assistance to students, parents, and high school counselors. TEA may develop online college preparation tools, competitively procure online college preparation tools, or any combination of the two, to implement the pilot program. TEA shall implement the pilot program in collaboration with the Higher Education Coordinating Board.

Any balances as of August 31, 2010, are appropriated for fiscal year 2011 for the same purposes.

52. Reimbursement for Classroom Supplies. The Commissioner shall establish a program to reimburse classroom teachers and campus library media specialists for personal funds spent on classroom supplies.

Funds for this purpose may be allocated out of available federal consolidated administrative funds. The agency and local school districts may also use any allowable unexpended balances in federal funds at the end of each fiscal year of the biennium to provide these reimbursements.

53. Life Skills Program for Student Parents.[23] Out of Foundation School Program funds appropriated above in Strategy A.2.4, School Improvement and Support Programs, $10,000,000 in each fiscal year of the biennium is allocated for the Life Skills Program for Student Parents, Texas Education Code § 29.085. The Texas Education Agency shall distribute funds for this program directly to eligible school districts. Any balances as of August 31, 2010 are appropriated to the 2011 fiscal year for the same purpose.

54. Funding for Regional Education Service Centers. Out of the funds appropriated above in Strategy A.2.4, School Improvement and Support, the Commissioner shall distribute $21,375,000 in fiscal year 2010 and $21,375,000 in fiscal year 2011 to Regional Education Service Centers to provide professional development and other technical assistance services to school districts. The formula for distribution shall be determined by the Commissioner but shall provide enhanced funding to Regional Education Service Centers that primarily serve small and rural school districts. The Commissioner shall obtain approval for the distribution formula from the Legislative Budget Board and the Governor.

55. Textbook Purchases. Of the Federal Funds appropriated above in A.2.3, Students with Disabilities, an amount not to exceed $13,500,000 in the 2010-11 biennium shall be used for the purchase of Braille, large-type and related materials for students with special needs.

In accordance with Texas Education Code § 31.103(b), the Commissioner shall use a school district's enrollment growth or decline for the prior three years as the basis for determining the additional percentage of attendance for which a school district may requisition textbooks.

---

[23] As a result of the enactment of HB 3646, 81st Legislature, Regular Session, the Life Skills program is no longer funded from funds set aside from the Foundation School Program. The amounts identified as Foundation School Program are funded at the level identified in the rider with appropriations from General Revenue Funds.

The Commissioner shall provide juvenile justice alternative education programs with instructional materials necessary to support classroom instruction in those programs. The cost of the instructional materials shall be covered by State Textbook Funds appropriated to the agency for the 2010-11 biennium.

56. Title II, Improving Teacher Quality Federal Funds. The Texas Education Agency and the Higher Education Coordinating Board shall coordinate the distribution of Title II federal funds for improving teacher quality to ensure compatibility between these two agencies' activities.

57. Receipt and Use of Grants, Federal Funds, and Royalties. The Commissioner of Education is authorized to apply for, receive and disburse funds in accordance with plans or applications acceptable to the responsible federal agency or other public or private entity that are made available to the State of Texas for the benefit of education and such funds are appropriated to the specific purpose for which they are granted. For the 2010-11 biennium, the Texas Education Agency is appropriated any royalties and license fees from the sale or use of education products developed through federal and state funded contracts managed by the agency. The Texas Education Agency shall report on a quarterly basis to the Legislative Budget Board and to the Governor on grants or earnings received pursuant to the provisions of this rider, and on the planned use of those funds.

Any grant or royalty balances as of August 31, 2010 are appropriated for the 2011 fiscal year for the same purpose.

58. Motor Vehicle Fees for Specially Designed License Plates. Pursuant to the Texas Transportation Code, Chapter 504, Subchapter G, revenues generated from the sale of specialty license plates identified below in excess of amounts appropriated above in Strategy A.2.1, Statewide Educational Programs, are hereby appropriated to the agency for the purpose of distribution as required by that statute:

Read to Succeed -- § 504.607
Texas YMCA -- § 504.623
100th Football Season of Stephen F. Austin High School -- § 504.624
Share the Road -- § 504.633
Knights of Columbus -- § 504.638
Star Day School Library Readers Are Leaders -- § 504.643
Keeping Texas Strong -- § 504.650
Anthropos Arts -- § 504, Subchapters I and J

Any remaining balances as of August 31, 2009 are appropriated for the 2010-11 biennium. Any remaining balances as of August 31, 2010 are appropriated for fiscal year 2011.

59. Use of Federal Discretionary and Consolidated Administrative Funds. Except as otherwise directed by this Act, the Commissioner may use 50 percent of available federal state-level discretionary and consolidated administrative funds to supplement state funds appropriated for teacher mentoring, recruitment and retention, or the Student Success Initiative. The Commissioner may make exceptions to this allocation only upon the prior approval of the Legislative Budget Board and the Governor.

60. Child Nutrition Program. It is the intent of the Legislature that the Child Nutrition Program payments to independent school districts be budgeted at the Texas Education Agency. Included in the amounts appropriated above to the Texas Education Agency for the 2010-11 biennium is $2,978,564,501 out of Federal Funds and $29,278,000 out of the General Revenue Fund to provide reimbursements for the School Lunch, Breakfast, After School Snack, and Seamless Summer programs.

Under the authority of the letter of agreement between the U.S. Department of Agriculture and the Texas Department of Agriculture, the Texas Department of Agriculture shall administer the Child Nutrition Program. Included in the amounts appropriated elsewhere in this Act to the Texas Department of Agriculture for the 2010-11 biennium is $21,400,000 out of Federal Funds and $398,248 out of the General Revenue Fund in Strategy D.1.1, Support Nutrition Programs, to administer the Child Nutrition Program.

Any unexpended balances as of August 31, 2010 are hereby appropriated to fiscal year 2011 for the same purpose.

61. Programs to Encourage Certification to Teach Bilingual Education, English as a Second Language, or Spanish. From funds appropriated above that may be used for educator training or support in bilingual education, English as a second language, or Spanish, the Texas Education Agency, in consultation with the affected institutions of higher education and the Texas Higher Education Coordinating Board, shall develop and operate a program to assist students enrolled at institutions of higher education in educator preparation programs in bilingual education, English as a second language, or Spanish by providing financial incentives, such as tuition assistance, to encourage those students to become certified to teach bilingual education, English as a second language, or Spanish.

62. LEP Student Success Initiative.[24] Out of the funds appropriated above in Strategy A.2.1, Student Success, $9,700,000 in each fiscal year of the 2010-11 biennium shall be set aside from the Compensatory Education allotment and allocated for the purpose of funding intensive programs of instruction for limited English-proficient (LEP) students and teacher training resources specific to instruction of LEP students, pursuant to Texas Education Code § 39.024(e).

a. Out of any state or federal funds available to the agency for this purpose, the Commissioner may set aside an amount not to exceed $3,000,000 to implement a competitive procurement system to award two-year contracts to government organizations, public nonprofit agencies, or community-based organizations to implement multi-age programs serving 3-, 4-, and 5-year olds that assure that English language learning children receive appropriate activities to enter school prepared to succeed. The pilot programs must provide many opportunities for the acquisition of English, while supporting the child's first language including social services, appropriate training and modeling, and research-based curricula and supplies to enhance the development of both languages. Instruction must be in both languages so children can learn concepts in the language they understand while developing their English skills. Programs must include bilingual education specialists and continued professional education to support the teachers. Priority shall be given to entities that serve a high percentage of limited English proficient children.

b. A portion of the funds received by entities participating in this pilot shall be used to perform an evaluation and review of student performance and improvement. These results shall be reported to the Legislature by the agency no later than January 1, 2011.

63. Educator Certification Test Development. Pursuant to Texas Education Code § 21.048(a), the State Board for Educator Certification shall continue to consider the use of standard exams that are not specific to Texas curricula to complement a core of Texas-specific exams and/or replace certain Texas-specific exams planned or under development. The board shall consider the following factors when determining whether a Texas-specific exam is necessary: the number of Texas educators likely to take the exam; the extent to which educators from states that use a standard exam pass similar Texas-specific exams; the similarity of content covered in a standard exam versus the planned Texas-specific exam, understanding that 100 percent of alignment is not necessary; and the relative cost to the state and to examinees of a standard exam versus a Texas-specific exam.

The State Board for Educator Certification is hereby authorized to expend funds appropriated in Strategy B.3.6, Certification Exam Administration, for test development or for the evaluation and purchase of standard exams, if the Board finds that a standard exam is appropriate.

The State Board for Educator Certification shall seek federal funds to provide for the development of new certification examinations. Any federal funds received by the State Board for Educator Certification for this purpose are hereby appropriated to the agency.

64. Communication of New Rules. From funds appropriated above in Strategy B.3.3, State Board for Educator Certification, the Board shall ensure timely communication of the adoption of new rules directly to school districts and institutions of higher education by electronic mail or regular mail. The Board will also post newly adopted rules on the Internet for review.

---

[24] As a result of the enactment of HB 3646, 81st Legislature, Regular Session, the LEP Student Success Initiative is no longer funded from funds set aside from the Foundation School Program. The amounts identified as Compensatory Education allotment are funded at the level identified in the rider with appropriations from General Revenue Funds.

65. Educator Excellence Awards Program.[25] Out of Educator Excellence Funds (General Revenue) appropriated above in Strategy B.3.1, Improving Educator Quality and Leadership, the Commissioner shall expend an amount not to exceed $197,781,457 in fiscal year 2010 and $197,781,457 in fiscal year 2011 for the purpose of administering the Educator Excellence Awards program in accordance with Texas Education Code Chapter 21, Subchapter O.

The Commissioner may set aside funds, in amounts not to exceed $800,000 in fiscal year 2010 and $1,000,000 in fiscal year 2011, to evaluate the Educator Excellence Grants. The Commissioner may set aside funds in an amount not to exceed $1,000,000 in each year of the 2010-11 biennium to provide districts with technical assistance in implementing Educator Excellence Grants.

Contingent on passage and enactment of legislation by the Eighty-first Legislature, Regular Session, relating to the return to a formula-driven public school finance system that improves equity and reduces recapture and that amends Texas Education Code, Chapter 21, Subchapters N and/or O, the amounts allocated above are hereby allocated for purposes of implementing provisions of the legislation related to the amended Chapter 21, Subchapters N and/or O of the Texas Education Code.

66. Teacher Mentor Program. Out of the funds appropriated above in Strategy B.3.1, Improving Educator Quality and Leadership, the Commissioner shall expend $15,000,000 in fiscal year 2010 and $15,000,000 in fiscal year 2011 for the teacher mentor program in accordance with Texas Education Code § 21.458(c).

67. JJAEP Accountability. The Commissioner shall provide information to the Juvenile Probation Commission for the purpose of preparing the juvenile justice alternative education program performance assessment report, to be submitted to the Legislative Budget Board and the Governor by May 1, 2010. The Commissioner shall provide the requested information if the request provides a minimum of 20 business days in which to respond.

68. Permanent School Fund Distribution Rate. At least 45 days prior to the adoption of the distribution rate from the Permanent School Fund to the Available School Fund by the State Board of Education, the Texas Education Agency shall report to the Legislative Budget Board and the Governor on the following:

a. The distribution rate or rates under consideration;

b. The assumptions and methodology used in determining the rate or rates under consideration;

c. The annual amount the distribution rate or rates under consideration are estimated to provide, and the difference between them and the annual distribution amounts for the preceding three biennia; and

d. The optimal distribution amount for the preceding biennium, based on an analysis of intergenerational equity, and the difference between it and the actual distribution amount.

69. Evaluations for General Revenue Programs. Unless otherwise directed by this Act, the Texas Education Agency shall conduct a performance evaluation of any General Revenue-funded program initiated by the Eightieth or Eighty-first Legislature, and deliver a report to the Legislature in January of the first odd-numbered year after the fourth fiscal year of the program's implementation. The agency shall include the Student Success Initiative in the list of programs to be evaluated for a report to the Legislature in January 2011.

An amount not to exceed five percent of the funds appropriated for each program to be evaluated may be used to perform the evaluation of each program, the actual amount to be determined by the Commissioner.

70. Campus Turnaround Team Support. Out of funds appropriated above in Strategy A.2.4, School Improvement and Support Programs, the Commissioner shall allocate $750,000 in General Revenue and $750,000 in Federal Funds in each year of the 2010-11 biennium to implement a

[25] HB 3646, school finance legislation that amends Texas Education Code, Chapter 21, Subchapters N and O, passed and was enacted.

regional network of technical assistance providers to address the needs of low-performing campuses subject to assistance and intervention efforts under Chapter 39 of the Texas Education Code.

71. Agency Administrative Budget By Division.[26] The amounts presented in this rider are estimated allocations of the All Funds appropriations for the agency's administrative budget, as contained in strategies B.3.2, Agency Operations, through B.3.6, Certification Exam Administration, to the functional administrative divisions of the agency. These amounts are informational purposes only; this rider does not constitute an appropriation or a limit on agency administrative expenditures.

	2010	2011	FTEs
Agency Division:			
Central Administration	$21,506,105	$21,506,105	112.0
Accreditation	$9,724,106	$8,286,535	129.5
Standards and Programs	$13,233,286	$13,233,286	160.5
Finance and Administration	$10,099,096	$10,099,096	134.5
Assessment, Accountability, & Data Quality	$12,883,394	$12,970,866	190.8
Information Technology	$36,428,569	$33,153,307	128.0
Planning, Grants, and Evaluation	$7,015,299	$7,015,299	91.5
Council for Developmental Disabilities	$1,337,086	$1,337,086	18.0
Educator Quality and Standards	$25,204,626	$25,204,629	74.0
Miscellaneous Costs	$1,081,888	$1,081,888	0.0
Total, Agency Administration	$138,513,455	$133,888,097	1,038.8

72. Amachi. Out of federal Temporary Assistance for Needy Families (TANF) funds appropriated above in Strategy A.2.2, Achievement of Students At Risk, the Commissioner shall allocate not more than $2,500,000 in each fiscal year of the 2010-11 biennium to the Amachi Texas program for mentoring children of incarcerated parents. To the extent possible, in the administration of the Amachi program, Big Brothers Big Sisters shall coordinate with other community-based entities providing training for mentors and mentoring services and shall seek additional funding from other private and public sources in order to expand service to more eligible children. Any balances available as of August 31, 2010 are appropriated for fiscal year 2011 for the same purpose.

73. State Funding for Science Labs. Out of funds appropriated above in Strategy A.1.2, FSP - Equalized Facilities, the Commissioner shall allocate an amount not to exceed $30 million in each fiscal year of the 2010-11 biennium to fund competitive grants for the construction and renovation of high school science labs, pursuant to § 7.062 of the Texas Education Code. The Commissioner may adopt rules as necessary to implement this program.

Any balances available as of August 31, 2010 are appropriated for fiscal year 2011 for the same purpose.

74. School-based Prevention Services. The Texas Education Agency shall enter into an interagency contract with the Department of State Health Services for the purpose of the reduction and prevention of the use of tobacco products among school-aged children in grades 4 through 12.

---

[26] Rider modified to incorporate the following:
(a) Article IX, § 17.25, due to the enactment of HB 3, 81st Legislature, Regular Session, relating to public school accountability, curriculum, and promotion requirements, resulting in an increase in Central Administration of $399,986 in FY 2010 and $219,986 in FY 2011, an increase in Assessment, Accountability, and Data Quality of $2,825,113 in FY 2010 and $1,455,014 in FY 2011, an increase of $659,901 in Information Technology in FY 2010, and an additional 11.0 FTEs in each fiscal year of the 2010-11 biennium.
(b) Article IX, § 17.46, due to the enactment of SB 1317, 81st Legislature, Regular Session, relating to driver's education courses, resulting in an increase in Central Administration of $263,342 and 2.5 FTEs in each fiscal year of the 2010-11 biennium.
(c) Article IX, § 17.95, due to the enactment of SB 858, 81st Legislature, Regular Session, relating to driver's education courses, resulting in an increase in Central Administration of $145,000 and 2.0 FTEs in each fiscal year of the 2010-11 biennium.
(d) HB 4586, § 98, due to the enactment of SB 174, relating to educator preparation programs, resulting in an increase to Educator Quality and Standards of $137,500 and 2.0 FTEs in each fiscal year of the 2010-11 biennium.
(e) Amounts reflected above exceed the sum of appropriations to Strategies B.3.2 - B.3.6. because amounts above include funding the agency is permitted to transfer from other strategies to support administrative functions according to TEA riders 26 and 92.

Out of funds appropriated above in Strategy B.2.2, Health and Safety, the Commissioner shall allocate $3,000,000 in Interagency Contract funds in fiscal year 2010 and $3,000,000 in Interagency Contract funds in fiscal year 2011 for services provided under the required contract.

The Texas Education Agency shall track implementation and report on the use of these funds to the Governor and the Legislative Budget Board no later than August 31, 2011.

75. Science and Math Outreach. Out of General Revenue funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Commissioner shall allocate $300,000 in each year of the 2010-11 biennium for a competitive grant program for public and private entities conducting outreach programs providing interactive educational experiences for public school students in science and mathematics. Grants recipients may include, but are not limited to: museums, planetariums, nature preserves and traveling exhibitions providing science and math education to public school audiences.

76. Educator Salary Increase.[27] Out of General Revenue funds appropriated above in Strategy A.1.1, FSP - Equalized Operations, the Commissioner shall allocate $141,400,000 in General Revenue funds in fiscal year 2010 and $141,400,000 in General Revenue funds in fiscal year 2011 to school districts and charter schools for the purpose of providing increased educator salary. The Commissioner shall allocate funds to each school district and charter school so that the amounts received in each fiscal year of the 2010-11 biennium are equal to the amounts received in fiscal year 2009 in association with similar provisions contained in Texas Education Agency, Rider 86, Educator Salary Increase in the 2008-09 General Appropriations Act, Eightieth Legislature, Regular Session, 2007. Each district and charter school shall annually report to the Texas Education Agency information on the use of the educator salary funds identified by this rider. The Commissioner may adopt rules to implement the provisions of this rider.

Out of General Revenue funds appropriated above in Strategy A.1.1, FSP - Equalized Operations, the Commissioner shall allocate $337,117 in General Revenue funds in fiscal year 2010 and $337,117 in General Revenue funds in fiscal year 2011 to the Windham School District for the purpose of providing increased educator salary.

77. Limitation on Funding for Property Tax Relief and Foundation School Program. From the amount appropriated above to the Texas Education Agency for Strategy A.1.1, FSP - Equalized Operations, in each year of the 2010-11 biennium, the Commissioner may not spend more than the amount that, together with all other amounts appropriated from the Foundation School Fund or another source for the Foundation School Program or for paying the costs of school property tax relief, is necessary to achieve a state compression percentage, as defined by Section 42.2516, Texas Education Code, of 66.67 percent and fully fund the school funding formulas under Chapters 41 and 42, Texas Education Code, without the prior approval of the Legislative Budget Board.

78. Library Resources. Out of the amounts appropriated above in Strategy B.2.1, Technology and Instructional Materials, for the technology allotment, the Commissioner shall transfer via interagency contract amounts not to exceed $2,500,000 in fiscal year 2010 and $2,500,000 in fiscal year 2011 to the State Library and Archives Commission for the purpose of acquiring online research and information resources for libraries in public schools, and for administrative expenses related to this particular service.

79. Middle School Physical Education and Fitness Programs. Out of the General Revenue funds appropriated above in Strategy B.2.2, Health and Safety, the Texas Education Agency shall allocate $10,000,000 for fiscal year 2010 and $10,000,000 for fiscal year 2011 to make grants to school districts for the support of in-school physical education and fitness programs for students in grades six through eight. The Commissioner and the Comptroller jointly shall adopt eligibility and other criteria for awarding these grants. The criteria must (1) further the goal of reducing childhood obesity and Type II diabetes in school districts that have proportionately high numbers of economically disadvantaged students and (2) ensure that school districts of all sizes have access to the grants. A school district may use a grant received under this rider only for the purposes specified in this rider.

---

[27] As a result of passage and enactment of HB 3646, Rider 76, Educator Salary Increase, has no effect. See also TEA Rider 85, Foundation School Program Funds for Improving Equity, Reducing Recapture, and Providing Educator Salary Increases.

80. Virtual School Networks. From funds appropriated above in Strategy B.2.1, Technology and Instructional Materials, $10,150,000 in General Revenue in each year of the 2010-11 biennium shall be used for the operation of a state virtual school network in accordance with Texas Education Code, Chapter 30A.

In addition to the amounts above, all revenue received under the authority of Texas Education Code § 30A are hereby appropriated to the Texas Education Agency for the 2010-11 biennium for the purpose of administering the state virtual school network.

Any unexpended balances as of August 31, 2010 are hereby appropriated to fiscal year 2011 for the same purpose.

81. Rural School Technology. From funds appropriated above in Strategy B.2.1, Technology and Instructional Materials, $3,975,000 in General Revenue in each year of the 2010-11 biennium shall be used for the purpose of administering technology based supplemental instruction in rural school districts in accordance with Texas Education Code, § 29.919.

82. Steroid Testing. From funds appropriated above in Strategy B.2.2, Health and Safety, $2,000,000 in General Revenue in fiscal year 2010 shall be used for the purpose of administering the statewide steroid testing program in accordance with Texas Education Code, § 33.091. It is the intent of the Legislature that the same sampling methodology employed in the 2008-09 biennium be implemented in the 2010-11 biennium.

Any unexpended balances as of August 31, 2010 are hereby appropriated to fiscal year 2011 for the same purpose.

83. Midcycle Review and Adoption. Pursuant to Texas Education Code § 31.0221, the State Board of Education may require by rule that a publisher of textbooks pay a fee to cover the cost of the midcycle review and adoption of textbooks. Revenues collected from fees authorized by this statute are hereby appropriated to the Texas Education Agency for the purpose of administering the midcycle review and adoption process.

Any unexpended balances as of August 31, 2010 are hereby appropriated for fiscal year 2011 for the same purposes.

84. Teach for America. From funds appropriated above in Strategy B.3.1, Improving Educator Quality and Leadership, the Commissioner shall expend $4,000,000 in General Revenue in each fiscal year of the biennium to support the Teach for America program.

It is the intent of the Legislature that at least 1,000 Teach for America teachers be employed in Texas schools that serve a proportion of economically disadvantaged students that is above the state average.

No later than January 31, 2011, the Texas Education Agency shall submit a report to the Legislature that evaluates:

(a) to the extent possible, gains in student achievement in all subject levels and at all grade levels for students taught by Teach for America teachers and comparative data about Texas teachers trained by other traditional or alternative certification programs who taught students with similar education levels and socioeconomic backgrounds; and

(b) the cost effectiveness of state investments in teacher preparation programs including Teach For America and other traditional and alternative certification providers based on an evaluation of factors that include the amount of state funding provided per teacher trained, the student achievement gains made by students of similar education levels and socioeconomic backgrounds taught by these teachers, the retention rates of these teachers in high poverty public schools, and the impact of these teacher preparation programs in closing the achievement gap for low-income students in Texas.

85. Foundation School Program Funds for Improving Equity, Reducing Recapture, and Providing Educator Salary Increases.[28] Contingent on passage and enactment of legislation by the Eighty-first Legislature, Regular Session, relating to the return to a formula-driven public school finance system that improves equity, reduces recapture, and provides for increases to

[28] HB 3646, school finance legislation meeting the criteria established in the rider, passed and was enacted.

educator salaries, out of the Foundation School Funds appropriated above in Strategy A.1.1., FSP - Equalized Operations and A.1.2, FSP - Equalized Facilities, $933,000,000 in each fiscal year of the 2010-11 biennium is allocated for the purposes of the legislation.

Contingent on passage and enactment of legislation by the Eighty-first Legislature, Regular Session, relating to the public school finance system and referencing funds allocated for the purpose of providing educator salary increases by Rider 86 in the Texas Education Agency bill pattern in the 2008-09 General Appropriations Act, Eightieth Legislature, Regular Session, 2007, $141,737,117 in each fiscal year of the biennium referenced in Rider 76, Educator Salary Increase, is hereby reallocated to the Foundation School Program, and Rider 76, Educator Salary Increase, has no effect.

Should legislation relating to the return to a formula-driven public school finance system that improves equity and reduces recapture fail to pass, appropriations of Foundation School Funds to Strategy A.1.1, FSP - Equalized Operations and A.1.2, FSP - Equalized Facilities, are hereby reduced by $933,000,000 in each year of the 2010-11 biennium.

86. Best Buddies. From funds appropriated above in Strategy A.2.4, School Improvement and Support Services, the Commissioner shall spend $200,000 in General Revenue in each fiscal year of the biennium to support mentoring programs for students with disabilities administered by the Best Buddies organization.

87. Humanities Texas. From funds appropriated above in Strategy B.3.1, Improving Educator Quality and Leadership, the Commissioner shall provide $1,000,000 in General Revenue in each fiscal year of the biennium to Humanities Texas for the purpose of supporting the Teacher Institute program targeting teachers in their first or second year of service in geographic areas with low student achievement on state assessments.

88. One Community One Child. From funds appropriated above in Strategy A.2.4, School Improvement and Support Programs, the Commissioner shall allocate $100,000 in each fiscal year of the 2010-11 biennium to the One Community One Child program.

89. Capital Budget Expenditures from Federal and Other Funding Sources. The Texas Education Agency is hereby exempted from the capital budget rider provisions contained in Article IX of this Act when gifts, grants, inter-local funds, and federal funds are received in excess of the amounts identified in the agency's capital budget rider and such funds are designated by the donor, grantor, or federal agency for the purchase of specific capital items, limited to projects related to revision of major state data systems or projects funded with amounts received through the federal American Recovery and Reinvestment Act of 2009.

Amounts expended from these funding sources shall not count against the limitation imposed by capital budget provisions elsewhere in this Act. The TEA shall notify the Legislative Budget Board and the Governor upon receipt of such funds of the amount received and the planned expenditures. It is the intent of the legislature that projects funded in any part under the authority of this rider not be exempt from any requirements of the Quality Assurance Team.

90. Best Practices for Public School Dropout Prevention and Recovery. Out of the funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Texas Education Agency shall allocate the amount of $160,000 for the fiscal year ending August 31, 2010, and $160,000 for the fiscal year ending August 31, 2011, for the purpose of collecting and making available best practices information concerning public school dropout prevention and recovery through the online clearinghouse of best practices information established under Texas Education Code, § 7.009.

91. Criminal History Background Reviews for Educators. Out of funds appropriated above in Strategy B.3.3, State Board for Educator Certification- Operations, the Commissioner shall allocate $4,448,327 in General Revenue funds and $1,500,000 in Certification and Assessment fee revenue in each fiscal year of the biennium for the purpose of conducting criminal history background reviews required pursuant to Texas Education Code §§ 22.0831 and 22.0832 for certified educators who did not undergo a review as a condition of certification.

It is the intent of the Legislature that, upon completion of the process of conducting criminal history background reviews required pursuant to Education Code §§ 22.0831 and 22.0832 for certified educators who did not undergo a review as a condition of certification, the agency reallocate or reduce full-time-equivalent positions related to that process.

92. Agency Technology Initiatives for Security, Confidentiality, and Financial Management. Notwithstanding the provisions of Rider 30, Limitation: Transfer Authority, which limit the transfer of funds to Strategies B.3.2. - B.3.6., the Commissioner may transfer funding not to exceed $7,700,000 for the biennium for the purpose of completing capital budget projects listed as Security and Confidentiality Initiative and Foundation School Program, Consolidated Rewrite - Phase 2 in the agency's capital budget rider. The Commissioner shall notify the Legislative Budget Board and the Governor's Office at least 45 days prior to making any transfers under authority of this rider. Projects funded under the authority of this rider shall adhere to limitations on capital budget expenditures elsewhere in this Act. The total amount of funding transferred under the authority of Rider 30, Limitation Transfer Authority and this rider may not exceed $10,000,000 in any fiscal year.

93. Center for the Improvement of Districts and Schools. From funds appropriated in Strategy A.2.4, School Improvement and Support Programs, the Commissioner shall allocate an amount not to exceed $4,000,000 for the biennium to establish a Center for the Improvement of Districts and Schools, a technical assistance network among all 20 Regional Education Service Centers (RESCs), to provide campus-based technical assistance, including, but not limited to, assistance with comprehensive data analysis, evaluation, and planning for student achievement and support. It is the intent of the Legislature that the Center shall serve as a single point of contact for school improvement under both state and federal accountability provisions in providing technical assistance to school districts and open-enrollment charter schools.

94. Intent on Proclamations 2011 and 2012. It is the intent of the Legislature that the State Board of Education use all available purchasing efficiencies, taking into consideration changing technology, to provide content to all students in all grades affected by Proclamations 2011 and 2012 as cost-effectively as possible. It is the intent of the Legislature to fund Proclamations 2011 and 2012 at no more than eighty-five percent of the amount derived by the maximum cost methodology as originally adopted.

95. Prohibition on Vouchers.

a. It is the intent of the Legislature that none of the funds appropriated above may be spent to pay for a public education voucher program or a public education voucher pilot program if the program uses federal funds or state tax dollars to pay tuition for children in grades 1 through 12 to attend a private school.

b. This section does not prohibit:

1. payments for services to a private or nonprofit entity so long as students receiving the services remain enrolled in public school;

2. payments, including tuition, for students with disabilities placed in a private school or residential facility by a local admission, review, and dismissal committee to the extent required under federal law; or

3. payments under other programs specifically authorized by federal law.

SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 15,342,714	$ 15,339,936
Federal Funds	2,348,940	2,348,940
Other Funds		
Appropriated Receipts	1,275,872	1,275,872
Interagency Contracts	1,489,194	1,489,194

Bond Proceeds - General Obligation Bonds	35,192,336	0
Subtotal, Other Funds	$ 37,957,402	$ 2,765,066
Total, Method of Financing	$ 55,649,056	$ 20,453,942
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	343.8	343.8
Schedule of Exempt Positions:		
Superintendent - Group 4	$115,000	$115,000
Items of Appropriation:		
A. Goal: ACADEMIC AND LIFE TRAINING		
Provide Necessary Skills/Knowledge to Students with Visual Impairments.		
A.1.1. Strategy: CLASSROOM INSTRUCTION	$ 4,773,142	$ 4,776,642
Provide Well-balanced Curriculum Including Disability-specific Skills.		
A.1.2. Strategy: RESIDENTIAL PROGRAM	$ 3,537,785	$ 3,548,284
Provide Instruction in Independent Living and Social Skills.		
A.1.3. Strategy: SUMMER AND SHORT PROGRAMS	$ 1,244,686	$ 1,246,595
Provide Summer School and Short-term Programs to Meet Students' Needs.		
A.1.4. Strategy: RELATED AND SUPPORT SERVICES	$ 3,767,079	$ 3,532,988
Provide Regular and Short-term Related and Support Services.		
Total, Goal A: ACADEMIC AND LIFE TRAINING	$ 13,322,692	$ 13,104,509
B. Goal: STATEWIDE RESOURCE CENTER		
Ensure Skills Necessary to Improve Students' Education and Services.		
B.1.1. Strategy: TECHNICAL ASSISTANCE	$ 3,459,888	$ 3,459,888
Provide Technical Asst for Families/Programs Serving Visually Impaired.		
C. Goal: EDUCATIONAL PROF SALARY INCREASES		
Estimated Educational Professional Salary Increases.		
C.1.1. Strategy: EDUC PROF SALARY INCREASES	$ 144,267	$ 295,747
Estimated Educational Professional Salary Increases.		
D. Goal: INDIRECT ADMINISTRATION		
D.1.1. Strategy: CENTRAL ADMINISTRATION	$ 1,547,394	$ 1,547,394
D.1.2. Strategy: OTHER SUPPORT SERVICES	$ 1,982,479	$ 2,046,404
D.1.3. Strategy: FACILITY CONSTRUCT., REPAIR & REHAB	$ 35,192,336	$ UB
Facility Construction, Repair and Rehabilitation.		
Total, Goal D: INDIRECT ADMINISTRATION	$ 38,722,209	$ 3,593,798
Grand Total, SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED	$ 55,649,056	$ 20,453,942
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 15,262,382	$ 15,413,862
Other Personnel Costs	743,166	743,166
Professional Fees and Services	218,506	218,506
Fuels and Lubricants	120,828	120,828
Consumable Supplies	238,385	238,385
Utilities	789,911	853,836
Travel	184,783	184,783
Rent - Machine and Other	75,494	75,494
Other Operating Expense	1,177,985	1,177,985
Client Services	1,995	1,995

Food for Persons - Wards of State	356,718	388,535
Grants	654,500	654,500
Capital Expenditures	35,824,403	382,067
Total, Object-of-Expense Informational Listing	$ 55,649,056	$ 20,453,942
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 785,508	$ 797,291
Group Insurance	2,496,993	2,700,260
Social Security	1,126,916	1,143,819
Benefits Replacement	121,675	115,591
Subtotal, Employee Benefits	$ 4,531,092	$ 4,756,961
Debt Service		
TPFA GO Bond Debt Service	$ 5,192,644	$ 6,986,751
Lease Payments	63,045	37,807
Subtotal, Debt Service	$ 5,255,689	$ 7,024,558
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 9,786,781	$ 11,781,519

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the School for the Blind and Visually Impaired. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the School for the Blind and Visually Impaired. In order to achieve the objectives and service standards established by this Act, the School for the Blind and Visually Impaired shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ACADEMIC AND LIFE TRAINING		
Outcome (Results/Impact):		
Percent of Student Learning Indicator Attained	100%	100%
Percent of Students Whose Responding Local School Districts and Parents Rated Their Learning Experience at Summer Programs as Very Satisfactory or Above	95%	95%
Percent of Students Achieving Moderate to Substantial Progress in Every Core and Expanded Curricular Area in Which They are Receiving Programming	73%	73%
Percent of Students Achieving Moderate to Substantial Progress in All but One Core & Expanded Curricular Area in Which They Are Receiving Programming	17%	17%
A.1.1. Strategy: CLASSROOM INSTRUCTION		
Output (Volume):		
Number of Students Enrolled in Day Programming During Regular School Year	152	152
Percent of Students Enrolled Who Have Multiple Disabilities	75%	75%
Efficiencies:		
Average Cost of Instructional Program Per Student Per Day	167.93	168.05
A.1.2. Strategy: RESIDENTIAL PROGRAM		
Output (Volume):		
Number of Students Enrolled in Residential Programming During Regular School Year	142	142
Efficiencies:		
Average Cost of Residential Program Per Student Per Night	81.31	81.55
A.1.3. Strategy: SUMMER AND SHORT PROGRAMS		
Output (Volume):		
Number of Students Enrolled in Short-term Programs	165	180
B. Goal: STATEWIDE RESOURCE CENTER		
Outcome (Results/Impact):		
Percent of Families, Professionals, and Paraprofessionals Rating as Very Satisfactory or Above the Improvement of Their Knowledge and Skills as a Result of the Services or Products Received from TSBVI	85%	85%

B.1.1. Strategy: TECHNICAL ASSISTANCE		
Output (Volume):		
Number of On-site Visits	150	150
Number of Participants in Conferences and Workshops Held at the Local, Regional, State and National Levels	6,000	6,000

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

	2010	2011
a. Construction of Buildings and Facilities		
(1) Construction/Bldgs & Facilities (08-09 Prop 8)	$ 35,192,336	$ UB
b. Acquisition of Information Resource Technologies		
(1) Instructional Materials and Technology	300,000	300,000
(2) Administrative & Infrastructure Upgrades	30,000	30,000
Total, Acquisition of Information Resource Technologies	$ 330,000	$ 330,000
c. Transportation Items		
(1) Vehicle Replacements	250,000	0
Total, Capital Budget	$ 35,772,336	$ 330,000
Method of Financing (Capital Budget):		
General Revenue Fund	$ 580,000	$ 330,000
Bond Proceeds - General Obligation Bonds	35,192,336	0
Total, Method of Financing	$ 35,772,336	$ 330,000

3. **Teacher Preparation Consortium.** Out of the funds appropriated above in Strategy B.1.1, Technical Assistance, $900,000 in each year of the biennium is Federal CFDA 84.027, Special Education Grants and $400,000 in each year of the biennium is General Revenue Funds. These funds shall be used to support professional preparation for teachers of students with visual impairments. The funds shall be expended under the provisions of a memorandum of understanding executed by Texas School for the Blind and Visually Impaired, Texas Tech University, and Stephen F. Austin University.

4. **Educational Professional Salary Increases.** The funds appropriated in Strategy C.1.1, Educational Professional Salary Increases, are estimated General Revenue amounts and are contingent upon the increases granted to comparable educational professionals in the Austin Independent School District, pursuant to Texas Education Code § 30.024(b)(1). No later than November 1 of each year of the biennium, the Texas School for the Blind and Visually Impaired shall submit, in a form acceptable to the Legislative Budget Board and the Governor, a computation of the salary increases. The school is directed to include in each year of the subsequent biennium baseline budget request the actual amount expended for salary increases in the second year of the previous biennium.

5. **Unexpended Construction Balances.** Out of the appropriations above, there is hereby appropriated to the Texas School for the Blind and Visually Impaired all unexpended and unobligated balances remaining as of August 31, 2009 from appropriations made by the Eightieth Legislature, Regular Session, 2007 (estimated to be $0).

6. **Cash Flow Contingency.** Subject to the prior approval of the Governor and the Legislative Budget Board, the Texas School for the Blind and Visually Impaired is hereby authorized to transfer General Revenue funds in an amount not to exceed $500,000 from fiscal year 2011 to fiscal year 2010. This transfer is contingent upon the anticipated receipt of a like amount of federal reimbursement funds, and shall be used only for the purpose of temporary cash flow needs.

7. **Federal Funds for Statewide Services.** Out of funds appropriated above in Strategy A.1.3, Summer and Short Programs, for each year of the 2010-11 biennium $148,367 is Federal CFDA 84.027 Special Education Grants. These funds shall be used to support short-term programs for students who are otherwise enrolled in local school districts.

Out of the funds appropriated above in Strategy B.1.1, Technical Assistance, for each year of the 2010-11 biennium $98,856 is Federal CFDA 84.027 Special Education Grants. These funds shall be used to provide statewide assistive technology training to programs in local school districts.

8. Appropriation Authority for Proposition 8 General Obligation Bond Proceeds.[1]
Appropriated above in Strategy D.1.3, Facility Construction, Repair and Rehabilitation, in fiscal year 2010 is $35,192,336 in general obligation bond proceeds for projects for the Texas School for the Blind and Visually Impaired as described in Article IX, Sec. 17.11, Informational Listing General Obligation Bond Proceeds.

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 purpose(s).

[1] Modified to correct reference error.

SCHOOL FOR THE DEAF

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 20,250,368	$ 17,902,189
Federal Funds	1,143,452	1,143,452
Other Funds		
Appropriated Receipts	4,197,708	4,307,562
Interagency Contracts	457,679	457,679
Subtotal, Other Funds	$ 4,655,387	$ 4,765,241
Total, Method of Financing	$ 26,049,207	$ 23,810,882
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	462.2	462.2
Schedule of Exempt Positions:		
Superintendent - Group 4	$115,000	$115,000
Items of Appropriation:		
A. Goal: ACADEMIC, LIFE, AND WORK TRAINING		
Provide Training for Students to Become Productive Citizens.		
A.1.1. Strategy: CLASSROOM INSTRUCTION	$ 7,802,712	$ 7,769,280
Provide Rigorous Educational Services in the Classroom.		
A.1.2. Strategy: RESIDENTIAL PROGRAM	$ 4,073,854	$ 4,090,422
Provide After-school Residential Programming.		
A.1.3. Strategy: RELATED AND SUPPORT SERVICES	$ 5,609,476	$ 5,414,318
Provide Counseling and Other Support Services.		
Total, Goal A: ACADEMIC, LIFE, AND WORK TRAINING	$ 17,486,042	$ 17,274,020
B. Goal: OUTREACH AND RESOURCE SERVICES		
Promote Outreach and Resource Services.		
B.1.1. Strategy: TECHNICAL ASSISTANCE	$ 961,769	$ 961,769
Provide Statewide Technical Assistance.		

B.1.2. Strategy: TSD SPECIAL SUMMER/SHORT-TERM PGMS Provide Summer and School-year Short-term Programs.	$ 435,700	$ 435,700
Total, Goal B: OUTREACH AND RESOURCE SERVICES	$ 1,397,469	$ 1,397,469
C. Goal: EDUCATIONAL PROF SALARY INCREASES Estimated Educational Professional Salary Increases.		
C.1.1. Strategy: EDUC PROF SALARY INCREASES Estimated Educational Professional Salary Increases.	$ 180,827	$ 370,696
D. Goal: INDIRECT ADMINISTRATION		
D.1.1. Strategy: CENTRAL ADMINISTRATION	$ 1,209,985	$ 1,209,985
D.1.2. Strategy: OTHER SUPPORT SERVICES	$ 3,547,581	$ 3,558,712
D.1.3. Strategy: FACILITY CONSTRUCT., REPAIR & REHAB Facility Construction, Repair and Rehabilitation.	$ 2,227,303	$ UB
Total, Goal D: INDIRECT ADMINISTRATION	$ 6,984,869	$ 4,768,697
Grand Total, SCHOOL FOR THE DEAF	$ 26,049,207	$ 23,810,882
Supplemental Appropriations Made in Riders:	$ 500,000	$ 0
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 17,966,417	$ 18,100,941
Other Personnel Costs	523,598	523,598
Professional Fees and Services	426,795	426,795
Fuels and Lubricants	140,200	140,200
Consumable Supplies	236,844	236,844
Utilities	1,356,685	1,367,816
Travel	86,211	86,211
Rent - Building	60,300	60,300
Rent - Machine and Other	168,100	168,100
Other Operating Expense	1,297,600	1,297,600
Client Services	758,062	772,798
Food for Persons - Wards of State	309,562	319,668
Capital Expenditures	3,218,833	310,011
Total, Object-of-Expense Informational Listing	$ 26,549,207	$ 23,810,882
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 994,426	$ 1,009,342
Group Insurance	3,205,404	3,472,903
Social Security	1,369,102	1,389,638
Benefits Replacement	113,733	108,047
Subtotal, Employee Benefits	$ 5,682,665	$ 5,979,930
Debt Service		
TPFA GO Bond Debt Service	$ 733,966	$ 717,739
Lease Payments	2,953,033	2,150,573
Subtotal, Debt Service	$ 3,686,999	$ 2,868,312
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 9,369,664	$ 8,848,242

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the School for the Deaf. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of

the School for the Deaf. In order to achieve the objectives and service standards established by this Act, the School for the Deaf shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ACADEMIC, LIFE, AND WORK TRAINING		
Outcome (Results/Impact):		
Percent of Academic Courses in Which Students Obtain a Passing Grade	96%	96%
Percent of Graduates Accepted in Postsecondary Education	55%	55%
Percent of Students in Grades 2-12 Who Demonstrate Progress on Measuring Academic Progress (MAP) Test in Reading and Mathematics	65%	65%
Percent of Students in Grades 3-12 Who Perform Equal to or Better than Their Deaf Peers on the SAT-10 in the Areas of Reading Comprehension and Total Mathematics	89%	89%
A.1.1. Strategy: CLASSROOM INSTRUCTION		
Output (Volume):		
Number of Students Enrolled at Texas School for the Deaf	490	490
Number of Graduates Accepted in Postsecondary Education or Training Programs	18	10
Efficiencies:		
Average Cost of Instructional Program Per Student Per Day	84.88	85.06
A.1.2. Strategy: RESIDENTIAL PROGRAM		
Output (Volume):		
Number of Residential Students	265	265
Efficiencies:		
Average Cost of Residential Program Per Student Per Night	54.13	54.35
A.1.3. Strategy: RELATED AND SUPPORT SERVICES		
Output (Volume):		
Number of Comprehensive Assessments Conducted for Current Students	180	180

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	2010	2011
a. Repair or Rehabilitation of Buildings and Facilities		
(1) Repair and Rehabilitation of Aging Buildings and Equipment	$ 2,227,303	$ 0
b. Acquisition of Information Resource Technologies		
(1) 2010/2011 Computer Replacement	$ 57,000	$ 114,000
c. Transportation Items		
(1) Transportation Vehicles and Equipment Replacement	$ 270,000	$ 0
d. Other Lease Payments to the Master Lease Purchase Program (MLPP)		
(1) 2008/2009 Computer Replacement	132,530	164,011
(2) 2008/2009 Transportation	$ 31,132	$ 30,992
Total, Other Lease Payments to the Master Lease Purchase Program (MLPP)	$ 163,662	$ 195,003
Total, Capital Budget	$ 2,717,965	$ 309,003
Method of Financing (Capital Budget):		
General Revenue Fund	$ 2,717,965	$ 309,003
Total, Method of Financing	$ 2,717,965	$ 309,003

3. **Educational Professional Salary Increases.** The funds appropriated in Strategy C.1.1, Educational Professional Salary Increases, are estimated General Revenue amounts and are contingent upon the increases granted to comparable educational professionals in the Austin Independent School District, pursuant to Texas Education Code § 30.055(b)(1). No later than November 1 of each year of the biennium, the Texas School for the Deaf shall submit, in a form acceptable to the Legislative Budget Board and the Governor, a computation of the salary increases. The school is directed to include in each year of the subsequent biennium baseline budget request the actual amount expended for salary increases in the second year of the previous biennium.

4. **Contingency for Infrastructure Projects.** In the event that E-rate funding from the Schools and Libraries Program of the Universal Service Administrative Company is approved, the School for the Deaf is hereby appropriated in Strategy D.1.2, Other Support Services, an additional $500,000 in General Revenue funds in fiscal year 2010, or an amount not to exceed 10 percent of the total E-rate funding, whichever is less. Unexpended balances as of August 31, 2010 are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

SPECIAL PROVISIONS FOR THE SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED AND SCHOOL FOR THE DEAF

1. **Services to Employees.** The governing boards may expend money for the provision of first aid or other minor medical attention for employees injured in the course and scope of their employment and for the repair and/or replacement of employees' items of personal property which are damaged or destroyed in the course and scope of their employment, so long as such items are medically prescribed equipment (e.g., eyeglasses, hearing aids, etc.).

2. **Emoluments.** The Superintendent is authorized to determine emoluments for certain positions provided that the provision of such emoluments is necessary to effectively carry out the job responsibilities of the position.

3. **Appropriation of Funds.** With respect to the following funds held outside the State Treasury, any balances remaining at the end of the fiscal years ending August 31, 2009 and 2010, plus all receipts deposited to each fund's credit and income received on the fund during the biennium, are appropriated for the continued purpose for which the fund was established subject to the approval of the respective governing board: the Expendable Trust Fund; the Student Trust Fund; the Student Activity Fund; and the Student Aid Fund.

   With respect to the following funds held within the State Treasury, any balances remaining at the end of the fiscal years ending August 31, 2009 and 2010, plus all receipts deposited to each fund's credit and income received on the fund during the biennium, are appropriated for the continued purpose for which the fund was established: Vocational Programs Fund; Technology Lending Fund; Curriculum Publications Fund; Independent School District Fund; State and County Available Fund and other funds brought into the State Treasury under Texas Government Code, Chapter 404.

   Funds received from sale of food and recyclables and from the use of facilities of the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf by organizations and other entities, including the Recording for the Blind, Inc., and any daycare center provider using the facilities, are appropriated for the use of the respective school subject to the approval of the governing board.

4. **Certification and Appropriation of Medicaid Reimbursement.** The Texas School for the Blind and Visually Impaired and the Texas School for the Deaf shall certify and/or transfer appropriated state funds to the Health and Human Services Commission or its designee for the state share of any Medicaid reimbursement for services provided to eligible students. The federal share of such reimbursement is appropriated to each respective school.

5. **Payments by School Districts.** All revenues collected from local school districts in excess of the funds appropriated above are hereby appropriated to the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf, respectively.

6. **Consideration for Grants from the Texas Education Agency.** For all grants of state or federal funds by the Texas Education Agency, the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf shall be considered independent school districts for purposes of eligibility determination, unless the Commissioner of Education and the school Superintendents mutually agree to an alternate consideration.

TEACHER RETIREMENT SYSTEM

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,806,672,541	$ 1,881,335,168
GR Dedicated - Estimated Other Educational and General Income Account No. 770	94,784,704	101,419,633
Teacher Retirement System Trust Account Fund No. 960	61,667,547	59,170,399
Total, Method of Financing	$ 1,963,124,792	$ 2,041,925,200
This bill pattern represents an estimated 3% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	455.3	455.3
Schedule of Exempt Positions:		
Executive Director	$290,000	$290,000
Chief Investment Officer	480,000	480,000
Deputy Director Investment Officer	384,000	384,000
Deputy Administrative Officer	360,000	360,000
Investment Fund Director	360,000	360,000
Investment Fund Director	360,000	360,000
Investment Fund Director	360,000	360,000
Investment Fund Director	350,000	350,000
Investment Fund Director	300,000	300,000
Investment Fund Director	225,000	225,000
Investment Fund Director	200,000	200,000
Items of Appropriation:		
A. Goal: TEACHER RETIREMENT SYSTEM To Administer the System as an Employee Benefit Trust.		
A.1.1. Strategy: TRS - PUBLIC EDUCATION RETIREMENT Retirement Contributions for Public Education Employees. Estimated.	$ 1,377,569,600	$ 1,427,560,754
A.1.2. Strategy: TRS - HIGHER EDUCATION RETIREMENT Retirement Contributions for Higher Education Employees. Estimated.	$ 266,736,102	$ 285,275,670
A.1.3. Strategy: ADMINISTRATIVE OPERATIONS	$ 63,482,415	$ 60,985,267
A.2.1. Strategy: RETIREE HEALTH - STATUTORY FUNDS Healthcare for Public Ed Retirees Funded by Statute. Estimated.	$ 255,336,675	$ 268,103,509
Total, Goal A: TEACHER RETIREMENT SYSTEM	$ 1,963,124,792	$ 2,041,925,200
Grand Total, TEACHER RETIREMENT SYSTEM	$ 1,963,124,792	$ 2,041,925,200
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 33,225,214	$ 33,225,214
Other Personnel Costs	1,900,213,037	1,981,510,593
Professional Fees and Services	8,747,111	11,423,537
Fuels and Lubricants	2,860	2,860

Consumable Supplies	572,950	572,950
Utilities	1,589,375	1,589,375
Travel	796,608	796,608
Rent - Building	343,770	343,770
Rent - Machine and Other	180,000	180,000
Other Operating Expense	10,425,293	10,425,293
Capital Expenditures	7,028,574	1,855,000
Total, Object-of-Expense Informational Listing	$ 1,963,124,792	$ 2,041,925,200
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,885,132	$ 1,885,132
Social Security	1,990,888	2,020,751
Benefits Replacement	142,417	135,296
Subtotal, Employee Benefits	$ 4,018,437	$ 4,041,179
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 4,018,437	$ 4,041,179

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Teacher Retirement System. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Teacher Retirement System. In order to achieve the objectives and service standards established by this Act, the Teacher Retirement System shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: TEACHER RETIREMENT SYSTEM		
Outcome (Results/Impact):		
Percent of TRS Retirees Rating TRS Member Services as Satisfactory or Better	98%	98%
Percent of TRS Active Members Rating TRS Member Services As Satisfactory or Better	98%	98%
TRS Retirement Fund Benefit Administration Annual Operating Expense Per Total Member and Annuitant in Dollars (Excluding Investment Expenses)	24.52	24.52
Percent of TRS-Care Participants Rating TRS-Care Services as Satisfactory or Better	90%	90%
A.1.3. Strategy: ADMINISTRATIVE OPERATIONS		
Output (Volume):		
Number of TRS Benefit Applications Processed	64,000	65,000
Efficiencies:		
Average Customer Hold Time for Calls Received on Toll-free Line (In Minutes)	2	2
A.2.1. Strategy: RETIREE HEALTH - STATUTORY FUNDS		
Efficiencies:		
Percent of TRS - Care Medical Claims Adjudicated within 14 Days of Receipt	95%	95%

2. **Capital Budget.** None of the funds appropriated above for Strategy A.1.3, Administrative Operations, may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

	2010	2011
a. Repair or Rehabilitation of Buildings and Facilities		
(1) Building Renovations	$ 125,000	$ 125,000
(2) HVAC Components Retrofit	1,005,219	0
(3) Landscape	302,180	0
(4) Repair/Replace East Entrance Patio	352,688	0
(5) Upgrade Chilled Water System	1,439,375	0
(6) Upgrade Heated Water System	992,525	0
(7) Computer Center HVAC	$ 275,013	$ 0
Total, Repair or Rehabilitation of Buildings and Facilities	$ 4,492,000	$ 125,000

b. Acquisition of Information Resource Technologies		
(1) Mainframe and Peripheral Upgrades	200,000	200,000
(2) Mainframe Software Upgrade	400,000	95,000
(3) PC Workstation Upgrades	250,000	325,000
(4) Telecommunications Upgrade	410,000	410,000
(5) Imaging System Upgrade	400,000	400,000
(6) Investment Systems Renovation	476,574	0
(7) Enterprise Information Security System	400,000	0
(8) Pension Legislation	$ 0	$ 200,000
Total, Acquisition of Information Resource Technologies	$ 2,536,574	$ 1,630,000
Total, Capital Budget	$ 7,028,574	$ 1,755,000
Method of Financing (Capital Budget):		
Teacher Retirement System Trust Account Fund No. 960	$ 7,028,574	$ 1,755,000
Total, Method of Financing	$ 7,028,574	$ 1,755,000

3. **Updated Actuarial Valuation.** The Teacher Retirement System shall contract with an actuary to perform a limited actuarial valuation of the assets and liabilities of the Teacher Retirement System as of February 28 in those years when the Legislature meets in regular session. The purpose of the valuation shall be to determine the effect of investment, salary, and payroll experience on the unfunded liability, the amortization period, and the state contribution rate which results in a 30-year amortization period of the retirement system.

4. **State Contribution to Teacher Retirement Program.** The amounts specified above in A.1.1, TRS-Public Education Retirement, $1,377,569,600 in fiscal year 2010 and $1,427,560,754 in fiscal year 2011, and A.1.2, TRS-Higher Education Retirement, $266,736,102 in fiscal year 2010 and $285,275,670 in fiscal year 2011, are based on a state contribution of 6.40 percent of payroll for each fiscal year, estimated.

5. **State Contribution to Texas Public School Retired Employees Group Insurance Program.** The amounts specified above in A.2.1, Retiree Health-Statutory Funds, $255,336,675 in fiscal year 2010 and $268,103,509 in fiscal year 2011 are based on a state contribution rate of 1.00 percent of payroll for each fiscal year, estimated.

   The retirement system shall notify the Legislative Budget Board, the Governor, and its membership prior to establishing premiums, regarding the impact such premiums will have on retiree costs for TRS-Care insurance.

   It is the intent of the Legislature that the Teacher Retirement System control the cost of the retiree insurance program by not providing rate increases to health care providers and pharmacy providers during the 2010-11 biennium without providing 60 days notice to the Legislative Budget Board.

6. **Excess Benefit Arrangement Account.** There is hereby appropriated to the Teacher Retirement System all funds transferred or deposited into the Excess Benefit Arrangement Account established in the General Revenue Fund for the purpose of paying benefits as authorized by Government Code §825.517.

7. **Transfer of Other Educational and General Income.** The Comptroller of Public Accounts is hereby authorized to transfer the necessary appropriations made above in A.1.2, TRS-Higher Education Retirement from Other Educational and General Income to institutions of higher education to meet their obligations and comply with the proportionality policy as expressed in the Article IX provision entitled Benefits Paid Proportional by Fund.

8. **Exempt Positions.** Notwithstanding the limitations contained in the Article IX provision entitled Scheduled Exempt Positions, the TRS Board of Trustees may determine the salaries of the positions listed above in the Schedule of Exempt Positions without limitation.

9. **Travel Expenditures.** Notwithstanding the limitations on travel expenditures contained in Article IX of this Act, the annual out-of-state travel cap for the Teacher Retirement System is hereby set at $625,000 for each year of the biennium. The additional authority is provided to allow TRS' investment professionals greater personal access to financial centers, investment experts, and investor information.

10. **Annual School District Contribution Rate to TRS-Care.** The annual contribution rate for school districts for fiscal years 2010 and 2011 shall be 0.55 percent of total payroll.

11. **Use General Revenue Appropriations to Fund Teacher Retirement System (TRS) Exempt Staff Salaries.** Out of the funds appropriated above in A.1.3, Administrative Operations, $3.7 million in each year of the 2010-11 biennium is allocated to fund all TRS exempt staff salary positions. TRS exempt staff salaries shall be paid only from General Revenue appropriations. It is the intent of the Legislature that any increases funded with Teacher Retirement System Trust Account Fund No. 960 in excess of amounts appropriated in Strategy A.1.3, Administrative Operations shall be subject to prior approval by the Legislative Budget Board. In the event the TRS Board of Trustees adopts a fiduciary finding resolution pursuant to Government Code §825.313(d) that increases the agency's administrative budget without receiving prior approval of the Legislative Budget Board, the General Revenue appropriations in Strategy A.1.3, Administrative Operations are hereby reduced by an amount equal to the amount of the administrative funding increase contained in the fiduciary finding.

12. **Full-Time Equivalent Positions Intern Exemption.** The number of Full-Time Equivalent (FTE) positions held by undergraduate and graduate students in the Intern Program of the Teacher Retirement System (TRS) shall be exempt from Article IX, Sec. 6.10. Limitation on State Employment Levels. This provision will not change the cap on the Number of Full-Time Equivalents (FTE) for TRS listed elsewhere in this Act. TRS shall provide to the Legislative Budget Board, the Governor, the Comptroller of Public Accounts, and the State Auditor's Office a report of the number of FTEs associated with the Intern Program each fiscal year.

13. **Limitation on Funds Appropriated to the Teacher Retirement System (TRS).** It is the intent of the Legislature that none of the funds appropriated by this Act or from Teacher Retirement System Trust Fund Account No. 960 may be used for the purpose of hiring an external communications consultant.

14. **Emerging Fund Managers.** From money appropriated under Goal A, the Teacher Retirement System shall make a good faith effort to expand its program to hire qualified emerging fund managers. The Teacher Retirement System shall report back to the Eighty-second Legislature on the methods and results of the System's efforts to hire emerging fund managers, including data disaggregated by race, ethnicity, gender, and fund size.

OPTIONAL RETIREMENT PROGRAM

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 123,831,106	$ 127,546,040
GR Dedicated - Estimated Other Educational and General Income Account No. 770	21,318,010	21,957,550
Total, Method of Financing	$ 145,149,116	$ 149,503,590
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Items of Appropriation:		
A. Goal: OPTIONAL RETIREMENT PROGRAM		
A.1.1. Strategy: OPTIONAL RETIREMENT PROGRAM Optional Retirement Program. Estimated.	$ 145,149,116	$ 149,503,590
Grand Total, OPTIONAL RETIREMENT PROGRAM	$ 145,149,116	$ 149,503,590
Object-of-Expense Informational Listing:		
Other Personnel Costs	$ 145,149,116	$ 149,503,590
Total, Object-of-Expense Informational Listing	$ 145,149,116	$ 149,503,590

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Optional Retirement Program. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Optional Retirement Program. In order to achieve the objectives and service standards established by this Act, the Optional Retirement Program shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: OPTIONAL RETIREMENT PROGRAM		
A.1.1. Strategy: OPTIONAL RETIREMENT PROGRAM		
Output (Volume):		
Number of ORP Participants	40,624	41,030

2. **State Contribution to Optional Retirement Program.** The amount specified above in A.1.1, Optional Retirement Program, is based on a state contribution rate of 6.40 percent of payroll for each fiscal year, estimated. Institutions of higher education and the Texas Education Agency, if applicable, are required to certify estimates of state contributions required for payment to the Comptroller, and the Comptroller shall allocate the state contributions to institutions and the Texas Education Agency pursuant to Government Code §830.202.

3. **Use of Local Funds for Supplementing the General Revenue Appropriation to the Optional Retirement Program.** Institutions and agencies authorized under state law to provide the Optional Retirement Program to their employees are authorized to use local funds or other sources of funds to supplement the General Revenue Fund appropriation at a rate up to 2.10 percent of payroll.

4. **Transfer of Other Educational and General Income.** The Comptroller of Public Accounts is hereby authorized to transfer the necessary appropriations made above from Other Educational and General Income to institutions of higher education to meet their obligations and comply with the proportionality policy as expressed in Article IX of this Act.

HIGHER EDUCATION EMPLOYEES GROUP INSURANCE CONTRIBUTIONS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund		
General Revenue Fund	$ 542,588,839	$ 579,477,488
Insurance Companies Maintenance Tax and Insurance Department Fees	500,000	500,000
Subtotal, General Revenue Fund	$ 543,088,839	$ 579,977,488
State Highway Fund No. 006	639,559	683,049
Total, Method of Financing	$ 543,728,398	$ 580,660,537
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Items of Appropriation:		
A. Goal: STATE CONTRIBUTION, UT SYSTEM		
Group Insurance, State Contribution, UT System.		
A.1.1. Strategy: UT - ARLINGTON The University of Texas at Arlington.	$ 10,785,681	$ 11,519,107
A.1.2. Strategy: UT - AUSTIN The University of Texas at Austin.	$ 25,676,486	$ 27,422,487
A.1.3. Strategy: UT - DALLAS The University of Texas at Dallas.	$ 6,351,368	$ 6,783,261
A.1.4. Strategy: UT - EL PASO The University of Texas at El Paso.	$ 10,228,867	$ 10,924,430
A.1.5. Strategy: UT - PAN AMERICAN The University of Texas - Pan American.	$ 6,763,497	$ 7,223,415
A.1.6. Strategy: UT - BROWNSVILLE The University of Texas at Brownsville.	$ 2,567,493	$ 2,742,083
A.1.7. Strategy: UT - PERMIAN BASIN The University of Texas of the Permian Basin.	$ 1,686,919	$ 1,801,629
A.1.8. Strategy: UT - SAN ANTONIO The University of Texas at San Antonio.	$ 9,939,493	$ 10,615,378
A.1.9. Strategy: UT - TYLER The University of Texas at Tyler.	$ 3,059,898	$ 3,267,971
A.1.10. Strategy: UT SW MEDICAL - DALLAS The University of Texas Southwestern Medical Center at Dallas.	$ 12,586,197	$ 13,442,058
A.1.11. Strategy: UT MEDICAL - GALVESTON The University of Texas Medical Branch at Galveston.	$ 39,327,198	$ 42,001,448
A.1.12. Strategy: UTHSC - HOUSTON The University of Texas Health Science Center at Houston.	$ 12,490,841	$ 13,340,219
A.1.13. Strategy: UTHSC - SAN ANTONIO The University of Texas Health Science Center at San Antonio.	$ 15,557,455	$ 16,615,362
A.1.14. Strategy: UT MD ANDERSON The University of Texas M. D. Anderson Cancer Center.	$ 6,497,666	$ 6,939,507
A.1.15. Strategy: UT HEALTH SCIENCE CENTER - TYLER The University of Texas Health Science Center at Tyler.	$ 2,549,138	$ 2,722,480
A.1.16. Strategy: TEXAS SOUTHMOST (UT) Texas Southmost College (UT Share).	$ 2,489,341	$ 2,658,616
A.1.17. Strategy: UT SYSTEM ADMINISTRATION The University of Texas System Administration.	$ 45,874	$ 48,993
Total, Goal A: STATE CONTRIBUTION, UT SYSTEM	$ 168,603,412	$ 180,068,444
B. Goal: STATE CONTRIBUTION, A&M SYSTEM		
Group Insurance, State Contribution, A&M System.		
B.1.1. Strategy: TEXAS A&M UNIVERSITY	$ 26,302,629	$ 28,091,208

B.1.2. Strategy: A&M SYSTEM HEALTH SCIENCE CENTER Texas A&M University System Health Science Center.	$	4,978,937	$	5,317,505
B.1.3. Strategy: A&M - GALVESTON Texas A&M University at Galveston.	$	1,256,582	$	1,342,030
B.1.4. Strategy: PRAIRIE VIEW A&M Prairie View A&M University.	$	4,794,532	$	5,120,560
B.1.5. Strategy: TARLETON STATE UNIVERSITY	$	3,710,152	$	3,962,443
B.1.6. Strategy: A&M - CORPUS CHRISTI Texas A&M University - Corpus Christi.	$	3,936,361	$	4,204,033
B.1.7. Strategy: A&M - KINGSVILLE Texas A&M University - Kingsville.	$	4,509,339	$	4,815,974
B.1.8. Strategy: A&M - INTERNATIONAL Texas A&M International University.	$	2,095,988	$	2,238,515
B.1.9. Strategy: WEST TEXAS A&M West Texas A&M University.	$	4,013,581	$	4,286,505
B.1.10. Strategy: TEXAS A&M UNIVERSITY - COMMERCE	$	4,401,314	$	4,700,603
B.1.11. Strategy: TEXAS A&M UNIVERSITY - TEXARKANA	$	898,667	$	959,776
B.1.12. Strategy: AGRILIFE RESEARCH Texas AgriLife Research.	$	7,647,272	$	8,167,287
B.1.13. Strategy: AGRILIFE EXTENSION SERVICE Texas AgriLife Extension Service.	$	11,353,007	$	12,125,012
B.1.14. Strategy: ENG EXPERIMENT STATION Texas Engineering Experiment Station.	$	1,844,812	$	1,970,259
B.1.15. Strategy: TRANSPORTATION INSTITUTE Texas Transportation Institute.	$	639,559	$	683,049
B.1.16. Strategy: ENG EXTENSION SERVICE Texas Engineering Extension Service.	$	317,691	$	339,294
B.1.17. Strategy: TEXAS FOREST SERVICE	$	2,638,718	$	2,818,150
B.1.18. Strategy: VET MEDICAL DIAGNOSTIC LAB Texas Veterinary Medical Diagnostic Laboratory.	$	516,981	$	552,135
B.1.19. Strategy: A&M SYSTEM ADMINISTRATION Texas A&M University System Administration.	$	146,416	$	156,372
Total, Goal B: STATE CONTRIBUTION, A&M SYSTEM	$	86,002,538	$	91,850,710
C. Goal: STATE CONTRIBUTION, ERS Group Insurance, State Contribution, Employees Retirement System.				
C.1.1. Strategy: UNIVERSITY OF HOUSTON	$	13,878,160	$	14,821,875
C.1.2. Strategy: UH - CLEARLAKE University of Houston - Clear Lake.	$	2,724,656	$	2,909,933
C.1.3. Strategy: UH - DOWNTOWN University of Houston - Downtown.	$	2,349,806	$	2,509,593
C.1.4. Strategy: UH - VICTORIA University of Houston - Victoria.	$	1,141,298	$	1,218,906
C.1.5. Strategy: UH SYSTEM ADMINISTRATION The University of Houston System Administration.	$	553,837	$	591,498
C.1.6. Strategy: LAMAR UNIVERSITY	$	5,491,680	$	5,865,114
C.1.7. Strategy: LAMAR INSTITUTE OF TECHNOLOGY	$	808,569	$	863,552
C.1.8. Strategy: LAMAR STATE COLLEGE - ORANGE	$	698,138	$	745,612
C.1.9. Strategy: LAMAR STATE COLLEGE - PORT ARTHUR	$	1,119,249	$	1,195,358
C.1.10. Strategy: ANGELO STATE UNIVERSITY	$	4,221,985	$	4,509,080
C.1.11. Strategy: SAM HOUSTON STATE UNIV Sam Houston State University.	$	6,553,662	$	6,999,311
C.1.12. Strategy: TEXAS STATE UNIVERSITY Texas State University, San Marcos.	$	9,645,991	$	10,301,918
C.1.13. Strategy: SUL ROSS STATE UNIVERSITY	$	1,817,448	$	1,941,035
C.1.14. Strategy: SUL ROSS STATE-RIO GRANDE COLLEGE Sul Ross State University - Rio Grande College.	$	335,585	$	358,405
C.1.15. Strategy: TEXAS STATE SYSTEM ADMIN Texas State University System Administration.	$	126,065	$	134,637
C.1.16. Strategy: MIDWESTERN STATE UNIV Midwestern State University.	$	2,506,783	$	2,677,244
C.1.17. Strategy: UNIVERSITY OF NORTH TEXAS	$	15,141,839	$	16,171,484

HIGHER EDUCATION EMPLOYEES GROUP INSURANCE CONTRIBUTIONS
(Continued)

C.1.18. Strategy: UNT HEALTH SCIENCE CENTER University of North Texas Health Science Center at Fort Worth.	$	4,249,266	$	4,538,216
C.1.19. Strategy: STEPHEN F. AUSTIN Stephen F. Austin State University.	$	6,287,327	$	6,714,866
C.1.20. Strategy: TEXAS SOUTHERN UNIVERSITY	$	4,409,873	$	4,709,744
C.1.21. Strategy: TEXAS TECH UNIVERSITY	$	15,188,237	$	16,221,037
C.1.22. Strategy: TEXAS TECH HEALTH SCI CTR Texas Tech University Health Sciences Center.	$	16,740,051	$	17,878,376
C.1.23. Strategy: TEXAS WOMAN'S UNIVERSITY	$	5,802,825	$	6,197,418
C.1.24. Strategy: TSTC - HARLINGEN Texas State Technical College - Harlingen.	$	1,885,398	$	2,013,605
C.1.25. Strategy: TSTC - WEST TEXAS Texas State Technical College - West Texas.	$	1,177,972	$	1,258,074
C.1.26. Strategy: TSTC - WACO Texas State Technical College - Waco.	$	2,583,047	$	2,758,694
C.1.27. Strategy: TSTC - MARSHALL Texas State Technical College - Marshall.	$	389,495	$	415,981
C.1.28. Strategy: TSTC - SYSTEM ADMIN Texas State Technical College System Administration.	$	2,975,795	$	3,178,149
C.1.29. Strategy: PUB COMMUNITY / JR COLLEGES Public Community / Junior Colleges.	$	156,290,646	$	166,918,409
C.1.30. Strategy: SKIP CONTRIBUTIONS	$	500,000	$	500,000
C.1.31. Strategy: OPT-OUT CONTRIBUTIONS Opt-Out Employee Incentive Contributions.	$	108,734	$	108,734
C.1.32. Strategy: UNIV OF NORTH TEXAS SYSTEM ADMIN University of North Texas System Administration.	$	762,899	$	814,776
C.1.33. Strategy: TEXAS TECH UNIVERSITY SYSTEM ADMIN Texas Tech University System Administration.	$	656,132	$	700,749
Total, Goal C: STATE CONTRIBUTION, ERS	$	289,122,448	$	308,741,383
Grand Total, HIGHER EDUCATION EMPLOYEES GROUP INSURANCE CONTRIBUTIONS	$	543,728,398	$	580,660,537
Object-of-Expense Informational Listing: Other Operating Expense	$	543,728,398	$	580,660,537
Total, Object-of-Expense Informational Listing	$	543,728,398	$	580,660,537

1. **State Contribution to Group Insurance for Higher Education Employees Participating in the Employees Retirement System Group Benefits Program.** Funds identified and appropriated above for group insurance are intended to fund:

   a. the total cost of the basic life and health coverage for all active and retired employees; and

   b. fifty percent of the total cost of health coverage for the spouses and dependent children of all active and retired employees who enroll in coverage categories which include a spouse and/or dependent children.

   In no event shall the total amount of state contributions allocated to fund coverage in an optional health plan exceed the actuarially determined total amount of state contributions that would be required to fund basic health coverage for those active employees and retirees who have elected to participate in that optional health plan.

   General Revenue funds appropriated herein for the State Kids Insurance Program (SKIP) are intended to provide a premium-sharing structure comparable to the Children's Health Insurance Program (CHIP). Institutions of higher education paying for health insurance costs from non-General Revenue funds shall provide the same levels of premium-sharing for SKIP enrollees as provided for those higher education employees with health insurance paid from General Revenue funds.

General Revenue funds appropriated herein for the employee incentive opt-out program are intended to contribute towards the General Revenue billing costs incurred by the Employee Retirement System for those active and retired employees opting out of the Group Benefits Program pursuant to Insurance Code § 1551.222.

Funds appropriated for higher education employees' group insurance contributions may not be used for any other purpose.

It is further provided that institutions shall cooperate so that employees employed by more than one institution may be covered under one group policy and that said policy may be held jointly by two or more institutions and paid from funds appropriated to the institutions for payment of employee insurance premiums as set out above.

2. **The University of Texas System Group Health Insurance Contributions.** Funds identified and appropriated above for group insurance are intended to fund a comparable portion of the costs of basic health coverage for all active and retired employees and their dependents as is provided above for higher education active and retired employees and dependents participating in the Employees Retirement System's Group Benefits Program.

   In no event shall the total amount of state contributions allocated to fund coverage in an optional health plan exceed the actuarially determined total amount of state contributions that would be required to fund basic health coverage for those active employees and retirees who have elected to participate in that optional health plan.

   Funds appropriated for higher education employees' group insurance contributions may not be used for any other purpose.

   The University of Texas System shall file a report with the Legislative Budget Board, the Governor and the Comptroller by September 15 of each year, detailing all group health insurance plans offered to system employees and retirees, including the benefit schedule, premium amounts, and employee/retiree contributions.

   Active and retired employees of The University of Texas System are authorized to use one-half of the "employee-only" state contribution amount for optional insurance. Optional insurance for the employees participating in the group insurance program shall be defined by The University of Texas System. Active and retired employees participating in these plans may only use one-half of the employee-only state contribution if they sign and submit a document to their employing institution indicating they have health insurance coverage from another source.

3. **Texas A&M System Group Health Insurance Contributions.** Funds identified and appropriated above for group insurance are intended to fund a comparable portion of the costs of basic health coverage for all active and retired employees and their dependents as is provided above for higher education active and retired employees and dependents participating in the Employees Retirement System's Group Benefits Program.

   In no event shall the total amount of state contributions allocated to fund coverage in an optional health plan exceed the actuarially determined total amount of state contributions that would be required to fund basic health coverage for those active employees and retirees who have elected to participate in that optional health plan.

   Funds appropriated for higher education employees' group insurance contributions may not be used for any other purpose.

   The Texas A&M System shall file a report with the Legislative Budget Board, the Governor and the Comptroller by September 15 of each year, detailing all group health insurance plans offered to system employees and retirees, including the benefit schedule, premium amounts, and employee/retiree contributions.

   Active and retired employees of the Texas A&M System are authorized to use one-half of the "employee-only" state contribution amount for optional insurance. Optional insurance for the employees participating in the group insurance program shall be defined by the Texas A&M System. Active and retired employees participating in these plans may only use one-half of the employee-only state contribution if they sign and submit a document to their employing institution indicating they have health insurance coverage from another source.

4. Transfer Authority. Out of the funds appropriated above:

a. The Comptroller shall transfer monthly, one-twelfth of the amount appropriated from those institutions participating in the Employees Retirement System's Group Benefit Program to the Employees Life, Accident, and Health Insurance and Benefits Fund No. 973, for use by the Employees Retirement System for each higher education institution which participates in the group insurance program of the Employees Retirement System.

b. The Comptroller shall transfer monthly, one-twelfth of the amount appropriated from state contributions for institutions belonging to the University of Texas and Texas A&M Systems, to The University of Texas System Office and the Texas A&M University System Office, for use by each institution's group insurance program.

5. Specification of Appropriations. The amount of the appropriation made for Strategy C.1.29, Public Community/Junior Colleges, shall be allocated to each college in accordance with a report, specifying the exact amounts for each college, to be provided by the Legislative Budget Board to the Employees Retirement System.

6. Appropriations Transfers.

a. Funds appropriated above to institutions other than those belonging to The University of Texas System or the Texas A&M University System, may be transferred from one appropriation item to another at the discretion of the chief administrative officer of the Employees Retirement System for the purpose of applying appropriations in excess of actual General Revenue group insurance premium costs at any of the higher education institutions named above to appropriation shortfalls for General Revenue group insurance premiums at any of the higher education institutions named above. Reallocation dollars provided by the group of institutions submitting annual Accounting Policy Statement 011 (Benefits Proportional by Fund) reports to the Comptroller shall be first apportioned among the same group of institutions, and any remaining funds may be applied to appropriation shortfalls among other institutions of higher education. Funds appropriated above to components of The University of Texas System and the Texas A&M University System may be transferred from one component to another component within the same system at the discretion of the chief administrative officer of each system for the same purposes stated above.

b. The Employees Retirement System, The University of Texas System, and the Texas A&M University System shall file a report with the Legislative Budget Board, the Governor and the Comptroller by December 1 of each year, detailing any such transfers.

c. Out of the funds appropriated above in Strategy A.1.11, The University of Texas Medical Branch at Galveston, $1,500,383 in fiscal year 2010 and $1,602,409 in fiscal year 2011 is for the purpose of paying General Revenue group insurance premiums for employees participating in the Employees Retirement System Group Benefit Program for managed health and mental care associated with the Texas Youth Commission and the Texas Department of Criminal Justice. Out of the funds appropriated above in Strategy C.1.22, Texas Tech University Health Sciences Center, $4,313,372 in fiscal year 2010 and $4,606,682 in fiscal year 2011 is for the purpose of paying General Revenue group insurance premiums for employees paid from managed health care contracts associated with the Texas Department of Criminal Justice. Except for the transfer authority provided above in Subsection a, these amounts are sum certain.

d. Included in the funds appropriated above in Strategy B.1.17, Texas Forest Service, $500,000 in fiscal year 2010 and $500,000 in fiscal year 2011 is for the purpose of paying group health insurance premiums for employees paid with direct appropriations to the Texas Forest Service from the Insurance Companies Maintenance Tax and Insurance Department Fees method of finance. Except for the transfer authority provided above in Subsection a, these amounts are sum certain.

7. Unexpended Balances, Higher Education Group Insurance Contributions. Any unexpended balances remaining as of August 31, 2010 for individual institutions of higher education receiving General Revenue group insurance contributions in this appropriation are hereby appropriated for the same purposes in fiscal year 2011.

HIGHER EDUCATION COORDINATING BOARD

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund[2, 3, 4, 5, 6]	$ 736,678,922	$ 687,268,795
General Revenue Fund - Dedicated		
Dental School Tuition Set Aside Account No. 8021, estimated	113,000	110,000
Scholarship Fund for Fifth Year Accounting Students Account No. 106, estimated	3,320,000	700,000
Medical School Tuition Set Aside Account No. 542, estimated	2,362,000	640,000
Texas Collegiate License Plate Program Account No. 5015, estimated	798,000	336,000
Houston Livestock Show and Rodeo Scholarships Fund Account No. 5034, estimated	8,000	5,000
Girl Scout License Plates Account No. 5052, estimated	7,000	2,000
Texas B-On-Time Student Loan Account No. 5103, estimated	58,000,000	30,000,000
Cotton Boll License Plates Account No. 5119, estimated	16,000	6,000
Boy Scout Plates Account No. 5126, estimated	17,000	7,000
Specialty License Plates General No. 5140, estimated	13,000	6,000
Physician Education Loan Repayment Program Account No. 5144, estimated[7]	7,000,000	15,000,000
Subtotal, General Revenue Fund - Dedicated	$ 71,654,000	$ 46,812,000
Federal Funds	54,272,480	48,539,393
Other Funds		
Appropriated Receipts, estimated	1,380,500	1,380,500
Certificate of Authority Fees, estimated	27,000	27,000
Interagency Contracts, estimated	6,432,725	6,432,725
Permanent Health Fund for Higher Education, estimated	1,915,830	1,915,830
Permanent Endowment Fund for the Baylor College of Medicine, estimated	1,125,000	1,125,000
Permanent Fund for the Higher Education Nursing, Allied Health and Other Health Related Programs, estimated	2,025,000	2,025,000
Permanent Fund for Minority Health Research and Education, estimated	1,125,000	1,125,000
Certification and Proprietary School Fees, estimated	195,000	195,000
Interagency Contracts - Transfer from Foundation School Fund No. 193, estimated	20,461,546	20,461,546
Student Loan Funds, estimated	10,023,123	10,023,123

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $80,000,000 and a Federal Funds increase of $80,000,000 for the biennium resulting in a net General Revenue appropriation of $1,343,947,717 for the biennium and a net All Funds appropriation of $1,734,767,038 for the biennium.

[2] Incorporates Article IX, § 17.28 of this Act, due to passage of HB 51, 81st Legislature, Regular Session, relating to funding and initiatives to support public universities in developing and maintaining programs of the highest tier, resulting in an increase of $25,000,000 in General Revenue Funds in each fiscal year of the biennium.

[3] Incorporates Article IX, § 17.68 of this Act, due to passage of HB 3452, 81st Legislature, Regular Session, relating to the creation of the Texas Armed Services Scholarship Program, resulting in an increase of $1,000,000 in General Revenue funds in each fiscal year of the biennium.

[4] Incorporates Article IX, § 17.85 of this Act, due to passage of SB 297, 81st Legislature, Regular Session, relating to tuition reimbursement, resulting in an increase of $349,500 in General Revenue Funds in each fiscal year of the biennium.

[5] Incorporates Article IX, § 17.69 of this Act, due to passage of HB 3519, 81st Legislature, Regular Session, relating to the Texas Career Opportunity Grant Program, resulting in an increase of $675,000 in General Revenue Funds in each fiscal year of the biennium.

[6] Incorporates Article IX, § 17.57 of this Act, to implement provisions of HB 2425, 81st Legislature, Regular Session, resulting in an increase of $125,000 in General Revenue Funds in each fiscal year of the biennium.

[7] Incorporates Article IX, § 17.49 of this Act, due to passage of HB 2154, 81st Legislature, Regular Session, relating to the physician loan repayment program at the Higher Education Coordinating Board, resulting in an increase of $7,000,000 in General Revenue-Dedicated Funds in FY 2010 and $15,000,000 in FY 2011 and 4.0 FTEs in each fiscal year of the biennium.

Tax Reimbursement Grants, estimated	60,000	60,000
Subtotal, Other Funds	$ 44,770,724	$ 44,770,724
Total, Method of Financing	$ 907,376,126	$ 827,390,912
This bill pattern represents an estimated 89% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[8]	310.9	310.9
Schedule of Exempt Positions:		
Commissioner of Higher Education, Group 8	$186,300	$186,300
Items of Appropriation:		
A. Goal: CLOSE THE GAPS IN HIGHER EDUCATION		
Close the Gaps in Participation, Success, Excellence, and Research.		
A.1.1. Strategy: PROMOTE PARTICIPATION AND SUCCESS	$ 3,486,360	$ 3,486,360
Promote Participation and Success in Higher Education.		
A.1.2. Strategy: CLOSE THE GAPS LOAN PROGRAM	$ 4,546,666	$ 4,561,666
Close Gaps in Participation and Success by Administering Loan Programs.		
A.1.3. Strategy: COLLEGE READINESS INITIATIVE	$ 20,624,631	$ 16,143,996
A.2.1. Strategy: CLOSE THE GAPS IN EXCELLENCE	$ 1,861,675	$ 1,861,674
A.2.2. Strategy: CLOSE THE GAPS IN RESEARCH	$ 334,651	$ 334,651
A.3.1. Strategy: CLOSE THE GAPS - PLANNING/INFO	$ 2,255,452	$ 2,255,452
Close the Gaps by Providing Planning and Information.		
A.3.2. Strategy: HIGHER EDUCATION POLICY INSTITUTE	$ 660,500	$ 660,500
Total, Goal A: CLOSE THE GAPS IN HIGHER EDUCATION	$ 33,769,935	$ 29,304,299
B. Goal: CLOSE THE GAPS - AFFORDABILITY		
Close the Gaps by Improving Affordability.		
B.1.1. Strategy: LICENSE PLATE SCHOLARSHIPS	$ 859,000	$ 362,000
License Plate Scholarships Program.		
B.1.2. Strategy: FIFTH-YEAR ACCOUNTING STUDENTS	$ 3,272,500	$ 652,500
Fifth-year Accounting Students Program.		
B.1.3. Strategy: EARLY HS GRADUATION PROGRAM	$ 5,956,973	$ 5,956,973
Early High School Graduation Scholarship Program.		
B.1.4. Strategy: TANF SCHOLARSHIP PROGRAM	$ 134,674	$ 134,674
Temporary Assistance for Needy Families Scholarship Program.		
B.1.5. Strategy: EDUCATIONAL AIDE PROGRAM	$ 14,369,899	$ 14,369,899
B.1.6. Strategy: TEACH FOR TEXAS LOAN REPAYMENT	$ 5,771,443	$ 5,771,443
Teach for Texas Loan Repayment Assistance/Conditional Grant Program.		
B.1.7. Strategy: BORDER FACULTY LOAN REPAYMENT PGM	$ 197,813	$ 197,813
Border Faculty Loan Repayment Program.		
B.1.8. Strategy: OAG LAWYERS LOAN REPAYMENT PROGRAM	$ 629,548	$ 150,000
B.1.9. Strategy: STUDENT FINANCIAL AID PROGRAMS	$ 523,255,995	$ 483,838,268
B.1.10. Strategy: DOCTORAL INCENTIVE PROGRAM	$ 657,000	$ 650,000
B.1.11. Strategy: ENGINEERING RECRUITMENT PROGRAM	$ 1,000,000	$ 1,000,000

[8] Incorporates Article IX, § 17.49 of this Act, due to passage of HB 2154, 81st Legislature, Regular Session, relating to the physician loan repayment program at the Higher Education Coordinating Board, resulting in an increase of $7,000,000 in General Revenue-Dedicated Funds in FY 2010 and $15,000,000 in FY 2011 and 4.0 FTEs in each fiscal year of the biennium.

B.1.12. Strategy: HIGHER ED PERF INCENTIVE INITIATIVE[9]	$	65,000,000	$	65,000,000
Higher Education Performance Incentive Initiative.				
B.1.13. Strategy: TOP 10 PERCENT SCHOLARSHIPS	$	25,000,000	$	29,000,000
B.1.14. Strategy: TX ARMED SERVICES SCHOLARSHIP PGM[10]	$	1,000,000	$	1,000,000
Texas Armed Services Scholarship Program.				
B.1.15. Strategy: TUITION REIMBURSEMENT[11]	$	349,500	$	349,500
B.1.16. Strategy: TEXAS CAREER OPPORTUNITY GRANTS/PGM[12]	$	675,000	$	675,000
Texas Career Opportunity Grants Program				
Total, Goal B: CLOSE THE GAPS - AFFORDABILITY	$	648,129,345	$	609,108,070
C. Goal: CLOSE THE GAPS - RESEARCH				
Close the Gaps by Providing Trusteed Funds for Research.				
C.1.1. Strategy: ADVANCED RESEARCH PROGRAM	$	16,723,141	$	UB
D. Goal: CLOSE THE GAPS - HEALTH PROGRAMS				
Close the Gaps by Providing Trusteed Funds for Health Care Education.				
D.1.1. Strategy: BAYLOR COLLEGE OF MEDICINE	$	40,207,503	$	43,097,782
D.1.2. Strategy: BAYLOR COLLEGE OF MEDICINE GME	$	7,637,935	$	7,637,935
Baylor College of Medicine Graduate Medical Education (GME).				
D.1.3. Strategy: FAMILY PRACTICE RESIDENCY PROGRAM	$	10,607,155	$	10,607,155
D.1.4. Strategy: PRECEPTORSHIP PROGRAM	$	452,145	$	452,144
D.1.5. Strategy: PRIMARY CARE RESIDENCY PROGRAM	$	2,495,220	$	2,495,220
D.1.6. Strategy: GRADUATE MEDICAL EDUCATION	$	300,000	$	300,000
Graduate Medical Education Program.				
D.1.7. Strategy: JOINT ADMISSION MEDICAL PROGRAM	$	10,616,355	$	UB
D.1.8. Strategy: PHYSICIAN ED. LOAN REPAY. PROGRAM[13]	$	9,559,047	$	15,837,047
Physician Education Loan Repayment Program.				
D.1.9. Strategy: PROFESSIONAL NURSING AID	$	918,565	$	918,565
Financial Aid for Professional Nursing Students.				
D.1.10. Strategy: VOCATIONAL NURSING AID	$	45,633	$	45,633
Financial Aid for Licensed Vocational Nursing Students.				
D.1.11. Strategy: DENTAL ED. LOAN REPAY. PROGRAM	$	329,477	$	326,477
Dental Education Loan Repayment Program.				
D.1.12. Strategy: PROF NURSING SHORTAGE REDUCTION PGM	$	27,350,000	$	22,350,000
Professional Nursing Shortage Reduction Program.				
D.1.13. Strategy: ALZHEIMER'S DISEASE CENTERS	$	6,850,000	$	UB
Consortium of Alzheimer's Disease Centers.				

[9] Incorporates Article IX, § 17.28 of this Act, due to passage of HB 51, 81st Legislature, Regular Session, relating to funding and initiatives to support public universities in developing and maintaining programs of the highest tier, resulting in an increase of $25,000,000 in General Revenue Funds in each fiscal year of the biennium.

[10] Incorporates Article IX, § 17.68 if this Act, due to passage of HB 3452, 81st Legislature, Regular Session, relating to the creation of the Texas Armed Services Scholarship Program, resulting in an increase of $1,000,000 in General Revenue Funds in each fiscal year of the biennium.

[11] Incorporates Article IX, § 17.85 of this Act, due to passage of SB 297, 81st Legislature, Regular Session, relating to tuition reimbursement, resulting in an increase of $349,500 in General Revenue Funds in each fiscal year of the biennium.

[12] Incorporates Article IX, § 17.69 of this Act, due to passage of HB 3519, 81st Legislature, Regular Session, relating to the Texas Career Opportunity Grant Program, resulting in an increase of $675,000 in General Revenue Funds in each fiscal year of the biennium.

[13] Incorporates Article IX, § 17.49 of this Act, due to passage of HB 2154, 81st Legislature, Regular Session, relating to the physician loan repayment program at the Higher Education Coordinating Board, resulting in an increase of $7,000,000 in General Revenue-Dedicated Funds in FY 2010 and $14,000,000 in FY 2011 and 4.0 FTEs in each fiscal year of the biennium.

D.1.14. Strategy: HOSPITAL-BASED NURSING EDUCATION Texas Hospital-Based Nursing Education Partnership Grant Program.	$ 2,500,000	$ 2,500,000
Total, Goal D: CLOSE THE GAPS - HEALTH PROGRAMS	$ 119,869,035	$ 106,567,958
E. Goal: CLOSE GAPS - QUALITY/PARTICIPATION Close the Gaps by Providing Trusteed Funds to Improve Quality/Delivery.		
E.1.1. Strategy: DEVELOPMENTAL EDUCATION PROGRAM	$ 2,500,000	$ 2,500,000
E.1.2. Strategy: TEACHER EDUCATION Centers for Teacher Education.	$ 3,200,742	$ 3,200,742
E.1.3. Strategy: TWO-YEAR ENROLLMENT GROWTH Two-year Institution Enrollment Growth.	$ 1,759,393	$ 1,759,393
E.1.4. Strategy: NEW COMMUNITY COLLEGE CAMPUSES	$ 1,750,000	$ 1,750,000
E.1.5. Strategy: GENERAL ACADEMIC ENROLLMENT GROWTH General Academic Institution Enrollment Growth.	$ 1,750,000	$ 1,750,000
E.1.6. Strategy: AFRICAN AMERICAN MUSEUM INTERNSHIP	$ 93,636	$ 93,636
E.1.7. Strategy: ABE COMMUNITY COLLEGE GRANTS Adult Basic Education Community College Grants.	$ 5,000,000	$ 5,000,000
E.1.8. Strategy: ALTERNATIVE TEACHING CERT - CCs Alternative Teaching Certificate Programs at Community Colleges.	$ 1,125,000	$ 1,125,000
E.1.9. Strategy: BACCALAUREATE DEGREE STUDY[14]	$ 125,000	$ 125,000
Total, Goal E: CLOSE GAPS - QUALITY/PARTICIPATION	$ 17,303,771	$ 17,303,771
F. Goal: FEDERAL GRANT PROGRAMS Close Gaps by Providing Federal Funding to Institutions and Students.		
F.1.1. Strategy: STUDENT FINANCIAL AID Student Financial Assistance Programs.	$ 5,408,617	$ 5,408,617
F.1.2. Strategy: CAREER/TECHNICAL EDUCATION PROGRAMS Career and Technical Education Programs.	$ 36,874,366	$ 36,874,366
F.1.3. Strategy: TEACHER QUALITY GRANTS PROGRAMS	$ 6,228,005	$ 6,256,410
F.1.4. Strategy: OTHER FEDERAL GRANTS Other Federal Grants Programs.	$ 5,761,492	$ 0
Total, Goal F: FEDERAL GRANT PROGRAMS	$ 54,272,480	$ 48,539,393
G. Goal: TOBACCO FUNDS		
G.1.1. Strategy: EARNINGS - MINORITY HEALTH Tobacco Earnings - Minority Health Res and Ed to THECB.	$ 1,125,000	$ 1,125,000
G.1.2. Strategy: EARNINGS - NURSING/ALLIED HEALTH Tobacco Earnings - Nursing, Allied Health, Other to THECB.	$ 2,025,000	$ 2,025,000
G.2.1. Strategy: EARNINGS-THECB FOR BAYLOR COLL MED Tobacco Earnings - THECB for Baylor College of Medicine.	$ 1,125,000	$ 1,125,000
G.2.2. Strategy: TOBACCO - PERMANENT HEALTH FUND Tobacco Earnings from Perm. Health Fund for Baylor College of Medicine.	$ 1,915,830	$ 1,915,830
Total, Goal G: TOBACCO FUNDS	$ 6,190,830	$ 6,190,830
H. Goal: INDIRECT ADMINISTRATION		
H.1.1. Strategy: CENTRAL ADMINISTRATION	$ 4,086,957	$ 3,360,958
H.1.2. Strategy: INFORMATION RESOURCES	$ 4,892,689	$ 4,877,689

[14] Incorporates Article IX, § 17.57 of this Act, to implement provisions of HB 2425, 81st Legislature, Regular Session, resulting in an increase of $125,000 in General Revenue Funds in each fiscal year of the biennium.

H.1.3. Strategy: OTHER SUPPORT SERVICES	$ 2,137,943	$ 2,137,944
Total, Goal H: INDIRECT ADMINISTRATION	$ 11,117,589	$ 10,376,591
Grand Total, HIGHER EDUCATION COORDINATING BOARD	$ 907,376,126	$ 827,390,912
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 18,430,281	$ 17,889,282
Other Personnel Costs	626,376	537,720
Professional Fees and Services	2,617,610	2,202,610
Consumable Supplies	336,558	336,558
Utilities	213,000	213,000
Travel	290,729	283,729
Rent - Building	1,184,075	1,184,075
Rent - Machine and Other	919,869	919,869
Other Operating Expense	3,916,906	3,866,906
Client Services	149,948,146	155,039,598
Grants	728,698,939	644,723,928
Capital Expenditures	193,637	193,637
Total, Object-of-Expense Informational Listing	$ 907,376,126	$ 827,390,912
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 809,830	$ 821,977
Group Insurance	2,031,340	2,201,914
Social Security	1,195,166	1,236,997
Benefits Replacement	99,403	94,433
Subtotal, Employee Benefits	$ 4,036,336	$ 4260,888
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 4,036,336	$ 4,260,888

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Higher Education Coordinating Board. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Higher Education Coordinating Board. In order to achieve the objectives and service standards established by this Act, the Higher Education Coordinating Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: CLOSE THE GAPS IN HIGHER EDUCATION		
Outcome (Results/Impact):		
Percent Increase in Fall Student Headcount Enrollment since Fall 2000	34.99%	39.58%
Percent Increase in Bachelor's Degrees, Associate's Degrees, and Certificates Awarded Since Those Awarded Fall 1999 Through Summer 2000	42.11%	47.12%
Percentage of University Students Graduating in Four Years	25.3%	25.7%
Percent of Public Two-year Institution Students Graduating in Three Years	12.85%	12.9%
Percentage of University Students Graduating within Six Years	57.5%	57.8%
A.1.1. Strategy: PROMOTE PARTICIPATION AND SUCCESS		
Output (Volume):		
Increase in Fall Student Headcount Enrollment since Fall 2000	356,775	403,483
Increase in the Number of Bachelor's Degrees, Associate's Degrees, and Certificates Reported Since Those Awarded Fall 1999 Through Summer 2000	48,941	54,765
Explanatory:		
Dollars Appropriated for Developmental Education	92,275,736	92,275,737
Dollars Appropriated for Developmental Education as a Percentage of Lower-division Instruction	5.25%	5.25%

A.1.2. Strategy: CLOSE THE GAPS LOAN PROGRAM		
Efficiencies:		
Default Rate on Hinson-Hazlewood Loans	9.75%	9.75%
A.1.3. Strategy: COLLEGE READINESS INITIATIVE		
Output (Volume):		
Number of Students Served in Agency-sponsored College Readiness Initiatives	54,800	80,600
B. Goal: CLOSE THE GAPS - AFFORDABILITY		
Outcome (Results/Impact):		
Percentage of Independent College Students Receiving Tuition Equalization Grant (TEG) Awards	25.8%	25.8%
Percentage of Students Receiving Financial Aid Employed Through Texas College Work Study Program	0.99%	0.95%
Percentage of Teach for Texas Loan Repayment Program Recipients Teaching Underserved Areas for Three Years	76%	76%
B.1.9. Strategy: STUDENT FINANCIAL AID PROGRAMS		
Output (Volume):		
Number of Students Receiving TEXAS Grants	77,817	68,643
Percentage of TEXAS Grant Recipients Who Earn a Baccalaureate Degree within Four Academic Years	17.5%	17.5%
Percentage of TEXAS Grant Recipients Who Earn a Baccalaureate Degree Within Six Academic Years	42.06%	42.06%
C. Goal: CLOSE THE GAPS - RESEARCH		
C.1.1. Strategy: ADVANCED RESEARCH PROGRAM		
Output (Volume):		
Number of ARP Research Projects Funded	150	0
D. Goal: CLOSE THE GAPS - HEALTH PROGRAMS		
Outcome (Results/Impact):		
Percentage of Baylor College of Medicine Graduates Entering Texas Residency Programs	51%	51%
Percentage of Baylor College of Medicine Graduates Entering Primary Care Residency Programs	45%	45%
Percentage of Family Practice Residency Program Completers Practicing in Medically Underserved Areas or Health Professional Shortage Areas	6.09%	6.07%
Percentage of Family Practice Residency Program Completers Practicing in Texas	70.86%	70.82%
E. Goal: CLOSE GAPS - QUALITY/PARTICIPATION		
Outcome (Results/Impact):		
Pass Rate on Texas Examination of Educator Standards (TExES) at Centers for Teacher Education (Texas Association of Developing Colleges)	98%	98%
E.1.2. Strategy: TEACHER EDUCATION		
Output (Volume):		
Number of Graduates of Texas Association of Developing Colleges (TADC) Educator Preparation Programs	143	147

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Acquisition of Information Resources Technologies	$ 193,637	$ 193,637
b. Acquisition of Capital Equipment and Items		
(1) Data Center Consolidation Project	$ 1,577,848	$ 1,562,848
Total, Capital Budget	$ 1,771,485	$ 1,756,485
Method of Financing (Capital Budget):		
General Revenue Fund	$ 850,141	$ 988,481

Other Funds	921,344	768,004
Total, Method of Financing	$ 1,771,485	$ 1,756,485

3. **Commissioner's Salary.** The Coordinating Board is hereby authorized to utilize $77,851 per year from General Revenue funds appropriated to Goal H, in 2010 and 2011 and any earned funds for the purpose of funding the salary of the Commissioner of Higher Education at a rate not to exceed $186,300 per year in 2010 and 2011.

4. **Use of Excess Registration Fees Authorization.** Any registration fee collected by the Coordinating Board to pay the expenses of a conference, seminar or meeting in excess of the actual costs of such conference, seminar or meeting may be used to pay the expenses of any other conference, seminar or meeting for which no registration fees were collected or for which registration fees collected were insufficient to cover the total expenses.

5. **Student Loan Program.** All moneys in the Texas Opportunity Plan Fund and the Texas College Student Loan Bonds Interest and Sinking Fund, the Student Loan Auxiliary Fund, and the Student Loan Revenue Fund are hereby appropriated to the Texas Higher Education Coordinating Board, for the purposes specified in Article III, §§ 50b and 50b-1, 50b-2, 50b-3, 50b-4, 50b-5, and 50b-6 of the Texas Constitution and Education Code §§ 52.01-52.90 and 56.121-56.135.

6. **Texas Public Educational Grants Program.** Unless a different percentage is set by passage of legislation amending the Texas Education Code, the amount of tuition to be set aside for the Texas Public Educational Grants Program shall be 15 percent in fiscal years 2010 and 2011.

7. **Physician Education Loan Repayment Program.** The funds provided to Strategy D.1.8, Physician Education Loan Repayment Program, are appropriated in accordance with Education Code §§ 61.531 - 61.539 for repayment of eligible student loans received by a physician who meets the stipulated requirements. All balances in the General Revenue-Dedicated Medical School Tuition Set Aside Account No. 542 as of August 31, 2009, estimated to be $1,722,000 (and included above in Method of Financing) and all receipts received during the biennium beginning September 1, 2009, are hereby appropriated to the Coordinating Board for the biennium beginning September 1, 2009, for the same purpose. Any balances on hand at the end of fiscal year 2010 may be carried over to fiscal year 2011 for the same purpose.

8. **Baylor College of Medicine.**

   a. From funds appropriated by this Act for the Baylor College of Medicine, the Coordinating Board shall allocate an amount per student enrolled in the college equal to the cost of medical education in the established public medical schools cited in Subchapter D, Chapter 61, Education Code. The cost of medical education per student at public medical schools as determined by the Coordinating Board shall include General Revenue appropriations for instruction and operations, infrastructure, and staff benefits allocated to undergraduate medical education.

   b. Appropriations made by this Act for Baylor College of Medicine are considered to be appropriations for any legal successor to Baylor College of Medicine and may be expended only for the purposes for which appropriated. Any details, limits, or restrictions applicable to those appropriations are applicable to that legal successor.

9. **Texas Success Initiative.**

   a. Developmental Education Coursework. Funds appropriated for developmental courses under Education Code § 51.3062, shall be expended only for those costs associated with providing developmental education courses including instruction, tutorial, evaluation, retraining of faculty, and other related costs. The funds shall not be used for the recruitment of students.

   b. Intent Concerning Developmental Needs. It is the intent of the Legislature that all affected institutions of public higher education fully address developmental needs identified by the institutions through the Texas Success Initiative with appropriations made in this Act for the developmental education coursework and other available institutional funds.

10. **Tuition Equalization Grants.** Any student who is a Texas resident under the Texas Education Code Chapter 54, Subchapter B, or who is both a National Merit Finalist and eligible to pay Texas resident tuition under the Texas Education Code §54.064, is eligible for the Tuition Equalization Grants Program, provided all other requirements established by the Coordinating Board have been

met by that student. None of the funds appropriated in this Act to the Coordinating Board for Tuition Equalization Grants may be expended for grants to non-resident students attending independent colleges or universities in Texas except for grants to National Merit Finalists.

The Coordinating Board shall present the result of its most recent annual need survey for Tuition Equalization Grant (TEG) funds as part of its biennial appropriations request to the Legislative Budget Board and the Governor. The request shall include the number of eligible students and an estimate of the amount needed to fund fully the TEG program in the coming biennium. The Coordinating Board shall update this projection to include the most recent fall semester data prior to the convening of each regular session of the Legislature and shall provide this information to the Legislative Budget Board staff prior to Legislative Budget Board deliberations on the TEG appropriation. Each institution receiving tuition equalization grants shall furnish to the Coordinating Board any financial information requested.

Independent colleges and universities which enroll students receiving Tuition Equalization Grant funds appropriated by this Act shall provide annual reports to the Higher Education Coordinating Board regarding the diversity of their student body, faculty, executive committee, and governing boards. The reports for headcount enrollment shall be submitted by October 1 of each year. All of the other reports shall be submitted by October 15 of each year.

11. **Research Programs.** The appropriations made by this Act for the Advanced Research Program shall be distributed in accordance with the provisions of Education Code, Chapter 142. However, no more than 70 percent of the funds shall be designated for The University of Texas and the Texas A&M University Systems in the 2010-11 biennium. Out of funds allocated, up to $750,000 in each year of the biennium may be expended to support the development, implementation, and administration of summer research efforts to provide Texas high school math and science teachers an experience in a research lab supported by a research grant awarded under this section. Institutions receiving transfers of funds under this program shall report to the Coordinating Board in accordance with the provisions of Education Code § 142.005. Similarly, the Coordinating Board shall report to the Governor and the Legislative Budget Board. All unexpended balances of the Advanced Research Program as of August 31, 2009 (estimated to be $10,000 and included above in Method of Financing), are appropriated for the same purpose for use during the biennium beginning September 1, 2009. Funds allocated for this research program are exempt from Comptroller of Public Accounts rules and regulations.

12. **Family Practice Rural and Public Health Rotations.** Funds appropriated above for Family Practice Residency Programs, include up to $363,000 in 2010 and $363,000 in 2011 for one month rural rotations or one month public health rotations for family practice residents in accordance with the provision of Education Code § 51.918.

13. **Dramatic Enrollment Growth Funding for Two Year Institutions.** Funds appropriated above in Strategy E.1.3, Two-Year Enrollment Growth, are to be used only to assist Public Community/Junior Colleges, Texas State Technical College components, and Lamar State Colleges that experience dramatic rates of growth in contact hours during the 2010-2011 biennium. Funds appropriated under this section shall be allocated according to a formula developed by the Texas Higher Education Coordinating Board based on the following criteria:

    For fiscal year 2010, funding shall be provided for growth in contact hours at community college districts, TSTC components, or Lamar State Colleges which experience an increase in total contact hours in semester length courses of greater than 5 percent between Fall 2008 and Fall 2009 semesters. Funding shall be provided only for contact hour growth greater than 5 percent. For fiscal year 2011, funding shall be provided for growth in contact hours at community college districts, TSTC components, or Lamar State Colleges which experience an increase in total contact hours in semester length courses of greater than 8 percent between Fall 2008 and Fall 2010 semesters. Funding shall be provided only for contact hour growth greater than 8 percent.

14. **Graduate Medical Education.** Funds appropriated above in Strategy D.1.6, Graduate Medical Education, are for the purpose of supporting the educational costs of primary care graduate medical education programs at unaffiliated independent residency programs. Each entity incurring the costs of faculty responsible for instruction or supervision of resident physicians in such accredited programs may receive funds in an amount not to exceed $12,500 in each fiscal year for each filled residency position. For the purposes of this rider, primary care shall include family practice, obstetrics/gynecology, general internal medicine, and general pediatrics. The Higher

Education Coordinating Board shall promulgate rules for the equitable distribution of these funds. Funds appropriated above in Strategy D.1.6, Graduate Medical Education, may only be allocated to independent residency programs that are not affiliated with a Texas medical school.

15. Cost Recovery for the Common Application Form. None of the funds appropriated above to the Higher Education Coordinating Board may be used to provide a common application form (either electronic or paper) for each general academic institution and each participating public two-year institution and participating independent institution unless the Higher Education Coordinating Board recovers costs related to the common application form. The amount collected from each institution shall be proportional to the number of applications received. The funds collected shall only recover direct costs and only be used for the purposes of the electronic common application form.

16. Retention of Economically Disadvantaged Students. The Higher Education Coordinating Board shall include in the college comparison web profile the percentage of economically disadvantaged freshmen retained at public institutions of higher education as defined by the Legislative Budget Board and the Governor in consultation with the State Auditor's Office.

17. Teacher Education Centers. Funds appropriated above in Strategy E.1.2, Teacher Education, are to be used for the purpose of supporting centers for teacher education at private, independent, general academic institutions that are component institutions of the Texas Association of Developing Colleges. Consideration shall be given to teacher education centers at Jarvis Christian College in Hawkins, Paul Quinn College in Dallas, Texas College in Tyler, Huston-Tillotson University in Austin, and Wiley College in Marshall. These funds may be used to enhance library resources and computer, mathematics and science laboratories. The board may require periodic submission of data and reports as the board considers necessary to assess the overall performance of the centers. The board may obtain the services of a program planner to facilitate and coordinate the process of curriculum development and program redesign to improve teacher preparation at the participating institutions.

By October 1 of each year, the participating institutions shall report data to the board as required to assess the overall performance of the centers.

18. Disparity Study for Institutions of Higher Education. The disparity study conducted by the Comptroller of Public Accounts pursuant to General Appropriations Act, § 16, page I-23, Seventy-fifth Legislature, to determine whether past acts of discrimination by institutions of higher education have created any present effects of such past discrimination may be continued by the Texas Higher Education Coordinating Board. The Coordinating Board may maintain and update as necessary the database developed for the disparity study. The Texas Education Agency and each institution of higher education receiving appropriations may cooperate with the Coordinating Board to continue the disparity study and to provide data to maintain and update the database. The Coordinating Board, the Texas Education Agency, and each institution of higher education that participates in the study shall comply with all applicable state and federal laws governing the confidentiality and privacy of the data used in the study.

19. Information Access Initiative. The Higher Education Coordinating Board shall use the appropriations above to coordinate with the Texas Education Agency regarding sharing, integrating, and housing pre-kindergarten through grade 16 (P-16) public education data in implementing its Information Access Initiative. The two agencies shall work together to ensure that common and related data held by each agency is maintained in standardized, compatible formats to enable the efficient exchange of information between agencies and for matching of individual student records for longitudinally based studies and analysis. It is the intent of the Legislature that individual initiatives interact seamlessly across agency systems to facilitate efforts to integrate the relevant data from each agency into a longitudinal public education data resource to provide a widely accessible P-16 public education data warehouse.

20. Higher Education Assistance Program. Out of funds appropriated above, the Higher Education Coordinating Board shall administer and coordinate the Higher Education Assistance Program to:

a. Provide prospective students in high schools with college-going rates in the lowest 10 percent of all public high schools with information related to enrollment in public or private or independent institutions of higher education, including admissions and financial aid information; and

b. Assist prospective students in these sites with completing applications related to enrollment in higher education institutions, including admissions and financial aid applications.

The Coordinating Board shall provide the information and assistance required and it shall select an institution of higher education or other entity to provide the information and assistance required at each site. The Coordinating Board may contract with the institution to host enrollment events.

21. Teach for Texas Loan Repayment Assistance Program.

a. Of the funds appropriated above in Strategy B.1.6, Teach for Texas Loan Repayment Program, any unexpended balances on hand at the end of fiscal year 2010 are hereby appropriated for the same purposes in fiscal year 2011.

b. Any payments received from students are hereby appropriated for the same purposes as the original Teach for Texas Loan Repayment Assistance Program.

22. Border Faculty Loan Repayment Program. The Higher Education Coordinating Board may allocate additional funds from Strategy B.1.9, Student Financial Aid Programs, to the Border Faculty Loan Repayment Program, and any unexpended balances on hand at the end of fiscal year 2010 are hereby appropriated for the same purposes in fiscal year 2011.

23. Dental Education Loan Repayment Program. The funds provided to Strategy D.1.11, Dental Education Loan Repayment Program, are appropriated in accordance with Education Code, §§ 61.901 - 61.910, for repayment of eligible student loans received by a dentist who meets the stipulated requirements. All General Revenue-Dedicated Dental School Tuition Set Aside Account No. 8021 balances as of August 31, 2009, estimated to be $3,000 (and included above in Method of Financing), and all receipts received during the biennium beginning September 1, 2009, estimated to be $110,000 per year (and included above in the strategy) are hereby appropriated to the Coordinating Board for the biennium beginning September 1, 2009, for the same purpose. Any balances on hand at the end of the fiscal year 2010 may be carried over to fiscal year 2011 for the same purpose.

24. Graduation and Persistence Rates. The Coordinating Board shall report graduation and persistence rates, for each public general academic institution, to the Governor and Legislature no later than September 1, 2010. For each institution, the report shall include:

a. Six-year graduation rate (same institution) - percent of first-time full-time students who earned a baccalaureate or higher degree at the same public general academic higher education institution within six years of becoming a first-time entering full-time student at that institution.

b. Six-year graduation rate (another institution) - percent of students who earned a baccalaureate or higher degree at a public general academic higher education institution within six years of becoming a full-time student at another public higher education institution.

c. Six-year persistence rate (same institution) - percent of students who have not earned a baccalaureate or higher degree, but are still enrolled in the same Texas public general academic higher education institution six years after becoming a full-time student at that institution.

d. Six-year persistence rate (another institution) - percent of students who have not earned a baccalaureate or higher degree, but are still enrolled in a Texas public general academic higher education institution six years after becoming a full-time student at another Texas public higher education institution.

e. Composite graduation and persistence rate - sum of the graduation and persistence rates in subsections (a) through (d) above.

25. Strategic Plan for Teacher Certification. Out of funds appropriated above, the Higher Education Coordinating Board shall develop and implement a strategic plan to increase the number of certified teachers in the state to diminish the shortage of certified teachers in the classrooms. The Coordinating Board shall collaborate with the Texas Education Agency, and the

Texas Workforce Commission, the Governor, and the Legislature in development and implementation of the strategic plan. The P-16 Council shall oversee the implementation of the plan.

In order to facilitate implementation of the strategic plan for teacher certification, the Coordinating Board shall work with the Texas Education Agency, school districts, and professional educator associations to maintain a teacher certification web page. The web page shall convey information on traditional and alternative certification programs and related employment opportunities in such a format that resources are linked and data is easily accessible and navigable to those interested in pursuing a career in teaching.

26. Fifth-Year Accounting Students Scholarship Program. The funds provided to Strategy B.1.2, Fifth-Year Accounting Students, are appropriated in accordance with Education Code §§ 61.751 - 61.760 to provide scholarships to eligible fifth-year accounting students. All balances in the General Revenue-Dedicated Fifth-Year Accounting Student Scholarship Account No. 106 as of August 31, 2009, estimated to be $2,620,000 (and included above in Method of Financing) and all General Revenue-Dedicated Fifth-Year Accounting Student Scholarship Program receipts received during the biennium beginning September 1, 2009, are hereby appropriated to the Coordinating Board for the biennium beginning September 1, 2009, for the same purpose. Any balances on hand at the end of the fiscal year 2010 may be carried over to fiscal year 2011 for the same purpose.

27. Tobacco Funds - Estimated Appropriation and Unexpended Balance. Included in the amounts appropriated above to the Texas Higher Education Coordinating Board are estimated appropriations of amounts available for distribution or investment returns out of the Permanent Fund for Minority Health Research and Education and the Permanent Fund for Nursing, Allied Health and Other Health Related Programs.

a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

b. All balances of estimated appropriations from the Permanent Fund for Minority Health Research and Education and the Permanent Fund for Nursing, Allied Health and Other Health Related Programs, except for any General Revenue, at the close of the fiscal year ending August 31, 2009, and the income to said fund during the fiscal years beginning September 1, 2009, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated for the same purposes for fiscal year 2011.

28. Reporting by Texas Higher Education Coordinating Board. It is the intent of the Legislature that the Texas Higher Education Coordinating Board include in its Legislative Appropriations Request for the 2012-13 biennium, information on actual expenditures and budgeted expenditures for the Baylor College of Medicine, which receives distributions from the Permanent Health Fund for Higher Education and the Permanent Endowment Fund for Baylor College of Medicine.

29. Student Financial Aid Programs. The amounts appropriated above in Strategy B.1.9, Student Financial Aid Programs, shall be expended by the Higher Education Coordinating Board to provide student financial aid through the following programs: Texas B-On-Time, College Work Study, TEXAS Grant, Tuition Equalization Grant Program, and Texas Education Opportunity Grant Program.

a. Out of the funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, an amount not less than $7,500,000 each year shall be allocated to the College Work Study Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. All unexpended balances of the College Work-Study Program as of August 31, 2009, estimated to be $1,000 (and included above in Method of Financing), are appropriated in accordance with Education Code §§56.071-56.079 for the same purposes for use during the biennium beginning September 1, 2009.

b. Out of the funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, an amount not less than $11,950,000 in fiscal year 2010 and $12,050,000 in fiscal year 2011 shall be allocated to the Texas Education Opportunity Grant Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. All

unexpended balances of the Texas Education Opportunity Grant Program as of August 31, 2009, estimated to be $1,000 (and included above in Method of Financing), are appropriated in accordance with Education Code §§56.401-56.407 for the same purposes for use during the biennium beginning September 1, 2009.

c. Out of funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, an amount not less than $105,874,655, each year shall be allocated to the Tuition Equalization Grant Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. All unexpended balances of the Tuition Equalization Grant Program as of August 31, 2009, estimated to be $200,000 (and included above in Method of Financing), are appropriated in accordance with Education Code §§61.221-61.230 for the same purposes for use during the biennium beginning September 1, 2009.

d. Out of the funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, the Higher Education Coordinating Board shall allocate not less than $312,549,338 in fiscal year 2010 and $301,733,614 in fiscal year 2011 to the TEXAS Grant Program The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. All unexpended balances of the TEXAS Grant program as of August 31, 2009, estimated to be $500,000 (and included above in Method of Financing), are appropriated in accordance with Education Code §§ 56.301-56.311 for the same purposes for use during the biennium beginning September 1, 2009.

e. Out of funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, the Higher Education Coordinating Board shall allocate an amount not less than $26,000,000 in General Revenue in fiscal year 2010 and $26,000,000 in fiscal year 2011 and $30,000,000 in General Revenue-Dedicated B-On-Time Set Asides Fund No. 5103 in each year of the biennium to the B-On-Time Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. The funds provided to the B-On-Time Program are appropriated in accordance with Education Code §§ 56.451-56.465 to provide eligible Texas students forgivable no-interest loans to attend colleges and universities in Texas. All balances in the General Revenue-Dedicated Texas B-On-Time Student Loan Account as of August 31, 2009, estimated to be $28,000,000 (and included above in Method of Financing), and all Texas B-On-Time Student Loan Account receipts received during the biennium are hereby appropriated to the Coordinating Board for the biennium ending August 31, 2011 for the same purpose. Any balances on hand at the end of fiscal year 2010 may be carried over to the fiscal year 2011 and any such funds are appropriated for fiscal year 2011 for the same purpose.

f. Any amounts received by the Coordinating Board as donations under Texas Education Code §56.310 during the biennium beginning September 1, 2009 are hereby appropriated for the purpose of awarding TEXAS Grants during the biennium beginning September 1, 2009.

g. Any amounts transferred to the Coordinating Board by the Comptroller in accordance with Texas Property Code §72.1016(e), which provides that five percent of the money collected from stored valued cards presumed to be abandoned are to be used as grants under Subchapter M, Education Code, are hereby appropriated (estimated to be $18,194 per year and included above in the Method of Financing) for the biennium beginning September 1, 2009 for the purpose of awarding TEXAS Grants during the biennium beginning September 1,2009.

30. Girl Scout Scholarships. The funds provided to the Girl Scout Scholarships are appropriated in accordance with Transportation Code §504.622 to provide grants to benefit the Girl Scouts. All balances in the General Revenue-Dedicated Girl Scout License Plates Account No. 5052 as of August 31, 2009, estimated to be $5,000 (and included above in the Method of Financing), and all receipts received during the biennium beginning September 1, 2009, are hereby appropriated to the Coordinating Board for the biennium beginning September 1, 2009 for the same purpose. Any balances on hand at the end of fiscal year 2010 may be carried over to the fiscal year 2011 and any such funds are appropriated for fiscal year 2011 for the same purpose.

31. Houston Livestock Show and Rodeo Scholarships. The funds provided to the Houston Livestock Show and Rodeo Scholarships Program are appropriated in accordance with Transportation Code § 504.613 to make grants to benefit the Houston Livestock Show and Rodeo. All balances in the General Revenue-Dedicated Houston Livestock Show and Rodeo Scholarships Fund Account No. 5034 as of August 31, 2009, estimated to be $3,000 (and included above in Method of Financing), and all receipts received during the biennium beginning September 1, 2009, are hereby appropriated to the Coordinating Board for the biennium beginning September 1,

2009 for the same purpose. Any balances on hand at the end of fiscal year 2010 may be carried over to the fiscal year 2011 and any such funds are appropriated for fiscal year 2011 for the same purpose.

32. Texas Collegiate License Plate Scholarships. The funds provided to the Texas Collegiate License Plate Scholarships program are appropriated in accordance with Transportation Code § 504.615 to provide scholarships for students who demonstrate a need for financial assistance. All balances in the General Revenue-Dedicated-Texas Collegiate License Plate Program Account No. 5015 as of August 31, 2009, not to exceed $469,000 (and included above in Method of Financing), and all receipts received during the biennium beginning September 1, 2009, are hereby appropriated to the Coordinating Board for the biennium beginning September 1, 2009 for the same purpose. Any balances on hand at the end of fiscal year 2010 may be carried over to fiscal year 2011 and such funds are appropriated for fiscal year 2011 for the same purpose.

In addition to educational and general funds amounts appropriated by this Act, available balances and the portion of fees deposited in the state treasury during the biennium ending August 31, 2011, to the credit of the general academic institutions as provided by VTCA, Transportation Code § 504.615, is appropriated for that period to the general academic teaching institution for which it was credited for the purpose of providing scholarships for students who demonstrate a need for financial assistance.

33. Appropriations Transfers. Notwithstanding any other provisions of this bill, the Higher Education Coordinating Board may allow each institution to transfer the lesser of 10 percent or $10,000 between the Texas College Work-Study Program, TEXAS Grant Program, Texas Educational Opportunity Grant Program and the Tuition Equalization Grant Program.

34. African American Museum Internship. Funds appropriated above in Strategy E.1.6, African American Museum Internship, are for the purpose of supporting an internship at the African American Museum in Dallas. The Higher Education Coordinating Board may contract with an institution of higher education to provide for the internship. The Higher Education Coordinating Board may require periodic submission of data and reports as the Board considers necessary to assess the overall performance of the museum internship program. By September 1 of each year, the museum shall report data to the board as required to assess the overall performance of the internship program. The Higher Education Coordinating Board is required to report to the Legislative Budget Board and the Governor's Office concerning the effectiveness of the program by October 1, 2010.

35. Professional Nursing Shortage Reduction Program. Appropriations for the Professional Nurse Shortage program total $49,700,000 for the 2010-11 biennium. Those funds shall be allocated as follows:

The Texas Higher Education Coordinating Board (THECB) shall allocate the funds appropriated in their bill pattern in Strategy D.1.12 as follows:

(a) Up to 5 percent each year may be used for administrative expenses.

(b) In each fiscal year $7,350,000 shall be distributed in an equitable manner to institutions with nursing programs, including institutions graduating their first nursing class, based on increases in numbers of nursing student graduating. The THECB shall apply a weight of 1.5 for increased graduates in nursing educator programs identified with a Classification of Instructional Program code of 51.1608 and 51.1699.6. The THECB shall allocate up to 50 percent in each fiscal year of the biennium and any unexpended amounts to community colleges.

(c) $8,014,800 in fiscal year 2010 and $12,503,088 fiscal year 2011 shall be distributed at a rate of $10,000 per year for each additional nursing student enrolled in a professional nursing program to institutions with professional nursing programs based on the following criteria: (1) a graduation rate of 70% or above as reflected in the final 2008 graduation rates reported by the THECB and (2) an increase in new enrollees for fiscal year 2010 equal to 12 percent and 18 percent in fiscal year 2011 of the first-year enrollments for the 2007-08 academic year as reported by the institutions to the Texas Center for Nursing Workforce Studies.

(d) THECB shall allocate any remaining appropriation, estimated to be $6,985,200 in fiscal year 2010 and $2,496,912 in fiscal year 2011 to (1) professional nursing programs with

nursing graduation rates below 70 percent as reflected in the final 2008 graduation rates reported by the THECB, (2) hospital-based diploma programs, or (3) new professional nursing programs whose graduation rates which have not been determined by the THECB. From funds available for that purpose, institutions shall receive $20,000 for each additional initial RN graduate in two year programs and $10,000 for each additional graduate in one-year programs. If sufficient funds are not available to provide this allocation, the HECB shall submit a plan to the Legislative Budget Board and to the Governor outlining a method of proration. THECB shall develop an application process for institutions willing to increase the number of nursing graduates. The application shall indicate the number of nursing graduates for initial licensure the institution will produce; indicate the number of payments and payment schedule; identify benchmarks an institution must meet to receive payment; and specify the consequences of failing to meet the benchmarks.

(e) The Higher Education Coordinating Board shall in fiscal year 2010 allocate via interagency transfer $5 million to the University of Texas at Arlington for the Regional Nursing Education Center for the purpose of establishing a simulation learning facility. Allocation of funds to UT Arlington for this purpose is one-time and shall not be considered part of the institution's funding base in the 2012-13 biennium.

(f) Any funds not expended in fiscal year 2010 may be expended in fiscal year 2011 for the same purposes. If an institution does not meet targets for purposes of subsections b, c and d, the institution shall return these unearned funds to the THECB by August 31 of each fiscal year. The THECB shall reallocate these funds to other qualified programs. All institutions receiving funds shall submit to the THECB a detailed accounting of funds received, obligated or expended.

36. Consortium of Alzheimer's Disease Centers. Amounts appropriated above in Strategy D.1.13, Consortium of Alzheimer's Disease Centers, are for the purpose of supporting the Consortium of Alzheimer's Disease Centers. The Coordinating Board shall contract with the Texas Council on Alzheimer's Disease and Related Disorders to direct the Consortium. Any unexpended balances at the end of fiscal year 2010 are hereby appropriated for the same purposes in fiscal year 2011.

37. College Readiness Initiative. Funds appropriated above in Strategy A.1.3, College Readiness Initiative, are to be used to implement the college readiness and success strategic plan and the initiatives called for in Texas Education Code §61.0761 and §61.0762 and for completion and implementation of a course redesign project in accordance with Texas Education Code §61.0763 for the development and implementation of the college readiness standards in accordance with Texas Education Code §28.008, for the creation and implementation of the governor's schools in accordance with Texas Education Code §61.07621, and for establishment and support of the education research centers in accordance with Texas Education Code §1.005. Any unexpended balances remaining on August 31, 2010 may be carried forward to fiscal year 2011 are hereby appropriated for the same purposes.

38. Doctoral Incentive Program. The funds provided to Strategy B.1.10, Doctoral Incentive Program, are appropriated in accordance with Education Code, §§ 56.091 - 56.095, for repayment of eligible student loans received by Texas residents employed full-time as doctoral faculty or administrators in Texas who meet the stipulated requirements. All balances of General Revenue-Dedicated Tuition Set Aside receipts received for the Doctoral Incentive Program as of August 31, 2009, estimated to be $7,000 (and included above in Method of Financing) and all receipts received during the biennium beginning September 1, 2009, estimated to be $650,000 per year and included in the amounts appropriated in the strategy, are hereby appropriated to the Coordinating Board for the biennium beginning September 1, 2009, for the same purpose. Any balances on hand at the end of the fiscal year 2010 may be carried over to fiscal year 2011 for the same purpose.

39. "College for Texans" Campaign License Plate. The funds provided to the "College for Texans" Campaign are appropriated in accordance with Transportation Code § 504.657 for the purposes of the College for Texans Campaign. All balances in the General Revenue-Dedicated-"College for Texans Campaign" Fund 5140, as of August 31, 2009, estimated to be $7,000, (and included above in the Method of Financing), and all receipts received during the biennium beginning September 1, 2009, estimated to be $6,000 per year and included in the amounts appropriated in the strategy, are hereby appropriated to the Coordinating Board for the biennium beginning September 1, 2009 for the same purpose. Any balances on hand at the end of fiscal year 2010 are hereby appropriated for fiscal year 2011 for the same purpose.

40. Boy Scout Scholarships. The funds provided to the Boy Scout Scholarships are appropriated in accordance with Transportation Code § 504.6545 to provide grants to benefit the Boy Scouts. All balances in the General Revenue-Dedicated-Boy Scout License Plates Account No. 5126 as of August 31, 2009, estimated to be $10,000 (and included above in Method of Financing), and all receipts received during the biennium beginning September 1, 2009, are hereby appropriated to the Coordinating Board for the biennium beginning September 1, 2009 for the same purpose. Any balances on hand at the end of fiscal year 2010 are hereby appropriated for fiscal year 2011 for the same purpose.

41. Cotton Boll Scholarships. The funds provided to the Cotton Boll Scholarships are appropriated in accordance with Transportation Code § 504.636 for the purpose of providing scholarships to students who are pursuing a degree in an agricultural field related to the cotton industry while enrolled in an institution of higher education. All balances in the General Revenue-Dedicated-Cotton Boll License Plates Account No. 5119 as of August 31, 2009, estimated to be $10,000 (and included above in Method of Financing), and all receipts received during the biennium beginning September 1, 2009, are hereby appropriated to the Coordinating Board for the biennium beginning September 1, 2009 for the same purpose. Any balances on hand at the end of fiscal year 2010 are hereby appropriated for fiscal year 2011 for the same purpose.

42. Tobacco Settlement Receipts-Baylor College of Medicine. Included in the amounts appropriated to the Baylor College of Medicine in Strategy, G.2.2, Tobacco-Permanent Health Fund, is an estimated appropriation based on the Baylor College of Medicine's allocation of amounts, under Section 63.003, Education Code, available for distribution out of the Permanent

Health Fund for Higher Education, estimated to be $1,915,830 in each year of the 2010-2011 biennium. These funds are to be used for purposes specified in Education Code, §63.002 (c), (d), and (f).

Amounts available for distribution or investment returns in excess of the amounts listed above in Strategy, G.2.2, Tobacco-Permanent Health Fund, are also appropriated. In the event that amounts available for distribution or investment returns are less than the amounts listed above in Strategy, G.2.2, Tobacco-Permanent Health Fund, this Act may not be construed as appropriating funds to make up the difference.

All balances of estimated appropriations from the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education, except for any General Revenue, at the close of the fiscal year ending August 31, 2009, and the income to said fund during the fiscal year beginning September 1, 2009, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated for the same purposes in fiscal year 2011.

43. OAG Lawyer's Loan Repayment Program. The funds provided to Strategy B.1.8, OAG Lawyer's Loan Repayment Program, are appropriated in accordance with Education Code §§ 61.9721-61.9732 for providing education loan repayments for attorneys who agree to work for the Attorney General's Office for one year. All balances in the General Revenue Fund that are dedicated tuition set asides under this program as of August 31, 2009, estimated to be $479,548 (and included in the Method of Finance above), and all receipts received during the biennium are hereby appropriated to the Coordinating Board for the biennium beginning September 1, 2009, for the same purpose. Any balances on hand at the end of fiscal year 2010 may be carried over to fiscal year 2011 and such funds are appropriated for fiscal year 2011 for the same purpose.

44. Texas College Work Study Program and Toward EXcellence, Access, and Success (TEXAS) Grant Program. Because of the positive effect of work study programs on student participation and success, funds appropriated above to Strategy B.1.9, Student Financial Aid Programs, are intended to maximize the extent to which state funds appropriated for student grants that are awarded with criteria requiring a work study component.

45. Align Adult Basic Education and Postsecondary Education. Out of funds appropriated above, the Higher Education Coordinating Board shall coordinate with the Texas Education Agency to develop and implement an immediate and long-range coordinated action plan to align Adult Basic Education and postsecondary education. To increase the number, success and persistence of students transitioning to postsecondary education, these action plans shall address at a minimum:

a. outreach and advising;
b. assessment, curriculum, and instruction;

c. persistence interventions;
d. state-level accountability systems to monitor performance;
e. service-provider-level performance measures and program evaluation;
f. standards to enhance data quality and sharing among state agencies and service-providers;
g. needs assessment of students and service-providers to identify other structural issues and barriers; and
h. grants (including Federal Funds and Other Funds) to maximize effective use of limited General Revenue Funds.

To measure the effectiveness of this action plan, the Higher Education Coordinating Board, in coordination with the Texas Education Agency, shall calculate annual performance measures for the: (1) number of adults in need of Adult Basic Education services statewide; (2) number of Adult Basic Education students served, including those served by developmental education, by provider, institution, and statewide; (3) number of students that passed the General Education Diploma test served and not served by TEA; (4) number of Adult Basic Education students exiting the program by provider and statewide; (5) number of Adult Basic Education students exiting the program with a higher education goal by provider and statewide; (6) number of Adult Basic Education students enrolled in higher education by provider, institution, and statewide; and (7) total annual program expenditures by revenue source per provider. The agencies shall prepare a report that summarizes performance, evaluates outcomes, and recommends changes to improve outcomes and the components of the action plan.

For purposes of this rider, the Texas Higher Education Coordinating Board shall be considered the lead agency. The report shall be submitted to the House Committee on Higher Education, House Appropriations Committee, Senate Education Committee, Senate Finance Committee, the Governor, Texas Workforce Commission, and the Legislative Budget Board by January 31, 2010.

46. Higher Education Performance Incentive Initiative. Amounts appropriated above in Strategy B.1.12, Higher Education Performance Incentive Initiative, shall be used for an incentive program for the improvement in teaching and educational excellence at Texas public general academic teaching institutions.

47. Tobacco Funds - Estimated Appropriation and Unexpended Balance. Included in the amounts appropriated above to the Texas Higher Education Coordinating Board are estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for the Baylor College of Medicine.

a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to make up the difference.

b. All balances of estimated appropriations from the Permanent Endowment Fund for the Baylor College of Medicine and all balances from the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education, except for any General Revenue, at the close of the fiscal year ending August 31, 2009, and the income to said fund during the fiscal years beginning September 1, 2009, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated for the same purposes for fiscal year 2011.

48. Annual Financial Aid Report. The Coordinating Board shall present an annual report concerning student financial aid at Texas public and independent institutions of higher education. This report shall be provided to the Legislative Budget Board by September 1 of each calendar year.

49. Physician Education Loan Repayment Program Retention Rates. The Texas Higher Education Coordinating Board shall report the results of a survey of physicians who have completed a Physician Education Loan Repayment Program contract to practice in a health professional shortage area in exchange for a loan repayment award to determine rates of retention in those shortage areas and counties. The Texas Higher Education Coordinating Board shall report the results of the survey to the Legislative Budget Board and the Governor prior to September 1 of every even numbered year.

50. Developmental Education. Out of funds appropriated above in Strategy E.1.1, Developmental Education Program, $2,500,000 in general revenue for fiscal year 2010 and $2,500,000 in general revenue for fiscal year 2011 shall be used for the purpose establishing a pilot program for developmental education. The Higher Education Coordinating Board is required to use the funds for pilot programs at community colleges and public technical institutions. The pilot programs would use technology and diagnostic assessments to determine students' needs and college readiness and use educational methods, including non-course based, that would improve developmental education outcomes. Out of funds appropriated to this strategy, the Higher Education Coordinating Board will study the issue of developmental education focusing on researching best practices to implement statewide and submit a report to the Governor, Lieutenant Governor, Speaker of the House of Appropriations, the Chair of the Senate Finance Committee, the Chair of House Appropriations, Senate Committee on Higher Education and House Committee on Higher Education before January 1, 2011. Any balances remaining as of August 31, 2010 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

51. Cost Matrix Study. Out of the funds appropriated above, the Higher Education Coordinating Board shall conduct a cost study to validate the relative weights contained in the matrix in Section 29 (1) of the Special Provisions Relating Only to Institutions of Higher Education and report the results of the study to the Legislative Budget Board and the Governor's Office no later than September 1, 2010. The study should provide an "all funds" analysis of the Health Related Institutions' costs. All costs should be based on data in each institution's Annual Financial Report. The study should also address the differences between funding for nursing, pharmacy, allied health or any other overlapping disciplines between the General Academic matrix and the Health Related Institution matrix.

52. Texas State Technical College "Returned Value" Funding Study. The Higher Education Coordinating Board shall report to the 82nd Legislature on the feasibility of a funding model based on "returned value" to be used in calculating the formula funding appropriation for the Texas State Technical Colleges. The study shall be conducted in consultation with the Office of the Comptroller, the Texas Workforce Commission, and the Texas State Technical College System. The Texas State Technical College System shall transfer up to $100,000 in fiscal year 2010 to the Higher Education Coordinating Board to cover the costs associated with the study.

53. Top 10 Percent Scholarships. Amounts appropriated above in Strategy B.1.13, Top Ten Percent Scholarships, shall be used to provide scholarships for undergraduate students who have graduated with a grade point average in the top 10 percent of the student's high school graduating class from an accredited Texas High School.

54. New Campus Funding for Community Colleges. Out of the amounts appropriated above in Strategy E.1.4, New Campus Funding, the Higher Education Coordinating Board shall set aside the following amounts:

1) $290,557 in fiscal year 2010 and $290,557 in fiscal 2011 to fund contact hours generated from the Northeast Lakeview campus at Alamo Community College.

2) $219,222 in fiscal year 2010 and $219,222 in fiscal 2011 to fund contact hours generated from the Round Rock campus at Austin Community College.

3) $137,465 in fiscal year 2010 and $137,465 in fiscal 2011 to fund contact hours generated at four new campuses at Dallas Community College.

4) $726,843 in fiscal year 2010 and $726,843 in fiscal 2011 to fund contact hours generated at four new campuses at Houston Community College.

5) $375,913 in fiscal year 2010 and $375,913 in fiscal 2011 to fund contact hours generated at the Trinity River campus at Tarrant Community College.

Any amount remaining of the first year 2010 set aside may, with the approval of the Texas Higher Education Coordinating Board, be used for the same purpose in fiscal year 2011.

55. Dual Credit. The Texas Higher Education Coordinating Board shall use the funds appropriated in this Act to work together with the Texas Education Agency to provide integrated data on certain topics relating to dual credit in the manner requested by the Legislative Budget Board. At a minimum, the data should include the following:

a) The number of contact hours generated by dual credit courses taken on a high school campus and on a community college campus;
b) the number of districts charging tuition for dual credit courses, and the amount of the tuition; and
c) the number of high schools and community colleges who have entered into agreements to offer dual credit courses.

56. Adult Basic Education Community College Grants. Out of funds appropriated above in Strategy, E.1.7, ABE Community College Grants, $5,000,000 in general revenue for fiscal year 2010 and $5,000,000 in general revenue for fiscal year 2011 shall be used for the purpose of awarding competitive grants to community colleges and public technical institutions to increase participation in adult basic education. Any balances as of August 31, 2010 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

57. Enrollment Growth Funding for General Academic Institutions. Funds appropriated above in Strategy E.1.5, General Academic Institution Enrollment Growth, are to be used only to assist public general academic institutions which experience dramatic rates of growth in weighted semester credit hours during the 2010-2011 biennium. Funds appropriated under this section shall be allocated according to a formula developed by the Texas Higher Education Coordinating Board based on the following criteria:

For fiscal year 2010, funding shall be provided for growth in weighted semester credit hours at institutions which experience an increase in total weighted semester credit hours greater than 3 percent between Fall 2008 and Fall 2009 semesters. For fiscal year 2011, funding shall be

provided for growth in weighted semester credit hours at institutions which experience an increase in total weighted semester credit hours greater than 6 percent between Fall 2008 and Fall 2010 semesters

58. Alternative Teaching Certification. The Texas Higher Education Coordinating Board shall allocate the funds appropriated in Strategy, E.1.8, Alternative Teacher Certification, only if an institution is able to demonstrate to the satisfaction of the Texas Higher Education Coordinating Board it significantly reduced the cost of tuition for coursework in Alternative Teacher Certification in comparison to the institution's average tuition.

59. Funding for Non-Semester-Length Developmental Education. Out of funds appropriated above, the Texas Higher Education Coordinating Board shall approve non-semester-length developmental education interventions (including course-based, non-course-based, alternative-entry/exit, and other intensive developmental education activities) in the Lower Division Academic Course Guide Manual before August 31, 2009. Approved non-semester-length developmental education interventions shall be eligible for formula funding beginning in fall 2010 and subject to limitations prescribed by law.

Institutions shall analyze the fiscal and instructional impacts on student outcomes for both semester-length and non-semester-length developmental education interventions. The institutions shall prepare a report to the Board no later than June 1, 2010. The Board, in conjunction with the Legislative Budget Board and institutions of higher education, shall use existing performance measures and data to assist in the evaluation of student outcomes for these interventions, including but not limited to, student success in first-college-level-course by subject, persistence, transfer, and degree or certificate completion.

The Board shall analyze and compare all institution reports to determine the most effective and efficient combination of developmental education interventions and make recommendations to the Legislative Budget Board and the Governor before January 1, 2011.

60. Statistical Analysis of Predictors of College Success. The Texas Higher Education Coordinating Board shall provide data to the Legislative Budget Board as requested sufficient to conduct a statistical study of the predictors of access and success in higher education. These student-level, cohort data shall include longitudinal measurements of: success in first-college-level-course; persistence and transfer; college-level grade point average; degree completion and time to degree; federal financial aid calculations; impact of total academic costs on different family income groups; amounts of financial support via federal, state, or other aid/remissions; parental education level; previous academic achievement; scores on national college entrance

examinations; attainment of college readiness standards (in high school or through developmental education); part-time/full-time status; student demographics; and other relevant factors and information as determined to be necessary by the Legislative Budget Board.

With the assistance of the Texas Education Agency as required, these data shall also include: scores on state assessment examinations; highest level of high school mathematics class successfully completed; high school graduation plan; high school class rank; size of high school graduation class; other demographic data collected in secondary education; and dual credit or college credit completed while in high school.

The Texas Higher Education Coordinating Board shall assist the Legislative Budget Board in the analysis and interpretation of these data. Data shall be made available to the Legislative Budget Board as soon as is practical following the conclusion of each academic year. These data shall be provided in compliance with all relevant privacy laws. A report based on an analysis of these data shall be presented to the legislature no later than October 1, 2010.

HIGHER EDUCATION FUND

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 262,500,000	$ 262,500,000
Total, Method of Financing	$ 262,500,000	$ 262,500,000
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Items of Appropriation:		
A. Goal: HIGHER EDUCATION FUND		
A.1.1. Strategy: HIGHER EDUCATION FUND	$ 262,500,000	$ 262,500,000
Grand Total, HIGHER EDUCATION FUND	$ 262,500,000	$ 262,500,000
Object-of-Expense Informational Listing:		
Other Operating Expense	$ 262,500,000	$ 262,500,000
Total, Object-of-Expense Informational Listing	$ 262,500,000	$ 262,500,000

1. **Unexpended Balances.** Any unexpended balances as of August 31, 2009 in the General Revenue Fund pursuant to the provision of Article VII, § 17(a) of the Texas Constitution, are hereby appropriated to the respective institutions for the biennium beginning September 1, 2009 for the same purposes.

THE UNIVERSITY OF TEXAS SYSTEM ADMINISTRATION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 8,536,650	$ 8,540,600
Permanent Endowment Fund Account No. 822, UT Regional Academic Health Center, estimated	1,102,000	1,102,000
Total, Method of Financing	$ 9,638,650	$ 9,642,600

THE UNIVERSITY OF TEXAS SYSTEM ADMINISTRATION
(Continued)

Items of Appropriation:				
1. Educational and General State Support	$	9,638,650	$	9,642,600
Grand Total, THE UNIVERSITY OF TEXAS SYSTEM ADMINISTRATION	$	9,638,650	$	9,642,600
This bill pattern represents an estimated 22.2% of this agency's estimated total available funds for the biennium.				
Number of Full-Time-Equivalents (FTE)- Appropriated Funds		247.0		247.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS Provide Instructional and Operations Support. **A.1.1. Strategy:** SYSTEM OFFICE OPERATIONS	$	2,000,000	$	2,000,000
B. Goal: INFRASTRUCTURE SUPPORT Provide Infrastructure Support. **B.1.1. Strategy:** DEBT SERVICE - NSERB Debt Service for the Natural Science and Engr. Building at UT - Dallas.	$	6,536,650	$	6,540,600
C. Goal: TOBACCO FUNDS **C.1.1. Strategy:** TOBACCO EARNINGS - RAHC Tobacco Earnings for the Lower Rio Grande Valley RAHC.	$	1,102,000	$	1,102,000
Grand Total, THE UNIVERSITY OF TEXAS SYSTEM ADMINISTRATION	$	9,638,650	$	9,642,600
Object-of-Expense Informational Listing:				
Salaries and Wages	$	1,990,320	$	1,990,320
Other Personnel Costs		9,680		9,680
Debt Service		6,536,650		6,540,600
Other Operating Expense		1,102,000		1,102,000
Total, Object-of-Expense Informational Listing	$	9,638,650	$	9,642,600
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	515,043	$	530,494
Group Insurance		45,874		48,993
Social Security		1,386,617		1,435,149
Subtotal, Employee Benefits	$	1,947,534	$	2,014,636
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	1,947,532	$	2,014,634

2. **Aircraft Authorized.** The University of Texas System is authorized to acquire, operate and maintain, including replacing, one passenger airplane. Such airplane should be acquired by gift, if possible, but may be acquired by purchase subject to the authority under Government Code, Chapter 2205. All costs of acquisition, operation and maintenance, including replacement, may be paid out of the Available University Fund allocable to The University of Texas System. The University of Texas System is also authorized to lease on a short-term basis additional aircraft as may be needed from time to time.

3. **Governing Board.** Out of funds appropriated above, an amount not to exceed $100,000 in each year of the biennium shall be for all expenses associated with the travel, entertainment, and lodging of the governing board.

A separate record of the board's expenditures for these purposes shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. None of the funds appropriated above may be used for the travel, entertainment, and lodging expenses of the board except for the specific amount designated above.

4. Estimated Appropriation and Unexpended Balance.

a. Included in the amounts appropriated above are estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for the Lower Rio Grande Valley Regional Academic Health Center.

b. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

c. All balances of estimated appropriations from the Permanent Endowment Fund for the Lower Rio Grande Valley Regional Academic Health Center, except for any General Revenue, at the close of the fiscal year ending August 31, 2009, and the income to said fund during the fiscal years beginning September 1, 2009, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated for the same purposes for fiscal year 2011.

5. Appropriation for System Office Operation. General Revenue funds appropriated above in Strategy A.1.1, System Office Operations in the amount of $1,218,606 per year are contingent upon The University of Texas System Administration decreasing the amount of Available University Funds being used for system office operations by the same amount in fiscal years 2010 and 2011.

AVAILABLE UNIVERSITY FUND

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Available University Fund No. 011, estimated	$ 540,906,439	$ 529,330,302
Total, Method of Financing	$ 540,906,439	$ 529,330,302
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Items of Appropriation:		
A. Goal: MANAGE/ADMINISTER ENDOWMENT FUNDS Provide Management and Administrative Support for Endowment Funds.		
A.1.1. Strategy: TEXAS A&M UNIV SYSTEM ALLOCATION Texas A&M Univ. System Available Univ. Fund Allocation. Estimated.	$ 178,618,146	$ 173,767,434
A.1.2. Strategy: THE UNIV OF TEXAS SYSTEM ALLOCATION The Univ. of Texas System Available Univ. Fund Allocation. Estimated.	$ 362,288,293	$ 355,562,868
Total, Goal A: MANAGE/ADMINISTER ENDOWMENT FUNDS	$ 540,906,439	$ 529,330,302
Grand Total, AVAILABLE UNIVERSITY FUND	$ 540,906,439	$ 529,330,302
Object-of-Expense Informational Listing:		
Other Operating Expense	$ 540,906,439	$ 529,330,302
Total, Object-of-Expense Informational Listing	$ 540,906,439	$ 529,330,302

1. **Texas A&M University System Share.** There is hereby appropriated to the Texas A&M University System for the biennium ending August 31, 2011, that portion of the Available University Fund No. 011 apportioned to it by Article VII, § 18(f) of the Texas Constitution, except the part of that portion appropriated by § 18 for the payment of principal and interest on bonds or notes issued thereunder by the Board of Regents of the Texas A&M University System, together with interest and any balance in the Texas A&M University Available Fund No. 011 for any previous fiscal year. The Texas A&M University System is authorized to use a portion of its share of the Available University Fund No. 011 for the matching of private grants for the endowment of scholarships, fellowships, library support, and academic positions at Texas A&M University and Prairie View A&M University.

2. **The University of Texas System Share.** There is hereby appropriated for the biennium ending August 31, 2011 that portion of the Available University Fund No. 011 apportioned to The University of Texas System by Article VII, § 18(f) of the Texas Constitution, together with interest and any balance in the Available University Fund No. 011 for any previous years, except that portion appropriated by § 18 for the payment of principal and interest on bonds or notes issued by the Board of Regents of The University of Texas System. This appropriation may be used for new construction, major repairs and rehabilitation, equipment, maintenance, operation, salaries, and support, including the matching of private grants for the endowment of scholarships, fellowships, library support, and academic positions for The University of Texas at Austin and for The University of Texas System Administration and is to be used as the Board of Regents of The University of Texas System may determine.

3. **Transfer Authorization.** The University of Texas System shall transfer from the Available University Fund No. 011 into the Texas A&M University Available Fund No. 047 the respective portion required by Article VII, § 18(f) of the Texas Constitution.

4. **Reporting.**

   a. The University of Texas System Board of Regents and the Texas A&M University System Board of Regents shall report to the Legislature and the Governor no later than December 1 of each year the uses of the Available University Fund (AUF) for each system component and for the system office operations for the two previous years, the current year, and two future years (projected). Each report shall contain detailed information on the following:

      (1) debt service allocations, by component;
      (2) bond proceeds allocations, by component;
      (3) excellence allocations, by component or system office, and their purposes;
      (4) Available University Fund income, interest, beginning-and-end-of-year balances; and
      (5) the rationale used by the respective boards to distribute AUF funds.

   b. In addition, by December 1 of each year, authorized managers of permanent funds and endowments whose earnings are appropriated above shall submit an annual financial report which shall include, at a minimum, an income statement and balance sheet and a summary of the investment return of the fund during the preceding fiscal year. The annual financial report shall also contain:

      (1) a summary of all gains, losses and income from investments and an itemized list of all securities held for the fund on August 31;

      (2) any other information needed by the Governor or the Legislative Budget Board to clearly indicate the nature and extent of investments made of the fund and all income realized from the components of the fund.

   The annual financial report shall be distributed to the Governor and Legislative Budget Board by December 1 of each year of the biennium.

THE UNIVERSITY OF TEXAS AT ARLINGTON

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 94,838,190	$ 95,021,912
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	5,486,495	5,486,495
Estimated Other Educational and General Income Account No. 770	35,442,136	35,496,417
Subtotal, General Revenue Fund - Dedicated	$ 40,928,631	$ 40,982,912
Total, Method of Financing	$ 135,766,821	$ 136,004,824
Items of Appropriation:		
1. Educational and General State Support	$ 135,766,821	$ 136,004,824
Grand Total, THE UNIVERSITY OF TEXAS AT ARLINGTON	$ 135,766,821	$ 136,004,824
This bill pattern represents an estimated 33.6% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	2,257.9	2,257.9

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 91,372,381	$ 91,372,381
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 1,953,465	$ 1,953,465
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 3,500,876	$ 3,738,936
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 302,186	$ 302,186
A.1.5. Strategy: UNEMPLOYMENT COMPENSATION INSURANCE	$ 29,374	$ 29,374
A.1.6. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 4,826,754	$ 4,832,940
A.1.7. Strategy: FORMULA HOLD HARMLESS	$ 1,393,263	$ 1,393,263
Total, Goal A: INSTRUCTION/OPERATIONS	$ 103,378,299	$ 103,622,545
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 14,989,038	$ 14,989,038
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 9,718,051	$ 9,711,808
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 24,707,089	$ 24,700,846
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: SCIENCE EDUCATION CENTER	$ 187,031	$ 187,031
C.2.1. Strategy: AUTOMATION AND ROBOTICS INSTITUTE	$ 1,245,064	$ 1,245,064
Automation and Robotics Research Institute.		
C.3.1. Strategy: RURAL HOSPITAL OUTREACH PROGRAM	$ 45,802	$ 45,802
C.3.2. Strategy: INSTITUTE OF URBAN STUDIES	$ 296,374	$ 296,374
C.3.3. Strategy: MEXICAN AMERICAN STUDIES	$ 41,562	$ 41,562
C.4.1. Strategy: AFRICA INTERNATIONAL EXCHANGE	$ 109,544	$ 109,544

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $3,839,588 and a Federal Funds increase of $3,839,588 in fiscal year 2010 resulting in net General Revenue appropriations of $90,998,602 and a net All Funds appropriation of $135,766,821 in fiscal year 2010.

C.4.2. Strategy: INSTITUTIONAL ENHANCEMENT	$ 2,303,242	$ 2,303,242
Total, Goal C: SPECIAL ITEM SUPPORT	$ 4,228,619	$ 4,228,619
D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 3,452,814	$ 3,452,814
Grand Total, THE UNIVERSITY OF TEXAS AT ARLINGTON	$ 135,766,821	$ 136,004,824
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 48,389,637	$ 44,287,362
Other Personnel Costs	41,138	28,119
Faculty Salaries (Higher Education Only)	56,955,908	60,307,474
Utilities	7,262,745	8,092,897
Travel	48,807	47,942
Other Operating Expense	18,436,657	18,674,443
Client Services	128,507	128,507
Grants	4,503,422	4,438,080
Total, Object-of-Expense Informational Listing	$ 135,766,821	$ 136,004,824
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 7,627,885	$ 7,997,492
Group Insurance	10,785,681	11,519,107
Social Security	7,354,152	7,611,547
Subtotal, Employee Benefits	$ 25,767,718	$ 27,128,146
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 25,767,718	$ 27,128,146

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas at Arlington. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of The University of Texas at Arlington. In order to achieve the objectives and service standards established by this Act, The University of Texas at Arlington shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	42%	42%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	20%	22%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	71%	71%
Certification Rate of Teacher Education Graduates	96.2%	96.2%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	52%	52%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	63%	64%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	42%	43%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	32%	32%
State Licensure Pass Rate of Engineering Graduates	80%	80%
State Licensure Pass Rate of Nursing Graduates	99%	99%
Dollar Value of External or Sponsored Research Funds (in Millions)	40.23	45.46
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	7.5%	7.5%

3. **Robotics Engineering Research Program Transferability Authority.** The University of Texas at Arlington is hereby authorized to transfer or utilize from funds appropriated above an amount not to exceed $500,000 to the Robotics Engineering Research Program in addition to the amount specified for that item. However, no funds may be transferred from any specified amount for faculty salaries, general scholarships, or minority scholarships and recruitment.

4. **Center for Mexican American Studies.** The University of Texas at Arlington is hereby authorized to transfer or utilize, from funds appropriated above, an amount not to exceed $300,000 for the operation of the Center for Mexican American Studies.

5. **Urban Studies Institute.** All funds collected by the Urban Studies Institute are hereby appropriated to The University of Texas at Arlington for the Urban Studies Institute. It is the intent of the Legislature that services provided by the Institute shall be provided at a reduced cost based upon financial need and the availability of like services.

6. **Texas Competitive Knowledge Fund.** Contingent upon attaining a three-year average of $50,000,000 in research expenditures as reported in the Accountability System maintained by the Texas Higher Education Coordinating Board, $5,000,000 in General Revenue of the funds appropriated above shall be considered funding for the Texas Competitive Knowledge Fund.

7. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.7, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for the University of Texas at Arlington.

THE UNIVERSITY OF TEXAS AT AUSTIN

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 285,736,523	$ 285,924,494
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	20,211,456	20,211,456
Estimated Other Educational and General Income Account No. 770	82,680,882	83,074,793
Subtotal, General Revenue Fund - Dedicated	$ 102,892,338	$ 103,286,249
Total, Method of Financing	$ 388,628,861	$ 389,210,743
Items of Appropriation:		
1. Educational and General State Support	$ 388,628,861	$ 389,210,743
Grand Total, THE UNIVERSITY OF TEXAS AT AUSTIN	$ 388,628,861	$ 389,210,743
This bill pattern represents an estimated 21.2% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	6,519.1	6,519.1

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $9,889,405 and a Federal Funds increase of $9,889,405 plus a Federal Funds Section 25 appropriation of $420,000 in fiscal year 2010, resulting in net General Revenue appropriations of $275,847,118 and a net All Funds appropriation of $389,048,861 in fiscal year 2010.

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS				
Provide Instructional and Operations Support.				
A.1.1. Strategy: OPERATIONS SUPPORT	$	238,573,160	$	238,573,160
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$	5,747,267	$	5,747,267
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	8,102,780	$	8,653,769
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$	825,522	$	825,522
A.1.5. Strategy: UNEMPLOYMENT COMPENSATION INSURANCE	$	42,362	$	42,362
A.1.6. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$	12,417,090	$	12,464,980
A.1.7. Strategy: FORMULA HOLD HARMLESS	$	5,541,086	$	5,541,086
Total, Goal A: INSTRUCTION/OPERATIONS	$	271,249,267	$	271,848,146
B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	61,964,528	$	61,964,528
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	14,811,403	$	14,794,406
Total, Goal B: INFRASTRUCTURE SUPPORT	$	76,775,931	$	76,758,934
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: MARINE SCIENCE INSTITUTE	$	1,605,303	$	1,605,303
Marine Science Institute - Port Aransas.				
C.1.2. Strategy: INSTITUTE FOR GEOPHYSICS	$	1,048,093	$	1,048,093
C.1.3. Strategy: BUREAU OF ECONOMIC GEOLOGY	$	2,856,849	$	2,856,849
C.1.4. Strategy: BUREAU OF BUSINESS RESEARCH	$	232,487	$	232,487
C.1.5. Strategy: MCDONALD OBSERVATORY	$	4,353,587	$	4,353,587
C.1.6. Strategy: ADVANCED STUDIES IN ASTRONOMY	$	576,008	$	576,008
Center for Advanced Studies in Astronomy.				
C.1.7. Strategy: COMPETITIVE KNOWLEDGE FUND	$	27,534,452	$	27,534,452
C.2.1. Strategy: TEXAS MEMORIAL MUSEUM	$	145,097	$	145,097
C.2.2. Strategy: PUBLIC POLICY INSTITUTE	$	192,215	$	192,215
C.2.3. Strategy: POLICY DISPUTE RESOLUTION CENTER	$	344,408	$	344,408
Center for Public Policy Dispute Resolution.				
C.2.4. Strategy: LATINO WWII ORAL HISTORY	$	43,750	$	43,750
C.2.5. Strategy: GARNER MUSEUM	$	225,000	$	225,000
C.3.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	1,446,414	$	1,446,414
Total, Goal C: SPECIAL ITEM SUPPORT	$	40,603,663	$	40,603,663
Grand Total, THE UNIVERSITY OF TEXAS AT AUSTIN	$	388,628,861	$	389,210,743
Object-of-Expense Informational Listing:				
Salaries and Wages	$	140,007,302	$	138,715,296
Other Personnel Costs		3,305,160		5,828,264
Faculty Salaries (Higher Education Only)		38,822,805		38,822,805
Professional Salaries - Faculty Equivalent (Higher Education Only)		150,921,582		150,661,279
Debt Service		14,811,403		14,794,406
Other Operating Expense		39,400,884		38,877,732
Grants		1,359,725		1,510,961
Total, Object-of-Expense Informational Listing	$	388,628,861	$	389,210,743
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	25,892,998	$	27,207,676
Group Insurance		25,676,486		27,422,487

Social Security	23,707,919	24,537,696
Subtotal, Employee Benefits	$ 75,277,403	$ 79,167,859
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 75,277,403	$ 79,167,859

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas at Austin. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of The University of Texas at Austin. In order to achieve the objectives and service standards established by this Act, The University of Texas at Austin shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	78.5%	79%
Percent of First-time, Full-time, Degree seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	55%	55.4%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	94%	94%
Certification Rate of Teacher Education Graduates	99%	99%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	19%	19%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	80%	80%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	26%	26%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	40%	40%
State Licensure Pass Rate of Law Graduates	92%	92%
State Licensure Pass Rate of Engineering Graduates	90%	90%
State Licensure Pass Rate of Nursing Graduates	97%	97%
State Licensure Pass Rate of Pharmacy Graduates	99%	99%
Dollar Value of External or Sponsored Research Funds (in Millions)	455	455
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	5.1%	5.1%

3. **Bureau of Economic Geology Contingency.** Contingent upon certification by the Comptroller of Public Accounts that increased activity by the Bureau of Economic Geology will generate at least $3,000,000 for the biennium in additional revenue to the General Revenue Fund, $1,500,000 in each year of the biennium is included in the appropriation above for the Bureau of Economic Geology.

4. **Public Policy Clinics.** Out of the funds appropriated above, up to $218,750 in each year of the biennium shall be used for the Irma Lerma Rangel Public Policy Clinics in the Department of Government. The clinics shall be focused on public policy issues salient to the State of Texas and to be offered as graduate-level seminars to help maximize the partnership with the Tomas Rivera Center, the Center for Migration and Border Studies and other academic institutions. These funds shall be used to pay for the Irma Lerma Rangel Research Fellowships in Law and Public Policy, surveys, and other expenses associated with the clinics.

5. **University Interscholastic League Financial Reporting.** As part of the financial report required in the Education Code § 33.083, the University Interscholastic League (UIL) shall provide the following financial information to the Governor, the presiding officer of each house of the legislature, and the Legislative Budget Board before November 20th each year. The report shall provide the following financial information in the format and order identified below for the preceding two fiscal years:

   1. Total revenues.
   2. Total expenditures.
   3. Excess (Deficit) of revenue over expenditures.

4. Total fund balance.
5. Total interest income earned on fund balances belonging to UIL that are deposited with the University of Texas at Austin for the benefit of the league.
6. Total member school district earnings from event rebates and other sources.
7. Total UIL earnings from gate receipts, administrative charges, retained excess revenues from UIL managed events and other sources.
8. Total University of Texas at Austin earnings levied on all UIL expenditures and total expenses incurred by the University of Texas at Austin in providing administrative services for the University Interscholastic League.

This information shall be reported for all UIL funds, by all budget groups including but not limited to the General Fee, Music, Interscholastic League Press Conference, Athletic/Academic and Corporate budget groups, and individual event/tournament budgets. The UIL shall contract annually with an independent certified public accountant to audit this financial report. In lieu of pursuing a contract for independent audit services and at the discretion of the State Auditor, the State Auditor's Office may conduct the audit. Copies of this report shall be furnished on request to members of the legislature and shall be posted on the UIL's web site.

6. Garner Museum. Out of funds appropriated above in Strategy, C.2.5, Garner Museum, $150,000 each year will be used for repair and maintenance of the Garner Museum.

7. Hold Harmless Funding. The funds appropriated above in Strategy A.1.7, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for The University of Texas at Austin.

THE UNIVERSITY OF TEXAS AT DALLAS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 77,523,583	$ 77,622,572
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	4,480,000	4,480,000
Estimated Other Educational and General Income Account No. 770	27,694,768	27,797,783
Subtotal, General Revenue Fund - Dedicated	$ 32,174,768	$ 32,277,783
Total, Method of Financing	$ 109,698,351	$ 109,900,355
Items of Appropriation:		
1. Educational and General State Support	$ 109,698,351	$ 109,900,355
Grand Total, THE UNIVERSITY OF TEXAS AT DALLAS	$ 109,698,351	$ 109,900,355
This bill pattern represents an estimated 34.8% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	1,237.0	1,237.0

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $3,062,438 and a Federal Funds increase of $3,062,438 plus a Federal Funds Section 25 appropriation of $11,462,500 in fiscal year 2010, resulting in net General Revenue appropriations of $74,461,145 and a net All Funds appropriation of $121,160,851 in fiscal year 2010.

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS				
Provide Instructional and Operations Support.				
A.1.1. Strategy: OPERATIONS SUPPORT	$	73,611,810	$	73,611,810
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$	989,368	$	989,368
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	2,620,707	$	2,798,915
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$	210,413	$	218,830
A.1.5. Strategy: UNEMPLOYMENT COMPENSATION INSURANCE	$	49,244	$	51,214
A.1.6. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$	2,477,348	$	2,487,012
A.1.7. Strategy: ORGANIZED ACTIVITIES	$	6,258,081	$	6,258,081
Total, Goal A: INSTRUCTION/OPERATIONS	$	86,216,971	$	86,415,230
B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	10,320,477	$	10,320,477
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	3,791,102	$	3,794,847
Total, Goal B: INFRASTRUCTURE SUPPORT	$	14,111,579	$	14,115,324
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: CENTER FOR APPLIED BIOLOGY	$	546,875	$	546,875
C.1.2. Strategy: NANOTECHNOLOGY	$	218,750	$	218,750
C.2.1. Strategy: ACADEMIC BRIDGE PROGRAM	$	218,750	$	218,750
Intensive Summer Academic Bridge Program.				
C.3.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	1,757,832	$	1,757,832
C.3.2. Strategy: SCIENCE, ENGINEERING, MATH	$	1,000,000	$	1,000,000
Total, Goal C: SPECIAL ITEM SUPPORT	$	3,742,207	$	3,742,207
D. Goal: RESEARCH DEVELOPMENT FUND				
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$	5,627,594	$	5,627,594
Grand Total, THE UNIVERSITY OF TEXAS AT DALLAS	$	109,698,351	$	109,900,355
Object-of-Expense Informational Listing:				
Salaries and Wages	$	32,025,469	$	32,810,766
Other Personnel Costs		1,845,612		300,417
Faculty Salaries (Higher Education Only)		55,772,613		54,941,159
Travel		19,856		16,777
Other Operating Expense		13,361,582		15,571,242
Grants		6,420,881		5,866,292
Capital Expenditures		252,338		393,702
Total, Object-of-Expense Informational Listing	$	109,698,351	$	109,900,355
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	5,919,486	$	6,195,668
Group Insurance		6,351,368		6,783,261
Social Security		5,770,222		5,972,180
Subtotal, Employee Benefits	$	18,041,076	$	18,951,109
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	18,041,076	$	18,951,109

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas at Dallas. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended

mission of The University of Texas at Dallas. In order to achieve the objectives and service standards established by this Act, The University of Texas at Dallas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	59.5%	60%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	43%	43.2%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	84.2%	84.2%
Certification Rate of Teacher Education Graduates	100%	100%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	47%	47%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	77.8%	78%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	42%	42.25%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	20.5%	22%
Dollar Value of External or Sponsored Research Funds (in Millions)	55	57
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	8.1%	8.1%

3. **Center for Values in Medicine and Technology.** Out of the funds appropriated above in Strategy C.3.1, $150,000 in fiscal year 2010 shall be used for the support of the Center for Values in Medicine and Technology at The University of Texas at Dallas Graduate School of Arts and Humanities. The Center will (1) offer graduate level courses for students in the Humanities, students in Medicine, practicing physicians, and others involved in the Health Professions leading to a Certificate in Medicine and Technology; (2) it will sponsor annual public forums that will address specific technology-driven issues in Medicine; (3) it will join with the Institute of Interactive Arts and Engineering to develop more accurate, effective, and appealing ways to inform the general public about current issues in medicine and especially the mutual impact of digital technology with diagnosis and treatment. Any unexpended balances as of August 31, 2010 in the appropriations made herein are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

4. **Texas Competitive Knowledge Fund.** Contingent upon attaining a three-year average of $50,000,000 in research expenditures as reported in the Accountability System maintained by the Texas Higher Education Coordinating Board, $5,000,000 in General Revenue of the funds appropriated above shall be considered funding for the Texas Competitive Knowledge Fund.

THE UNIVERSITY OF TEXAS AT EL PASO

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 79,590,041	$ 79,654,203
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	1,935,268	1,935,268

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $2,681,876 and a Federal Funds increase of $2,681,876 in fiscal year 2010 resulting in net General Revenue appropriations of $76,908,165 and a net All Funds appropriation of $105,289,117 in fiscal year 2010.

Estimated Other Educational and General Income Account No. 770	22,443,808	22,552,630
Subtotal, General Revenue Fund - Dedicated	$ 24,379,076	$ 24,487,898
Permanent Endowment Fund Account No. 817, UT El Paso, estimated	1,320,000	1,320,000
Total, Method of Financing	$ 105,289,117	$ 105,462,101
Items of Appropriation:		
1. Educational and General State Support	$ 105,289,117	$ 105,462,101
Grand Total, THE UNIVERSITY OF TEXAS AT EL PASO	$ 105,289,117	$ 105,462,101

This bill pattern represents an estimated 39.8% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE)- Appropriated Funds	1,730.3	1,730.3

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 61,515,873	$ 61,515,873
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 2,009,363	$ 2,009,363
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 2,249,694	$ 2,402,674
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 255,997	$ 255,997
A.1.5. Strategy: UNEMPLOYMENT COMPENSATION INSURANCE	$ 3,708	$ 3,708
A.1.6. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 3,261,291	$ 3,275,410
Total, Goal A: INSTRUCTION/OPERATIONS	$ 69,295,926	$ 69,463,025
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 11,386,319	$ 11,386,319
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 8,524,193	$ 8,530,078
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 19,910,512	$ 19,916,397
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: BORDER STUDIES INSTITUTE	$ 81,426	$ 81,426
Inter-American and Border Studies Institute.		
C.1.2. Strategy: ENVIRONMENTAL RESOURCE MANAGEMENT	$ 217,116	$ 217,116
Center for Environmental Resource Management.		
C.1.3. Strategy: CENTER FOR LAW AND BORDER STUDIES	$ 413,049	$ 413,049
C.2.1. Strategy: EL PASO CENTENNIAL MUSEUM	$ 113,040	$ 113,040
C.2.2. Strategy: RURAL NURSING HEALTH CARE	$ 59,599	$ 59,599
Rural Nursing Health Care Services.		
C.2.3. Strategy: MANUFACTURE/MATERIALS MANAGEMENT	$ 83,027	$ 83,027
Institute for Manufacturing and Materials Management.		
C.2.4. Strategy: ECONOMIC/ENTERPRISE DEVELOPMENT	$ 794,392	$ 794,392
Texas Centers for Economic and Enterprise Development.		

C.2.5. Strategy: ACADEMIC EXCELLENCE Collaborative for Academic Excellence.	$ 108,558	$ 108,558
C.2.6. Strategy: BORDER COMMUNITY HEALTH Border Community Health Education Institute.	$ 268,482	$ 268,482
C.2.7. Strategy: BORDER HEALTH RESEARCH	$ 289,135	$ 289,135
C.2.8. Strategy: US-MEXICO IMMIGRATION CENTER United States - Mexico Immigration Center.	$ 41,305	$ 41,305
C.3.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 8,030,220	$ 8,030,220
Total, Goal C: SPECIAL ITEM SUPPORT	$ 10,499,349	$ 10,499,349
D. Goal: TOBACCO FUNDS		
D.1.1. Strategy: TOBACCO EARNINGS - UTEP Tobacco Earnings for the University of Texas at El Paso.	$ 1,320,000	$ 1,320,000
E. Goal: RESEARCH DEVELOPMENT FUND		
E.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 4,263,330	$ 4,263,330
Grand Total, THE UNIVERSITY OF TEXAS AT EL PASO	$ 105,289,117	$ 105,462,101
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 28,400,435	$ 30,426,674
Other Personnel Costs	576,209	472,774
Faculty Salaries (Higher Education Only)	50,318,844	49,387,011
Debt Service	8,524,193	8,530,078
Other Operating Expense	10,330,203	8,773,637
Grants	6,670,696	7,396,419
Capital Expenditures	468,537	475,508
Total, Object-of-Expense Informational Listing	$ 105,289,117	$ 105,462,101
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 5,589,664	$ 5,867,215
Group Insurance	10,228,867	10,924,430
Social Security	5,495,131	5,687,460
Subtotal, Employee Benefits	$ 21,313,662	$ 22,479,105
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 21,313,662	$ 22,479,105

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas at El Paso. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of The University of Texas at El Paso. In order to achieve the objectives and service standards established by this Act, The University of Texas at El Paso shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	34%	34%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	7.5%	8%

Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	78%	78%
Certification Rate of Teacher Education Graduates	96%	96%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	62.4%	62.4%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	50%	50%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	17%	18%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	36%	36%
State Licensure Pass Rate of Engineering Graduates	80%	80%
State Licensure Pass Rate of Nursing Graduates	95.8%	95.8%
Dollar Value of External or Sponsored Research Funds (in Millions)	35	38
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	7.5%	7.5%

3. **Transfer of Consortium Funds.** Funds identified for the Texas Centers for Border Economic and Enterprise Development are to be distributed among the member institutions of the consortium by transfers from appropriations to The University of Texas at El Paso to The University of Texas-Pan American and Texas A&M International University. Such transfers are subject to the special and general provisions of this Act and are authorized as follows:

	2010	2011
Texas A&M International University:		
Institute for International Trade	$ 193,525	$193,525
The University of Texas - Pan American:		
Center for Entrepreneurship and Economic Development	$ 321,001	$321,001

4. **Estimated Appropriation and Unexpended Balance.**

   a. Included in the amounts appropriated above are estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for The University of Texas at El Paso.

   b. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   c. All balances of estimated appropriations from the Permanent Endowment Fund for The University of Texas at El Paso, except for any General Revenue, at the close of the fiscal year ending August 31, 2009, and the income to said fund during the fiscal years beginning September 1, 2009, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated to the institution for the same purposes for fiscal year 2011.

5. **Texas Competitive Knowledge Fund.** Contingent upon attaining a three-year average of $50,000,000 in research expenditures as reported in the Accountability System maintained by the Texas Higher Education Coordinating Board, $5,000,000 in General Revenue of the funds appropriated above shall be considered funding for the Texas Competitive Knowledge Fund.

THE UNIVERSITY OF TEXAS - PAN AMERICAN

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 64,432,057	$ 64,574,841
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	1,762,350	1,762,350
Estimated Other Educational and General Income Account No. 770	20,069,153	20,071,140
Subtotal, General Revenue Fund - Dedicated	$ 21,831,503	$ 21,833,490
Interagency Contracts	321,001	321,001
Total, Method of Financing	$ 86,584,561	$ 86,729,332
Items of Appropriation:		
1. Educational and General State Support	$ 86,584,561	$ 86,729,332
Grand Total, THE UNIVERSITY OF TEXAS - PAN AMERICAN	$ 86,584,561	$ 86,729,332
This bill pattern represents an estimated 42.8% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	1,843.3	1,843.3

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 50,876,370	$ 50,876,370
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 2,344,110	$ 2,344,110
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 2,153,648	$ 2,300,096
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 149,986	$ 149,986
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 3,355,654	$ 3,355,957
Total, Goal A: INSTRUCTION/OPERATIONS	$ 58,879,768	$ 59,026,519
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 9,183,775	$ 9,183,775
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 7,583,956	$ 7,581,976
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 16,767,731	$ 16,765,751
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: PROF DEVELOPMENT/DISTANCE LEARNING	$ 207,813	$ 207,813
Professional Development/Distance Learning.		
C.1.2. Strategy: COOPERATIVE PHARMACY DOCTORATE	$ 249,375	$ 249,375
C.1.3. Strategy: STARR COUNTY UPPER LEVEL CENTER	$ 124,688	$ 124,688
C.2.1. Strategy: ECONOMIC DEVELOPMENT	$ 565,978	$ 565,978
Center for Entrepreneurship and Economic Development.		

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $2,241,274 and a Federal Funds increase of $2,241,274 in fiscal year 2010 resulting in net General Revenue appropriations of $62,190,783 and a net All Funds appropriation of $86,584,561 in fiscal year 2010.

C.2.2. Strategy: CENTER FOR MANUFACTURING	$	208,042	$	208,042
C.2.3. Strategy: UT SYSTEM K-12 COLLABORATION UT System K-12 Collaboration Initiative.	$	146,083	$	146,083
C.2.4. Strategy: TRADE & TECHNOLOGY/TELECOMM Trade and Technology/Telecommunications.	$	109,563	$	109,563
C.2.5. Strategy: DIABETES REGISTRY	$	209,844	$	209,844
C.2.6. Strategy: TEXAS/MEXICO BORDER HEALTH	$	290,938	$	290,938
C.3.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	7,668,903	$	7,668,903
C.3.2. Strategy: TRANSITION TO COLLEGE Successful Transition to College Project.	$	415,625	$	415,625
Total, Goal C: SPECIAL ITEM SUPPORT	$	10,196,852	$	10,196,852
D. Goal: RESEARCH DEVELOPMENT FUND				
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$	740,210	$	740,210
Grand Total, THE UNIVERSITY OF TEXAS - PAN AMERICAN	$	86,584,561	$	86,729,332
Object-of-Expense Informational Listing:				
Salaries and Wages	$	23,343,502	$	24,321,510
Other Personnel Costs		1,172,419		1,714,937
Faculty Salaries (Higher Education Only)		43,706,938		42,440,214
Travel		276,570		189,343
Debt Service		7,583,956		7,581,976
Other Operating Expense		8,365,171		7,367,070
Client Services		2,011,991		2,996,986
Grants		124,014		117,296
Total, Object-of-Expense Informational Listing	$	86,584,561	$	86,729,332
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	4,251,500	$	4,468,992
Group Insurance		6,763,497		7,223,415
Social Security		4,929,181		5,101,703
Subtotal, Employee Benefits	$	15,944,178	$	16,794,110
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	15,994,178	$	16,794,110

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas - Pan American. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of The University of Texas - Pan American. In order to achieve the objectives and service standards established by this Act, The University of Texas - Pan American shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	36.4%	36.4%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	18%	19.5%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	80%	80%
Certification Rate of Teacher Education Graduates	84%	84%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	71%	71%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	43%	43.5%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	21%	21.5%

THE UNIVERSITY OF TEXAS - PAN AMERICAN
(Continued)

Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	42%	42%
State Licensure Pass Rate of Nursing Graduates	96.6%	96.6%
Dollar Value of External or Sponsored Research Funds (in Millions)	10	11.2
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	8%	8%

3. **Center for Manufacturing.** Included in the appropriation above to The University of Texas - Pan American in Strategy C.2.2, Center for Manufacturing, is $208,042 in each year of the biennium for the Center for Manufacturing contingent upon certification by the Comptroller of Public Accounts that increased activity by the center will generate at least $416,084 for the biennium in additional revenue to the General Revenue Fund.

THE UNIVERSITY OF TEXAS AT BROWNSVILLE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 27,444,907	$ 27,477,950
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	307,981	307,981
Estimated Other Educational and General Income Account No. 770	4,070,634	4,075,906
Subtotal, General Revenue Fund - Dedicated	$ 4,378,615	$ 4,383,887
Total, Method of Financing	$ 31,823,522	$ 31,861,837
Items of Appropriation:		
1. Educational and General State Support	$ 31,823,522	$ 31,861,837
Grand Total, THE UNIVERSITY OF TEXAS AT BROWNSVILLE	$ 31,823,522	$ 31,861,837
This bill pattern represents an estimated 24.3% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	548.9	548.9

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 12,052,694	$ 12,052,694
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 648,828	$ 648,828
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 458,936	$ 490,144
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 17,882	$ 17,882
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 581,410	$ 582,082
Total, Goal A: INSTRUCTION/OPERATIONS	$ 13,759,750	$ 13,791,630

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $540,108 and a Federal Funds increase of $540,108 in fiscal year 2010 resulting in net General Revenue appropriations of $26,904,799 and a net All Funds appropriation of $31,823,522 in fiscal year 2010.

B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	3,132,808	$	3,132,808
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	6,542,904	$	6,549,339
B.1.3. Strategy: LEASE OF FACILITIES	$	1,359,576	$	1,359,576
B.1.4. Strategy: SMALL INSTITUTION SUPPLEMENT	$	560,100	$	560,100
Total, Goal B: INFRASTRUCTURE SUPPORT	$	11,595,388	$	11,601,823
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: ECONOMIC DEVELOPMENT	$	250,000	$	250,000
Texas Center for Border Economic Development.				
C.1.2. Strategy: K-16 COLLABORATION IN UTB SRV AREA	$	218,750	$	218,750
K-16 Collaboration in the UTB Service Area.				
C.2.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	5,330,923	$	5,330,923
Total, Goal C: SPECIAL ITEM SUPPORT	$	5,799,673	$	5,799,673
D. Goal: RESEARCH DEVELOPMENT FUND				
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$	668,711	$	668,711
Grand Total, THE UNIVERSITY OF TEXAS AT BROWNSVILLE	$	31,823,522	$	31,861,837
Object-of-Expense Informational Listing:				
Salaries and Wages	$	3,800,648	$	3,986,575
Other Personnel Costs		396,625		399,004
Faculty Salaries (Higher Education Only)		12,146,444		12,039,580
Professional Salaries - Faculty Equivalent (Higher Education Only)		199,619		199,620
Consumable Supplies		4,773		4,773
Utilities		2,194,183		2,194,183
Rent - Building		1,359,576		1,359,576
Rent - Machine and Other		36,710		36,710
Debt Service		6,542,904		6,549,339
Other Operating Expense		4,473,328		4,423,766
Grants		668,712		668,711
Total, Object-of-Expense Informational Listing	$	31,823,522	$	31,861,837
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	3,197,091	$	3,369,540
Group Insurance		2,567,493		2,742,083
Social Security		1,690,204		1,749,361
Subtotal, Employee Benefits	$	7,454,788	$	7,860,984
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	7,454,788	$	7,860,984

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas at Brownsville. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of The University of Texas at Brownsville. In order to achieve the objectives and service standards established by this Act, The University of Texas at Brownsville shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	40%	40%

Percent of First-time, Full-time, Degree-seeking Undergraduates who earn a Baccalaureate Degree within Four Academic Years	30%	30%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	70%	70%
Certification Rate of Teacher Education Graduates	100%	100%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	74%	74%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	80%	80%
Percent of Incoming Full-time, Undergraduate Transfer Students who Graduate Within Two Years	45%	45%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-track Faculty	63%	63%
Dollar Value of External or Sponsored Research Funds (in Millions)	5.5	5.5
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	8%	8%

3. **Texas Center for Border Economic Development.** Included in the appropriation above to The University of Texas at Brownsville in Strategy C.1.1, Economic Development, is $250,000 in each year of the biennium for the Texas Center for Border Economic Development contingent upon certification by the Comptroller of Public Accounts that increased activity by the center will generate at least $500,000 for the biennium in additional revenue to the General Revenue Fund.

THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 28,188,927	$ 28,205,266
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	263,069	263,069
Estimated Other Educational and General Income Account No. 770	3,804,395	3,808,203
Subtotal, General Revenue Fund - Dedicated	$ 4,067,464	$ 4,071,272
Total, Method of Financing	$ 32,256,391	$ 32,276,538
Items of Appropriation:		
1. Educational and General State Support	$ 32,256,391	$ 32,276,538
Grand Total, THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN	$ 32,256,391	$ 32,276,538
This bill pattern represents an estimated 59.5% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	296.4	296.4

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $400,587 and a Federal Funds increase of $400,587 in fiscal year 2010 resulting in net General Revenue appropriations of $27,788,340 and a net All Funds appropriation of $32,256,391 in fiscal year 2010.

THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN
(Continued)

A. Goal: INSTRUCTION/OPERATIONS				
Provide Instructional and Operations Support.				
A.1.1. Strategy: OPERATIONS SUPPORT	$	9,088,953	$	9,088,953
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$	362,000	$	362,000
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	279,165	$	298,148
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$	29,328	$	29,327
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$	629,188	$	629,788
Total, Goal A: INSTRUCTION/OPERATIONS	$	10,388,634	$	10,408,216
B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	1,770,470	$	1,770,470
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	9,536,810	$	9,537,375
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$	750,000	$	750,000
Total, Goal B: INFRASTRUCTURE SUPPORT	$	12,057,280	$	12,057,845
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: PERFORMING ARTS CENTER	$	250,000	$	250,000
C.1.2. Strategy: INSTRUCTION ENHANCEMENT	$	4,500,000	$	4,500,000
C.2.1. Strategy: CENTER FOR ENERGY	$	262,101	$	262,101
C.3.1. Strategy: PUBLIC LEADERSHIP INSTITUTE	$	698,938	$	698,938
John Ben Shepperd Public Leadership Institute.				
C.3.2. Strategy: SMALL BUSINESS DEVELOPMENT CENTER	$	139,957	$	139,957
C.4.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	3,708,858	$	3,708,858
Total, Goal C: SPECIAL ITEM SUPPORT	$	9,559,854	$	9,559,854
D. Goal: RESEARCH DEVELOPMENT FUND				
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$	250,623	$	250,623
Grand Total, THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN	$	32,256,391	$	32,276,538
Object-of-Expense Informational Listing:				
Salaries and Wages	$	8,231,221	$	8,280,824
Other Personnel Costs		281,118		220,590
Faculty Salaries (Higher Education Only)		9,278,574		9,214,493
Professional Fees and Services		23,460		23,460
Consumable Supplies		26,666		26,666
Utilities		1,081,524		1,081,524
Travel		37,094		33,094
Rent - Machine and Other		7,009		7,009
Debt Service		9,536,810		9,537,375
Other Operating Expense		3,653,848		3,792,097
Grants		87,420		29,406
Capital Expenditures		11,647		30,000
Total, Object-of-Expense Informational Listing	$	32,256,391	$	32,276,538
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	925,238	$	972,916
Group Insurance		1,686,919		1,801,629
Social Security		1,142,833		1,182,832
Subtotal, Employee Benefits	$	3,754,990	$	3,957,377
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	3,754,990	$	3,957,377

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas of the Permian Basin. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to

achieve the intended mission of The University of Texas of the Permian Basin. In order to achieve the objectives and service standards established by this Act, The University of Texas of the Permian Basin shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	37%	38%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	20%	20%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	70%	70%
Certification Rate of Teacher Education Graduates	91.7%	91.7%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	65.6%	65.6%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	65%	65%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	30%	30%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	50%	50%
Dollar Value of External or Sponsored Research Funds (in Millions)	2	2
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	9.2%	9.2%

3. **Definition of Allowable Expenses for Public Leadership Institute.** Appropriated funds for the John Ben Shepperd Public Leadership Institute may be used to pay for costs associated with the Institute's education programs for public secondary and university-level students. Allowable costs include, but are not limited to, registration fees, group or air transportation, lodging, meals, training costs, and related expenses.

THE UNIVERSITY OF TEXAS AT SAN ANTONIO

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 101,797,243	$ 102,019,824
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	3,315,683	3,315,683
Estimated Other Educational and General Income Account No. 770	35,243,647	35,280,353
Subtotal, General Revenue Fund - Dedicated	$ 38,559,330	$ 38,596,036
Total, Method of Financing	$ 140,356,573	$ 140,615,860
Items of Appropriation:		
1. Educational and General State Support	$ 140,356,573	$ 140,615,860
Grand Total, THE UNIVERSITY OF TEXAS AT SAN ANTONIO	$ 140,356,573	$ 140,615,860

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $3,525,733 and a Federal Funds increase of $3,525,733 plus a Federal Funds Section 25 appropriation of $4,500,000 in fiscal year 2010, resulting in net General Revenue appropriations of $98,271,510 and a net All Funds appropriation of $144,856,573 in fiscal year 2010.

This bill pattern represents an estimated 35.6% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE)- Appropriated Funds	2,258.9	2,258.9

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 81,810,722	$ 81,810,722
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 2,335,576	$ 2,335,576
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 3,669,157	$ 3,918,659
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 185,579	$ 185,579
A.1.5. Strategy: UNEMPLOYMENT COMPENSATION INSURANCE	$ 340	$ 340
A.1.6. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 5,350,870	$ 5,356,007
Total, Goal A: INSTRUCTION/OPERATIONS	$ 93,352,244	$ 93,606,883
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 15,848,658	$ 15,848,658
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 12,480,155	$ 12,484,803
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 28,328,813	$ 28,333,461
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: TEXAS PRE-ENGINEERING PROGRAM	$ 557,190	$ 557,190
C.2.1. Strategy: CENTER FOR WATER RESEARCH	$ 131,250	$ 131,250
C.3.1. Strategy: SMALL BUSINESS DEVELOPMENT CENTER	$ 3,791,138	$ 3,791,138
C.3.2. Strategy: INSTITUTE OF TEXAN CULTURES	$ 1,953,126	$ 1,953,126
C.3.3. Strategy: SW TX BORDER SBDC	$ 1,213,169	$ 1,213,169
South-West Texas Border Network SBDC.		
C.4.1. Strategy: DOWNTOWN CAMPUS PHASE II	$ 1,312,500	$ 1,312,500
C.4.2. Strategy: INSTITUTIONAL ENHANCEMENT	$ 5,709,366	$ 5,709,366
C.4.3. Strategy: TEXAS STATE DATA CENTER	$ 605,253	$ 605,253
Total, Goal C: SPECIAL ITEM SUPPORT	$ 15,272,992	$ 15,272,992
D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 3,402,524	$ 3,402,524
Grand Total, THE UNIVERSITY OF TEXAS AT SAN ANTONIO	$ 140,356,573	$ 140,615,860
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 42,018,610	$ 43,778,907
Other Personnel Costs	3,671,894	3,921,379
Faculty Salaries (Higher Education Only)	42,508,813	48,294,108
Debt Service	12,480,155	12,484,803
Other Operating Expense	26,495,121	20,830,858
Grants	13,181,980	11,305,805
Total, Object-of-Expense Informational Listing	$ 140,356,573	$ 140,615,860
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 6,518,688	$ 6,879,773
Group Insurance	9,939,493	10,615,378
Social Security	7,939,967	8,217,866
Subtotal, Employee Benefits	$ 24,398,148	$ 25,713,017

Debt Service		
Lease Payments	$ 1,054	$ 1,011
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 24,399,202	$ 25,714,028

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas at San Antonio. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of The University of Texas at San Antonio. In order to achieve the objectives and service standards established by this Act, The University of Texas at San Antonio shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	41.5%	43.4%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	8.7%	9.1%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	70.4%	71.8%
Certification Rate of Teacher Education Graduates	97%	97%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	60%	60%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	79.09%	83.16%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	29.5%	30%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	35%	35%
State Licensure Pass Rate of Engineering Graduates	82%	82%
Dollar Value of External or Sponsored Research Funds (in Millions)	33	33
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	9%	9%

3. **Institute of Texan Cultures.** Out of the funds appropriated above, it is the intent of the Legislature that The University of Texas at San Antonio spend up to $1,953,126 each year of the biennium for the Institute of Texan Cultures.

4. **Contingent Upon Certification: Texas State Data Center.** Out of funds appropriated above in Strategy C.4.3, Texas State Data Center, $150,000 in fiscal year 2010 and $150,000 in fiscal year 2011 are appropriated from the General Revenue Fund for the operation of the Texas State Data Center at The University of Texas at San Antonio, contingent upon certification by the Comptroller of Public Accounts that increased activity resulting from the work of the Texas State Data Center will generate at least $300,000 for the biennium in additional revenue to the General Revenue Fund.

5. **South-West Texas Border Network SBDC.** Out of the funds appropriated above in Strategy C.3.3, South-West Texas Border Network SBDC, $1,213,169 in fiscal year 2010 and $1,213,169 in fiscal year 2011 are appropriated from the General Revenue Fund for the operation of the South-West Texas Border Network SBDC Rural Development Initiative at the University of Texas at San Antonio, contingent upon certification by the Comptroller of Public Accounts that increased activities resulting from the South-West Texas Border Network SBDC will generate at least $2,426,338 for the biennium in additional revenue to the General Revenue Fund.

THE UNIVERSITY OF TEXAS AT TYLER

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 30,652,405	$ 30,701,606
GR Dedicated - Estimated Other Educational and General Income Account No. 770	6,806,427	6,811,600
Total, Method of Financing	$ 37,458,832	$ 37,513,206
Items of Appropriation:		
1. Educational and General State Support	$ 37,458,832	$ 37,513,206
Grand Total, THE UNIVERSITY OF TEXAS AT TYLER	$ 37,458,832	$ 37,513,206
This bill pattern represents an estimated 50.6% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	487.1	487.1

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 17,195,207	$ 17,195,207
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 733,818	$ 733,818
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 630,361	$ 673,226
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 57,002	$ 57,002
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 1,101,606	$ 1,102,435
Total, Goal A: INSTRUCTION/OPERATIONS	$ 19,717,994	$ 19,761,688
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 3,269,430	$ 3,269,430
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 5,778,368	$ 5,789,048
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 579,450	$ 579,450
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 9,627,248	$ 9,637,928
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: 4-YEAR START UP OPERATIONS	$ 1,103,485	$ 1,103,485
C.1.2. Strategy: LONGVIEW CAMPUS	$ 1,145,151	$ 1,145,151
C.2.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 5,636,836	$ 5,636,836
Total, Goal C: SPECIAL ITEM SUPPORT	$ 7,885,472	$ 7,885,472
D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 228,118	$ 228,118
Grand Total, THE UNIVERSITY OF TEXAS AT TYLER	$ 37,458,832	$ 37,513,206
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 11,963,383	$ 12,275,418
Other Personnel Costs	1,130,377	1,043,237
Faculty Salaries (Higher Education Only)	10,424,706	10,419,191
Consumable Supplies	36,146	28,800

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $777,002 and a Federal Funds increase of $777,002 in fiscal year 2010 resulting in net General Revenue appropriations of $29,875,403 and a net All Funds appropriation of $37,458,832 in fiscal year 2010.

Utilities	978,205	1,200,263
Travel	39,551	34,661
Debt Service	5,801,218	5,789,048
Other Operating Expense	6,516,815	6,082,642
Grants	568,431	639,946
Total, Object-of-Expense Informational Listing	$ 37,458,832	$ 37,513,206
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,572,943	$ 1,650,975
Group Insurance	3,059,898	3,267,971
Social Security	1,981,617	2,050,974
Subtotal, Employee Benefits	$ 6,614,458	$ 6,969,920
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 6,614,458	$ 6,969,920

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas at Tyler. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of The University of Texas at Tyler. In order to achieve the objectives and service standards established by this Act, The University of Texas at Tyler shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	55%	55%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	26%	26%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	73%	73%
Certification Rate of Teacher Education Graduates	95%	95%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	54%	54%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	57%	58.5%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	30%	31.5%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track faculty	68%	68%
State Licensure Pass Rate of Engineering Graduates	100%	100%
State Licensure Pass Rate of Nursing Graduates	100%	100%
Dollar Value of External or Sponsored Research Funds (in Millions)	2	2
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	12%	12%

TEXAS A&M UNIVERSITY SYSTEM ADMINISTRATIVE AND GENERAL OFFICES

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1]	$ 4,328,125	$ 7,666,996

[1] Incorporates enactment of SB 2534 and the passage of HB 4586, § 93, 81st Legislature, Regular Session, which includes $250,000 in General Revenue for the biennium for the Task Force on Economic Growth and Endangered Species.

General Revenue Fund - Dedicated		
Texas A&M University Mineral Income Account No. 096, estimated	4,807,444	4,807,444
Texas State Rifle Association License Plates No. 5130, estimated	50,000	12,000
Subtotal, General Revenue Fund - Dedicated	$ 4,857,444	$ 4,819,444
Total, Method of Financing	$ 9,185,569	$ 12,486,440
Items of Appropriation:		
1. Educational and General State Support	$ 9,185,569	$ 12,486,440
Grand Total, TEXAS A&M UNIVERSITY SYSTEM ADMINISTRATIVE AND GENERAL OFFICES	$ 9,185,569	$ 12,486,440

This bill pattern represents an estimated 72.1% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE)- Appropriated Funds	171.1	171.1

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS Provide Instructional and Operations Support.		
A.1.1. Strategy: SYSTEM OFFICE OPERATIONS	$ 6,857,444	$ 6,819,444
B. Goal: INFRASTRUCTURE SUPPORT Provide Infrastructure Support.		
B.1.1. Strategy: TUITION REVENUE BOND RETIREMENT	$ 0	$ 5,666,996
C. Goal: SPECIAL ITEM SUPPORT Provide Special Item Support.		
C.1.1. Strategy: SCHOLARSHIPS	$ 2,078,125	$ 0
C.2.1. Strategy: TASK FORCE[2]	$ 250,000	$ 0
Total, Goal C: SPECIAL ITEM SUPPORT	$ 2,328,125	$ 0
Grand Total, TEXAS A&M UNIVERSITY SYSTEM ADMINISTRATIVE AND GENERAL OFFICES	$ 9,185,569	$ 12,486,440
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 5,263,020	$ 5,263,020
Other Personnel Costs	404,647	404,647
Professional Fees and Services	172,671	172,671
Fuels and Lubricants	48,148	48,148
Consumable Supplies	8,785	8,785
Utilities	38,294	38,294
Travel	29,278	29,278
Rent - Building	27,907	27,907
Rent - Machine and Other	15,250	15,250
Debt Service	0	5,666,996
Other Operating Expense	1,049,444	799,444
Client Services	2,078,125	0
Grants	50,000	12,000
Total, Object-of-Expense Informational Listing	$ 9,185,569	$ 12,486,440

[2] Incorporates enactment of SB 2534 and the passage of HB 4586, § 93, 81st Legislature, Regular Session, which includes $250,000 in General Revenue for the biennium for the Task Force on Economic Growth and Endangered Species.

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 384,237	$ 407,117
Group Insurance	146,416	156,372
Social Security	334,197	345,894
Subtotal, Employee Benefits	$ 864,850	$ 909,383
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 864,850	$ 909,383

2. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $325,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

3. **Mineral Fund Appropriated.** Appropriated in the funds above to the Board of Regents of the Texas A&M University System are the funds in the Texas A&M University System Special Mineral Fund to be invested by said board in accordance with Education Code § 85.70. The income from said Fund is included in the appropriation above to the Board of Regents of the Texas A&M University System to be disbursed for the purposes provided for and in accordance with the provisions of the above citation. Mineral Funds are estimated to be $4,807,444 in fiscal year 2010 and $4,807,444 in fiscal year 2011.

4. **Texas State Rifle Association License Plates.** The funds provided to Texas A&M University System are appropriated in accordance with Transportation Code §504.631 to supplement existing and future scholarship programs supported by the Texas State Rifle Association and to support the 4-H Shooting Sports Program for youth. All balances in the General Revenue-Dedicated Texas State Rifle Association License Plates. Account No. 5130 as of August 31, 2009, estimated to be $38,000 (and included above in the Method of Financing), and all receipts received during the biennium beginning September 1, 2009 (estimated to be $12,000 per year), are hereby appropriated to the Texas A&M University System for the biennium beginning September 1, 2009 for the same purpose. Any balances on hand at the end of fiscal year 2010 may be carried over to the fiscal year 2011 and any such funds are appropriated for fiscal year 2011 for the same purpose.

5. **Tuition Revenue Bond Retirement.** Out of funds appropriated above in Strategy B.1.1, $0 in fiscal year 2010 and $3,487,382 in fiscal year 2011 is contingent upon Texas A&M - San Antonio reaching the threshold limitation required by Section 55.1751 (e) Education Code, which authorized $40 million in tuition revenue bonds for Texas A&M University - San Antonio.

6. **Tuition Revenue Bond Retirement.** Out of funds appropriated above in Strategy B.1.1, $0 in fiscal year 2010 and $2,179,614 in fiscal year 2011 is contingent upon Texas A&M - Central Texas reaching the threshold limitation required by Section 55.1751 (d) Education Code, which authorized $25 million in tuition revenue bonds for Texas A&M University - Central Texas.

7. **Appropriation for System Office Operation.** General Revenue funds appropriated above in Strategy A.1.1, System Office Operations in the amount of $1,471,465 per year are contingent upon the Texas A&M University System Administrative and General Offices decreasing the amount of Available University Funds being used for system office operations by the same amount in fiscal years 2010 and 2011.

TEXAS A&M UNIVERSITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 264,875,965	$ 265,178,712
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	8,453,560	8,453,560
Estimated Other Educational and General Income Account No. 770	84,709,542	85,016,117
Subtotal, General Revenue Fund - Dedicated	$ 93,163,102	$ 93,469,677
Real Estate Fee Trust Account No. 969	3,296,652	3,375,206
Total, Method of Financing	$ 361,335,719	$ 362,023,595
Items of Appropriation:		
1. Educational and General State Support	$ 361,335,719	$ 362,023,595
Grand Total, TEXAS A&M UNIVERSITY	$ 361,335,719	$ 362,023,595
This bill pattern represents an estimated 30.8% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	5,550.8	5,550.8

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 238,297,818	$ 238,297,818
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 6,384,913	$ 6,384,913
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 8,416,264	$ 8,988,570
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 2,025,818	$ 2,025,818
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 9,312,523	$ 9,347,339
A.1.6. Strategy: ORGANIZED ACTIVITIES	$ 13,684,010	$ 13,684,010
Total, Goal A: INSTRUCTION/OPERATIONS	$ 278,121,346	$ 278,728,468
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 42,826,538	$ 42,826,538
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 6,771,788	$ 6,773,988
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 49,598,326	$ 49,600,526
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: CYCLOTRON INSTITUTE	$ 548,154	$ 548,154
C.1.2. Strategy: SEA GRANT PROGRAM	$ 359,678	$ 359,678
C.1.3. Strategy: ENERGY RESOURCES PROGRAM	$ 551,765	$ 551,765
C.1.4. Strategy: PUBLIC POLICY RESOURCE LABORATORY	$ 41,244	$ 41,244
C.1.5. Strategy: REAL ESTATE RESEARCH CENTER	$ 3,296,652	$ 3,375,206

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $10,292,033 and a Federal Funds increase of $10,292,033 in fiscal year 2010 resulting in net General Revenue appropriations of $254,583,932 and a net All Funds appropriation of $361,335,719 in fiscal year 2010.

C.1.6. Strategy: COMPETITIVE KNOWLEDGE FUND	$ 28,068,280	$ 28,068,280
C.2.1. Strategy: SCHOOL OF ARCHITECTURE	$ 750,274	$ 750,274
Total, Goal C: SPECIAL ITEM SUPPORT	$ 33,616,047	$ 33,694,601
Grand Total, TEXAS A&M UNIVERSITY	$ 361,335,719	$ 362,023,595
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 137,611,713	$ 134,347,169
Other Personnel Costs	5,996,464	6,400,873
Faculty Salaries (Higher Education Only)	152,947,886	163,835,177
Professional Salaries - Faculty Equivalent (Higher Education Only)	320,553	211,383
Professional Fees and Services	2,217,305	2,659,450
Fuels and Lubricants	4,017	4,058
Consumable Supplies	493,000	506,289
Utilities	5,692,139	6,623,312
Travel	116,125	126,284
Rent - Building	17,124	17,471
Rent - Machine and Other	40,379	40,829
Other Operating Expense	40,781,398	32,711,662
Grants	14,299,361	14,539,638
Capital Expenditures	798,255	0
Total, Object-of-Expense Informational Listing	$ 361,335,719	$ 362,023,595
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 19,690,275	$ 20,603,481
Group Insurance	26,302,629	28,091,208
Social Security	19,544,681	20,228,745
Subtotal, Employee Benefits	$ 65,537,585	$ 68,923,434
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 65,537,585	$ 68,923,434

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas A&M University. In order to achieve the objectives and service standards established by this Act, the Texas A&M University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	78%	78%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	46%	46%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	92%	92%
Certification Rate of Teacher Education Graduates	98%	98%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	32%	32%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	77%	78%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	14%	15%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	40.5%	41%
State Licensure Pass Rate of Engineering Graduates	90%	90%
State Licensure Examination Pass Rate of Veterinary Medicine Graduates	100%	100%
Dollar Value of External or Sponsored Research Funds (in Millions)	143.8	148.1

A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	4.1%	4.1%

3. **Real Estate Research Center.** Funds derived from the provisions of Education Code §86.51, Subchapter C in support of the Real Estate Research Center at Texas A&M University, are appropriated above to said center for the purposes stipulated therein. No employee paid from funds appropriated by this Act shall be paid both a salary and compensatory per diem for concurrent service as a state employee and as a board or commission member.

TEXAS A&M UNIVERSITY AT GALVESTON

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 16,773,167	$ 16,787,710
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	30,000	30,000
Estimated Other Educational and General Income Account No. 770	3,245,256	3,252,717
Subtotal, General Revenue Fund - Dedicated	$ 3,275,256	$ 3,282,717
Total, Method of Financing	$ 20,048,423	$ 20,070,427
Items of Appropriation:		
1. Educational and General State Support	$ 20,048,423	$ 20,070,427
Grand Total, TEXAS A&M UNIVERSITY AT GALVESTON	$ 20,048,423	$ 20,070,427
This bill pattern represents an estimated 49.5% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	231.6	231.6

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 7,904,546	$ 7,904,546
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 172,613	$ 172,613
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 275,380	$ 294,106
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 83,698	$ 83,698
A.1.5. Strategy: UNEMPLOYMENT COMPENSATION INSURANCE	$ 725	$ 725
A.1.6. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 361,957	$ 362,810
Total, Goal A: INSTRUCTION/OPERATIONS	$ 8,798,919	$ 8,818,498
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 2,807,657	$ 2,807,657
Educational and General Space Support.		

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $349,135 and a Federal Funds increase of $349,135 in fiscal year 2010 resulting in net General Revenue appropriations of $16,424,032 and a net All Funds appropriation of $20,048,423 in fiscal year 2010.

B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 4,315,139	$ 4,317,564
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 750,000	$ 750,000
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 7,872,796	$ 7,875,221
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: COASTAL ZONE LABORATORY	$ 22,882	$ 22,882
C.1.2. Strategy: TEXAS INSTITUTE OF OCEANOGRAPHY	$ 469,326	$ 469,326
C.2.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 2,477,098	$ 2,477,098
Total, Goal C: SPECIAL ITEM SUPPORT	$ 2,969,306	$ 2,969,306
D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 407,402	$ 407,402
Grand Total, TEXAS A&M UNIVERSITY AT GALVESTON	$ 20,048,423	$ 20,070,427
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 3,968,789	$ 3,989,472
Other Personnel Costs	5,637	5,800
Faculty Salaries (Higher Education Only)	4,537,369	4,794,783
Consumable Supplies	58,934	60,982
Travel	15,723	20,539
Debt Service	4,315,139	4,317,564
Other Operating Expense	6,815,407	6,595,135
Grants	331,425	286,152
Total, Object-of-Expense Informational Listing	$ 20,048,423	$ 20,070,427
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 847,241	$ 889,170
Group Insurance	1,256,582	1,342,030
Social Security	955,246	988,680
Subtotal, Employee Benefits	$ 3,059,069	$ 3,219,880
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 3,059,069	$ 3,219,880

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University at Galveston. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas A&M University at Galveston. In order to achieve the objectives and service standards established by this Act, the Texas A&M University at Galveston shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	40%	43%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	21%	24%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	60%	62%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	38.3%	38.3%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	73%	74%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	19%	20%

Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	37%	37%
Dollar Value of External or Sponsored Research Funds (in Millions)	3.5	3.5
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	9.3%	9.3%

3. **Training Vessel.** No funds appropriated to Texas A&M University at Galveston may be expended for purchase of a training vessel.

PRAIRIE VIEW A&M UNIVERSITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 54,769,814	$ 54,811,695
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	1,265,160	1,265,160
Estimated Other Educational and General Income Account No. 770	12,716,036	12,753,701
Center for Study and Prevention of Juvenile Crime and Delinquency Account No. 5029, estimated	2,343,500	2,343,500
Subtotal, General Revenue Fund - Dedicated	$ 16,324,696	$ 16,362,361
Total, Method of Financing	$ 71,094,510	$ 71,174,056
Items of Appropriation:		
1. Educational and General State Support	$ 71,094,510	$ 71,174,056
Grand Total, PRAIRIE VIEW A&M UNIVERSITY	$ 71,094,510	$ 71,174,056
This bill pattern represents an estimated 48.3% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	891.8	891.8

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 26,543,468	$ 26,543,468
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 913,522	$ 913,522
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 1,122,512	$ 1,198,843
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 208,890	$ 208,890
A.1.5. Strategy: UNEMPLOYMENT COMPENSATION INSURANCE	$ 6,532	$ 6,531
A.1.6. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 1,564,663	$ 1,569,122
A.1.7. Strategy: FORMULA HOLD HARMLESS	$ 4,001,282	$ 4,001,282
Total, Goal A: INSTRUCTION/OPERATIONS	$ 34,360,869	$ 34,441,658

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $1,144,808 and a Federal Funds increase of $1,144,808 in fiscal year 2010 resulting in net General Revenue appropriations of $53,625,006 and a net All Funds appropriation of $71,094,510 in fiscal year 2010.

B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	5,666,961	$	5,666,961
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	6,381,973	$	6,380,732
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$	258,150	$	258,150
Total, Goal B: INFRASTRUCTURE SUPPORT	$	12,307,084	$	12,305,843
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: STUDENT NURSE STIPENDS	$	159,970	$	159,969
C.1.2. Strategy: HONORS PROGRAM	$	83,126	$	83,125
C.2.1. Strategy: AGRICULTURE RESEARCH CENTER	$	751,693	$	751,693
Cooperative Agriculture Research Center.				
C.2.2. Strategy: AGRICULTURE MATCH	$	2,000,000	$	2,000,000
C.3.1. Strategy: EXTENSION AND PUBLIC SERVICE	$	1,749,433	$	1,749,433
C.3.2. Strategy: JUVENILE CRIME PREVENTION CENTER	$	2,343,500	$	2,343,500
C.3.3. Strategy: COMMUNITY DEVELOPMENT	$	174,688	$	174,688
C.4.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	4,664,147	$	4,664,147
Total, Goal C: SPECIAL ITEM SUPPORT	$	11,926,557	$	11,926,555
D. Goal: ACADEMIC DEVELOPMENT INITIATIVE				
D.1.1. Strategy: ACADEMIC DEVELOPMENT INITIATIVE	$	12,500,000	$	12,500,000
Grand Total, PRAIRIE VIEW A&M UNIVERSITY	$	71,094,510	$	71,174,056
Object-of-Expense Informational Listing:				
Salaries and Wages	$	21,082,769	$	22,778,956
Other Personnel Costs		20,801		12,000
Faculty Salaries (Higher Education Only)		21,181,907		21,510,873
Consumable Supplies		54,069		49,678
Utilities		2,060,028		2,349,317
Travel		37,163		80,244
Debt Service		6,381,973		6,380,732
Other Operating Expense		15,572,346		13,900,040
Client Services		2,543,096		2,543,094
Grants		1,564,663		1,569,122
Capital Expenditures		595,695		0
Total, Object-of-Expense Informational Listing	$	71,094,510	$	71,174,056
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	2,977,153	$	3,136,213
Group Insurance		4,794,532		5,120,560
Social Security		3,469,849		3,591,293
Subtotal, Employee Benefits	$	11,241,534	$	11,848,066
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	11,241,534	$	11,848,066

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Prairie View A&M University. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Prairie View A&M University. In order to achieve the objectives and service standards established by this Act, the Prairie View A&M University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	42%	42.5%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	13.5%	13.5%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	81.5%	82%
Certification Rate of Teacher Education Graduates	68%	70%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	54%	54%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	66.25%	67%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	16%	16.75%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	54%	54%
State Licensure Pass Rate of Engineering Graduates	50%	50%
State Licensure Pass Rate of Nursing Graduates	99%	99%
Dollar Value of External or Sponsored Research Funds (in Millions)	9	9
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	12%	12%

3. **Establishment of America's Promise School.** Out of the funds appropriated above Prairie View A&M University will jointly operate an America's Promise School with Waller Independent School District. The school will be a full service pre-kindergarten through fourth grade community-centered elementary school based around the America's Promise concept, which includes the following five promises: (1) an ongoing relationship with a caring adult/mentor; (2) safe places and structured activities before and after school; (3) a healthy start, including nutritional and health-related services; (4) students developing marketable skills through effective education; and (5) opportunities for the students to serve and give back to the community.

4. **Academic Development Initiative.** Funds appropriated above in Strategy D.1.1, Academic Development Initiative, in the amount of $12,500,000 in fiscal year 2010 and $12,500,000 in fiscal year 2011, are to be used for (1) proven academic success programs such as Access, the University College, and the Undergraduate Medical Academy, (2) proven graduate programs, (3) undergraduate education, and (4) initiatives to target enrollment growth. Prairie View A&M University and Texas A&M University System shall jointly create and submit an accountability report outlining use of these funds by November 1 of each fiscal year to the Texas A&M University system Board of Regents, the Texas Higher Education Coordinating Board, the Legislative Budget Board, and the Governor. This accountability report shall set forth goals to be achieved with the Academic Development Initiative funding, establish milestones and timelines showing progress toward meeting the goals. For milestones that are not met, the report will include recommended actions to achieve the milestones or recommended changes to more efficiently meet the goals of the Academics Development Initiative. Any unexpended balances as of August 31, 2010, (estimated to be $0) appropriated by the Legislature for the Academic Development Initiative, are hereby appropriated to Prairie View A&M University for the fiscal year beginning September 1, 2010.

5. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.7, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Prairie View A&M University.

TARLETON STATE UNIVERSITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 47,894,299	$ 45,413,033
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	520,440	520,440
Estimated Other Educational and General Income Account No. 770	11,339,384	11,365,316
Subtotal, General Revenue Fund - Dedicated	$ 11,859,824	$ 11,885,756
Total, Method of Financing	$ 59,754,123	$ 57,298,789
Items of Appropriation:		
1. Educational and General State Support	$ 59,754,123	$ 57,298,789
Grand Total, TARLETON STATE UNIVERSITY	$ 59,754,123	$ 57,298,789
This bill pattern represents an estimated 48.4% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	752.4	752.4

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 28,727,606	$ 28,727,606
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 1,129,398	$ 1,129,398
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 1,353,709	$ 1,445,761
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 106,361	$ 106,362
A.1.5. Strategy: UNEMPLOYMENT COMPENSATION INSURANCE	$ 19,688	$ 19,686
A.1.6. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 1,760,177	$ 1,763,993
A.1.7. Strategy: ORGANIZED ACTIVITIES	$ 415,000	$ 415,000
Total, Goal A: INSTRUCTION/OPERATIONS	$ 33,511,939	$ 33,607,806
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 5,092,677	$ 5,092,677
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 5,692,741	$ 5,689,540
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 55,050	$ 805,050
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 10,840,468	$ 11,587,267
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: CENTRAL TEXAS CENTER	$ 9,683,000	$ 6,385,000
University System Center - Central Texas.		
C.2.1. Strategy: ENVIRONMENTAL RESEARCH	$ 1,049,956	$ 1,049,956
Institute for Applied Environmental Research.		
C.2.2. Strategy: AGRICULTURE CENTER	$ 246,084	$ 246,084
Tarleton Agriculture Center.		
C.3.1. Strategy: SMALL BUSINESS DEVELOPMENT	$ 110,000	$ 110,000
Small Business Development Center.		

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $1,274,872 and a Federal Funds increase of $1,274,872 in fiscal year 2010 resulting in net General Revenue appropriations of $46,619,427 and a net All Funds appropriation of $59,754,123 in fiscal year 2010.

C.4.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 3,146,901	$ 3,146,901
C.4.2. Strategy: TARLETON OUTREACH	$ 50,000	$ 50,000
Total, Goal C: SPECIAL ITEM SUPPORT	$ 14,285,941	$ 10,987,941
D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 1,115,775	$ 1,115,775
Grand Total, TARLETON STATE UNIVERSITY	$ 59,754,123	$ 57,298,789
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 11,746,597	$ 14,296,123
Other Personnel Costs	351,502	357,730
Faculty Salaries (Higher Education Only)	18,098,593	17,620,430
Professional Salaries - Faculty Equivalent (Higher Education Only)	53,787	51,405
Consumable Supplies	211,527	203,113
Utilities	1,752,247	282,273
Travel	147,826	141,325
Debt Service	5,692,741	5,689,540
Other Operating Expense	19,985,746	16,790,087
Client Services	0	200,000
Grants	1,654,922	1,615,713
Capital Expenditures	58,635	51,050
Total, Object-of-Expense Informational Listing	$ 59,754,123	$ 57,298,789
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 2,463,493	$ 2,588,045
Group Insurance	3,710,152	3,962,443
Social Security	2,828,334	2,927,325
Subtotal, Employee Benefits	$ 9,001,979	$ 9,477,813
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 9,001,979	$ 9,477,813

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Tarleton State University. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Tarleton State University. In order to achieve the objectives and service standards established by this Act, the Tarleton State University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	48%	48%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	18%	18%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	67%	67%
Certification Rate of Teacher Education Graduates	95.5%	95.5%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	66%	66%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	64.5%	65%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	36.5%	37%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	45%	45%
State Licensure Pass Rate of Nursing Graduates	100%	100%
Dollar Value of External or Sponsored Research Funds (in Millions)	7	7

A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	9%	9%

3. **Bosque River Monitoring Project.** The Institute for Applied Environmental Research shall conduct water quality monitoring for the Bosque River. The institute shall coordinate the collection and reporting of data to conform with Texas Commission on Environmental Quality protocols. The Institute shall report on the water quality in the Bosque River by July 1 and February 1 of each year to the commission. It is legislative intent that the water quality monitoring efforts of the Institute for Applied Environmental Research, Texas Commission on Environmental Quality, and other appropriate agencies and entities be cooperative and non-duplicative.

4. **Scholarship Match.** Out of the funds appropriated above, funds may be used to provide a match for funds collected by a one dollar per semester credit hour fee for a student endowment scholarship and internship adopted by student referendum, pursuant to Education Code § 56.242.

5. **Tarleton State University System Center-Central Texas.** All funding in the Tarleton State University bill pattern that is generated by the operation of Tarleton State University System Center-Central Texas is hereby appropriated directly to Tarleton State University System Center-Central Texas. Amounts include the proportional funding in the following strategies: A.1.1, Operations Support; A.1.2, Teaching Experience Supplement; A.1.3, Staff Group Insurance Premiums; A.1.4, Worker's Compensation Insurance; A.1.5, Unemployment Compensation; A.1.6, Texas Public Education Grants; B.1.1, E&G Space Support; as well as any other funding in other strategies that is associated with Tarleton State University System Center - Central Texas.

   The Legislative Budget Board shall work with Tarleton State University, Tarleton State University System Center - Central Texas, and the Texas A&M University System Offices to determine the amounts.

   Once the Tarleton State University System Center-Central Texas becomes an independent general academic teaching institution (Texas A&M University-Central Texas), those funds are directly appropriated to the independent institution.

6. **Transition Funding - Texas A&M University - Central Texas.** It is the intent of the legislature that non-formula General Revenue operations funding in Strategy C.1.1, System Center - Central Texas, for Texas A&M University-Central Texas will be phased out as formula funding increases until the institution reaches 6,000 full-time student equivalents.

TEXAS A&M UNIVERSITY - CORPUS CHRISTI

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 50,170,221	$ 50,193,293
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	366,725	366,725
Estimated Other Educational and General Income Account No. 770	11,159,288	11,169,415
Subtotal, General Revenue Fund - Dedicated	$ 11,526,013	$ 11,536,140
Total, Method of Financing	$ 61,696,234	$ 61,729,433

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $1,259,502 and a Federal Funds increase of $1,259,502 in fiscal year 2010 resulting in net General Revenue appropriations of $48,910,719 and a net All Funds appropriation of $61,696,234 in fiscal year 2010.

Items of Appropriation:				
1. Educational and General State Support	$	61,696,234	$	61,729,433
Grand Total, TEXAS A&M UNIVERSITY - CORPUS CHRISTI	$	61,696,234	$	61,729,433

This bill pattern represents an estimated 53.6% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE)- Appropriated Funds		748.8		748.8

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS				
Provide Instructional and Operations Support.				
A.1.1. Strategy: OPERATIONS SUPPORT	$	28,108,802	$	28,108,802
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$	1,262,558	$	1,262,558
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	1,051,751	$	1,123,270
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$	99,014	$	99,014
A.1.5. Strategy: UNEMPLOYMENT COMPENSATION INSURANCE	$	9,656	$	9,656
A.1.6. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$	1,643,155	$	1,644,655
Total, Goal A: INSTRUCTION/OPERATIONS	$	32,174,936	$	32,247,955
B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	5,418,403	$	5,418,403
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	8,602,229	$	8,562,409
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$	128,100	$	128,100
Total, Goal B: INFRASTRUCTURE SUPPORT	$	14,148,732	$	14,108,912
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: SCHOOL NURSING PROGRAM	$	290,938	$	290,938
School Nursing Program for Early Childhood Development Center.				
C.1.2. Strategy: ENVIRONMENTAL LEARNING CENTER	$	166,250	$	166,250
C.1.3. Strategy: ENGINEERING PROGRAM	$	2,000,000	$	2,000,000
C.2.1. Strategy: CENTER FOR COASTAL STUDIES	$	252,671	$	252,671
C.2.2. Strategy: GULF OF MEXICO ENVIRONMENTAL LAB	$	249,376	$	249,376
Gulf of Mexico Environment Research Laboratory.				
C.3.1. Strategy: WATER RESOURCES CENTER	$	62,546	$	62,546
C.3.2. Strategy: ART MUSEUM	$	329,324	$	329,324
C.3.3. Strategy: CSTL BEND ECO DEV & BUS INNOV CTR	$	500,000	$	500,000
Coastal Bend Economic Development and Business Innovation Center.				
C.4.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	10,025,921	$	10,025,921
Total, Goal C: SPECIAL ITEM SUPPORT	$	13,877,026	$	13,877,026
D. Goal: RESEARCH DEVELOPMENT FUND				
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$	1,495,540	$	1,495,540
Grand Total, TEXAS A&M UNIVERSITY - CORPUS CHRISTI	$	61,696,234	$	61,729,433

Object-of-Expense Informational Listing:				
Salaries and Wages	$	16,360,832	$	17,313,517
Other Personnel Costs		58,655		54,094
Faculty Salaries (Higher Education Only)		21,464,113		21,701,608
Professional Fees and Services		11,967		66,577
Fuels and Lubricants		6,017		5,402

Consumable Supplies	163,721	110,245
Utilities	2,271,992	2,302,398
Travel	68,685	49,114
Rent - Machine and Other	20,020	20,194
Debt Service	8,602,229	8,562,409
Other Operating Expense	10,032,428	8,930,717
Client Services	1,658,853	1,659,247
Grants	976,722	953,911
Total, Object-of-Expense Informational Listing	$ 61,696,234	$ 61,729,433
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 2,475,743	$ 2,599,677
Group Insurance	3,936,361	4,204,033
Social Security	2,818,428	2,917,073
Subtotal, Employee Benefits	$ 9,230,532	$ 9,720,783
Debt Service		
Lease Payments	$ 134,194	$ 134,759
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 9,364,726	$ 9,855,542

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University - Corpus Christi. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas A&M University - Corpus Christi. In order to achieve the objectives and service standards established by this Act, the Texas A&M University - Corpus Christi shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	41.5%	41.5%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	20%	20%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	65%	66%
Certification Rate of Teacher Education Graduates	100%	100%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	68%	68%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	72%	72%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	26%	26%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	55.1%	55.1%
State Licensure Pass Rate of Nursing Graduates	100%	100%
Dollar Value of External or Sponsored Research Funds (in Millions)	11	12
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	8%	8%

3. **Art Museum Contingency.** Out of the General Revenue funds appropriated above, $263,609 in each year of the biennium for the Art Museum is contingent upon the Art Museum receiving at least $527,218 each year from local gifts, grants, and donations for the purposes of the operations of the Art Museum. In the event that gifts, grants, or donations for each fiscal year total less than $527,218, the appropriation in each fiscal year is reduced to an amount equal to one-half of the total gifts, grants, and donations received in that fiscal year.

TEXAS A&M UNIVERSITY - CORPUS CHRISTI
(Continued)

4. **Engineering Program.** Funds appropriated above in Strategy C.1.3, Engineering Program in the amount of $2,000,000 per year shall be used to support an engineering program.

5. **Coastal Bend Business Innovation Center.** Contingent upon certification by the Comptroller of Public Accounts that increased activity by the Coastal Bend Business Innovation Center will generate at least $1,000,000 additional revenue to the General Revenue Fund, $500,000 in each year of the biennium is included in the appropriation above for the Coastal Bend Business Innovation Center.

TEXAS A&M UNIVERSITY - KINGSVILLE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 43,918,435	$ 44,327,278
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	553,000	553,000
Estimated Other Educational and General Income Account No. 770	10,687,132	10,726,914
Texas A&M Kingsville Graduate Assistance Agriculture and Human Services License Plates Account No. 5056, estimated	23,000	3,000
Subtotal, General Revenue Fund - Dedicated	$ 11,263,132	$ 11,282,914
Total, Method of Financing	$ 55,181,567	$ 55,610,192
Items of Appropriation:		
1. Educational and General State Support	$ 55,181,567	$ 55,610,192
Grand Total, TEXAS A&M UNIVERSITY - KINGSVILLE	$ 55,181,567	$ 55,610,192
This bill pattern represents an estimated 50.4% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	746.0	746.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 25,145,693	$ 25,145,693
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 972,910	$ 972,910
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 1,114,909	$ 1,190,722
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 180,586	$ 179,862
A.1.5. Strategy: UNEMPLOYMENT COMPENSATION INSURANCE	$ 1,888	$ 1,880
A.1.6. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 1,330,854	$ 1,335,641
A.1.7. Strategy: ORGANIZED ACTIVITIES	$ 207,385	$ 207,385
Total, Goal A: INSTRUCTION/OPERATIONS	$ 28,954,225	$ 29,034,093

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $1,112,003 and a Federal Funds increase of $1,112,003 in fiscal year 2010 resulting in net General Revenue appropriations of $42,806,432 and a net All Funds appropriation of $55,181,567 in fiscal year 2010.

B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	4,528,397	$	4,528,397
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	3,241,733	$	2,925,736
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$	426,900	$	1,176,900
Total, Goal B: INFRASTRUCTURE SUPPORT	$	8,197,030	$	8,631,033
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: PHD IN ENGINEERING	$	108,307	$	108,306
C.1.2. Strategy: SYSTEM CENTER - SAN ANTONIO	$	8,138,652	$	8,138,652
A & M - Kingsville System Center - San Antonio.				
C.2.1. Strategy: CITRUS CENTER	$	667,045	$	664,373
C.2.2. Strategy: WILDLIFE RESEARCH INSTITUTE	$	341,080	$	279,000
C.2.3. Strategy: INSTITUTE FOR RANCH MANAGEMENT	$	255,000	$	255,000
C.3.1. Strategy: JOHN E. CONNOR MUSEUM	$	24,514	$	24,415
C.3.2. Strategy: SOUTH TEXAS ARCHIVES	$	98,460	$	98,066
C.4.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	7,129,989	$	7,109,989
Total, Goal C: SPECIAL ITEM SUPPORT	$	16,763,047	$	16,677,801
D. Goal: RESEARCH DEVELOPMENT FUND				
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$	1,267,265	$	1,267,265
Grand Total, TEXAS A&M UNIVERSITY - KINGSVILLE	$	55,181,567	$	55,610,192
Object-of-Expense Informational Listing:				
Salaries and Wages	$	13,219,262	$	14,963,779
Other Personnel Costs		1,479,719		1,242,825
Faculty Salaries (Higher Education Only)		8,334,475		8,142,015
Professional Salaries - Faculty Equivalent (Higher Education Only)		14,723,709		14,600,944
Professional Fees and Services		58,347		56,471
Fuels and Lubricants		32,190		29,710
Consumable Supplies		242,856		189,670
Utilities		2,316,622		1,013,107
Travel		158,799		121,388
Rent - Building		51,988		50,799
Rent - Machine and Other		51,503		48,725
Debt Service		3,241,733		2,925,736
Other Operating Expense		6,025,329		6,628,643
Client Services		1,374,921		1,352,251
Grants		3,679,486		4,244,129
Capital Expenditures		190,628		0
Total, Object-of-Expense Informational Listing	$	55,181,567	$	55,610,192
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	2,454,141	$	2,582,238
Group Insurance		4,509,339		4,815,974
Social Security		2,811,413		2,909,812
Subtotal, Employee Benefits	$	9,774,893	$	10,308,024
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	9,774,893	$	10,308,024

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University - Kingsville. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas A&M University - Kingsville. In order to achieve the objectives and service standards established by this Act, the Texas A&M University - Kingsville shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	33%	34%
Percent of First-time, Full-time, Degree seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	10%	10.5%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	66%	66%
Certification Rate of Teacher Education Graduates	98.1%	98.1%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	54%	56%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	70%	72%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	44%	46%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	60%	60%
State Licensure Pass Rate of Engineering Graduates	92.9%	92.9%
Dollar Value of External or Sponsored Research Funds (in Millions)	11.3	11.3
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	10.9%	10.9%

3. **Contingency Appropriation: Wildlife Research Institute and Institute for Ranch Management.** Of the amounts appropriated above, $62,080 for Texas A&M University Kingsville Wildlife Research Institute and $510,000 for the Institute for Ranch Management is contingent upon certification by the Comptroller of Public Accounts that the activities of the Institutes will generate revenue to the General Revenue Fund sufficient to offset the appropriations. The Comptroller shall specify the supporting information to be provided by the Institutes and may require independent verification of the information. If the Comptroller finds the information is sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriations up to the amount certified, not to exceed $572,080 for the 2010-11 biennium, shall be made available for the intended purposes.

4. **Texas A&M Kingsville Graduate Assistance Agriculture and Human Services Account No. 5056.** The funds provided to Texas A&M University Kingsville are appropriated in accordance with Transportation Code §504.626 to provide financial assistance to graduate students in the College of Agriculture and Human Sciences. All balances in the General Revenue-Dedicated Red Grapefruit (Texas Citrus Industry) License Plates Account No. 5056 as of August 31, 2009, estimated to be $20,000 (and included above in the Method of Financing), and all receipts received during the biennium beginning September 1, 2009 (estimated to be $3,000 per year), are hereby appropriated to Texas A&M University Kingsville for the biennium beginning September 1, 2009 for the same purpose. Any balances on hand at the end of fiscal year 2010 may be carried over to the fiscal year 2011 and any such funds are appropriated for fiscal year 2011 for the same purpose.

5. **Texas A&M University Kingsville-System Center at San Antonio.** All funding in the Texas A&M University Kingsville bill pattern that is generated by the operation of Texas A&M University Kingsville-System Center at San Antonio is hereby appropriated directly to Texas A&M University Kingsville-System Center at San Antonio. Amounts include the proportional funding in the following strategies: A.1.1, Operations Support; A.1.2, Teaching Experience Supplement; A.1.3, Staff Group Insurance Premiums; A.1.4, Worker's Compensation Insurance; A.1.5, Unemployment Compensation; A.1.6, Texas Public Education Grants; B.1.1, E&G Space Support; as well as any other funding in other strategies that is associated with Texas A&M University Kingsville-System Center at San Antonio.

   The Legislative Budget Board shall work with Texas A&M University-Kingsville, Texas A&M University Kingsville-System Center at San Antonio, and the Texas A&M University System Offices to determine the funding amounts.

   Once the Texas A&M University Kingsville-System Center at San Antonio becomes an independent general academic teaching institution (Texas A&M University-San Antonio), those funds are directly appropriated to the independent institution.

6. **Transition Funding - Texas A&M University - San Antonio.** It is the intent of the legislature that non-formula General Revenue operations funding in Strategy C.1.2, System Center-San Antonio, for Texas A&M University-San Antonio will be phased out as formula funding increases until the institution reaches 6,000 full-time student equivalents.

TEXAS A&M INTERNATIONAL UNIVERSITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund[2]	$ 36,572,872	$ 34,932,557
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	297,657	297,657
Estimated Other Educational and General Income Account No. 770	6,605,080	6,625,960
Subtotal, General Revenue Fund - Dedicated	$ 6,902,737	$ 6,923,617
Interagency Contracts	193,525	193,525
Total, Method of Financing	$ 43,669,134	$ 42,049,699
Items of Appropriation:		
1. Educational and General State Support	$ 43,669,134	$ 42,049,699
Grand Total, TEXAS A&M INTERNATIONAL UNIVERSITY	$ 43,669,134	$ 42,049,699
This bill pattern represents an estimated 62.2% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	490.0	490.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 14,765,837	$ 14,765,837
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 680,209	$ 680,209
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 614,468	$ 656,252
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 35,187	$ 35,187
A.1.5. Strategy: UNEMPLOYMENT COMPENSATION INSURANCE	$ 265	$ 265
A.1.6. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 875,459	$ 878,107
Total, Goal A: INSTRUCTION/OPERATIONS	$ 16,971,425	$ 17,015,857
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 2,925,956	$ 2,925,956
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 11,438,491	$ 9,774,624

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $658,885 and a Federal Funds increase of $658,885 in fiscal year 2010 resulting in net General Revenue appropriations of $35,913,987 and a net All Funds appropriation of $43,669,134 in fiscal year 2010.

[2] Incorporates the passage of HB 4586, § 92, 81st Legislature, Regular Session, which includes $1,000,000 in General Revenue for each year of the biennium for outreach and enrollment.

B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 604,800	$ 604,800
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 14,969,247	$ 13,305,380
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: PHD PROGRAM IN BUSINESS	$ 1,454,687	$ 1,454,687
C.2.1. Strategy: INSTITUTE FOR INTERNATIONAL TRADE	$ 269,712	$ 269,712
C.2.2. Strategy: SMALL BUSINESS DEVELOPMENT CENTER	$ 165,000	$ 165,000
C.3.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 7,804,159	$ 7,804,159
C.3.2. Strategy: FACULTY ENHANCEMENT	$ 1,000,000	$ 1,000,000
C.3.3. Strategy: OUTREACH AND ENROLLMENT[3]	$ 1,000,000	$ 1,000,000
Total, Goal C: SPECIAL ITEM SUPPORT	$ 11,693,558	$ 11,693,558
D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 34,904	$ 34,904
Grand Total, TEXAS A&M INTERNATIONAL UNIVERSITY	$ 43,669,134	$ 42,049,699
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 10,316,958	$ 9,691,103
Faculty Salaries (Higher Education Only)	11,301,931	11,655,991
Professional Fees and Services	165,733	133,989
Consumable Supplies	446,306	310,153
Utilities	1,808,728	1,765,156
Travel	201,883	171,895
Rent - Machine and Other	5,516	4,821
Other Operating Expense	18,342,395	17,240,236
Client Services	1,026,410	1,024,906
Grants	23,373	16,449
Capital Expenditures	29,901	35,000
Total, Object-of-Expense Informational Listing	$ 43,669,134	$ 42,049,699
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,532,703	$ 1,617,271
Group Insurance	2,095,988	2,238,515
Social Security	1,730,679	1,791,253
Subtotal, Employee Benefits	$ 5,359,370	$ 5,647,039
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 5,359,370	$ 5,647,039

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M International University. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas A&M International University. In order to achieve the objectives and service standards established by this Act, the Texas A&M International University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	43%	43%

[3] Incorporates the passage of HB 4586, § 92, 81st Legislature, Regular Session, which includes $1,000,000 in General Revenue for each year of the biennium for outreach and enrollment.

Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	25%	25%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	70.5%	70.5%
Certification Rate of Teacher Education Graduates	80%	80%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	75%	75%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	64%	65%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	34%	35%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	54%	54%
Dollar Value of External or Sponsored Research Funds (in Millions)	1	1
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	13%	13%

WEST TEXAS A&M UNIVERSITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 30,918,287	$ 30,945,544
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	532,084	532,084
Estimated Other Educational and General Income Account No. 770	9,012,409	9,053,749
Subtotal, General Revenue Fund - Dedicated	$ 9,544,493	$ 9,585,833
Total, Method of Financing	$ 40,462,780	$ 40,531,377
Items of Appropriation:		
1. Educational and General State Support	$ 40,462,780	$ 40,531,377
Grand Total, WEST TEXAS A&M UNIVERSITY	$ 40,462,780	$ 40,531,377
This bill pattern represents an estimated 40.9% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	644.2	644.2

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 20,956,206	$ 20,956,206
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 971,292	$ 971,292
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 1,119,387	$ 1,195,506
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 155,640	$ 155,640
A.1.5. Strategy: UNEMPLOYMENT COMPENSATION INSURANCE	$ 1,564	$ 1,564
A.1.6. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 1,289,868	$ 1,295,271

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $930,966 and a Federal Funds increase of $930,966 in fiscal year 2010 resulting in net General Revenue appropriations of $29,987,321 and a net All Funds appropriation of $40,462,780 in fiscal year 2010.

A.1.7. Strategy: ORGANIZED ACTIVITIES	$	91,885	$	91,885
A.1.8. Strategy: FORMULA HOLD HARMLESS	$	416,021	$	416,021
Total, Goal A: INSTRUCTION/OPERATIONS	$	25,001,863	$	25,083,385
B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	3,906,075	$	3,906,075
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	4,078,181	$	4,078,649
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$	367,500	$	367,500
Total, Goal B: INFRASTRUCTURE SUPPORT	$	8,351,756	$	8,352,224
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: KILLGORE RESEARCH CENTER	$	41,591	$	41,591
C.1.2. Strategy: WIND ENERGY RESEARCH	$	91,854	$	99,334
C.1.3. Strategy: INDUSTRY SUPPORT & DEVELOPMENT	$	831,250	$	831,250
Agriculture Industry Support and Development.				
C.1.4. Strategy: INTEGRATED PEST MANAGEMENT	$	124,686	$	124,686
Integrated Pest Management.				
C.2.1. Strategy: PANHANDLE-PLAINS MUSEUM	$	522,305	$	501,432
Panhandle-Plains Historical Museum.				
C.2.2. Strategy: RURAL AGRI-BUSINESS	$	750,000	$	750,000
Rural Agri-Business Incubator & Accelerator.				
C.2.3. Strategy: SMALL BUSINESS DEVELOPMENT CENTER	$	187,109	$	187,109
C.3.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	4,033,147	$	4,033,147
Total, Goal C: SPECIAL ITEM SUPPORT	$	6,581,942	$	6,568,549
D. Goal: RESEARCH DEVELOPMENT FUND				
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$	527,219	$	527,219
Grand Total, WEST TEXAS A&M UNIVERSITY	$	40,462,780	$	40,531,377
Object-of-Expense Informational Listing:				
Salaries and Wages	$	10,266,532	$	10,920,598
Other Personnel Costs		374,655		393,619
Faculty Salaries (Higher Education Only)		14,092,227		14,420,186
Professional Salaries - Faculty Equivalent (Higher Education Only)		14,934		14,554
Consumable Supplies		3,160,568		2,382,053
Utilities		30,000		34,900
Travel		12,000		12,000
Other Operating Expense		10,873,148		10,603,201
Grants		1,597,020		1,709,425
Capital Expenditures		41,696		40,841
Total, Object-of-Expense Informational Listing	$	40,462,780	$	40,531,377
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	1,800,325	$	1,889,134
Group Insurance		4,013,581		4,286,505
Social Security		2,231,061		2,309,148
Subtotal, Employee Benefits	$	8,044,967	$	8,484,787
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	8,044,967	$	8,484,787

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the West Texas A&M University. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the West Texas A&M University. In order to achieve the objectives and service

standards established by this Act, the West Texas A&M University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	41%	41.5%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	17%	17%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	68%	69%
Certification Rate of Teacher Education Graduates	95%	95%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	50.5%	50.5%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	65%	65%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	27.5%	28%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	53.5%	53.5%
State Licensure Pass Rate of Nursing Graduates	100%	100%
Dollar Value of External or Sponsored Research Funds (in Millions)	3.5	3.75
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	8%	8%

3. **Rural Agricultural/Business Incubator and Accelerator.** Contingent upon certification by the Comptroller of Public Accounts that increased activity by the Rural Agricultural/Business Incubator and Accelerator will generate at least $1,500,000 additional revenue to the General Revenue Fund, $750,000 in each year of the biennium is included in the appropriation above for the Rural Agricultural/Business Incubator and Accelerator. It is the intent of the Legislature that state funds provided to the Rural Agricultural/Business Incubator and Accelerator be used by the center to attract federal funds on a dollar-for-dollar basis.

4. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.8, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for West Texas A&M University.

TEXAS A&M UNIVERSITY - COMMERCE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 36,617,532	$ 36,716,863
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	1,657,000	1,657,000
Estimated Other Educational and General Income Account No. 770	8,477,643	8,493,133
Subtotal, General Revenue Fund - Dedicated	$ 10,134,643	$ 10,150,133
Total, Method of Financing	$ 46,752,175	$ 46,866,996

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $1,325,217 and a Federal Funds increase of $1,325,217 plus a Federal Funds Section 25 appropriation of $1,000,000 in fiscal year 2010, resulting in net General Revenue appropriations of $35,292,315 and a net All Funds appropriation of $47,752,175 in fiscal year 2010.

Items of Appropriation:				
1. Educational and General State Support	$	46,752,175	$	46,866,996
Grand Total, TEXAS A&M UNIVERSITY - COMMERCE	$	46,752,175	$	46,866,996

This bill pattern represents an estimated 47.8% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE)- Appropriated Funds		801.7		801.7

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS				
Provide Instructional and Operations Support.				
A.1.1. Strategy: OPERATIONS SUPPORT	$	31,438,355	$	31,438,355
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$	593,327	$	593,327
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	1,661,817	$	1,774,820
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$	113,573	$	113,574
A.1.5. Strategy: UNEMPLOYMENT COMPENSATION INSURANCE	$	28,280	$	28,280
A.1.6. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$	1,383,572	$	1,385,390
A.1.7. Strategy: ORGANIZED ACTIVITIES	$	60,000	$	60,000
Total, Goal A: INSTRUCTION/OPERATIONS	$	35,278,924	$	35,393,746
B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	4,358,203	$	4,358,203
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	3,185,358	$	3,185,358
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$	157,050	$	157,050
Total, Goal B: INFRASTRUCTURE SUPPORT	$	7,700,611	$	7,700,611
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: INDUSTRIAL ENGINEERING PROGRAM	$	426,716	$	426,716
Bachelor of Science Degree Program in Industrial Engineering.				
C.2.1. Strategy: EDUCATIONAL OUTREACH	$	656,476	$	656,475
Mesquite/Metroplex/Northeast Texas.				
C.3.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	2,471,402	$	2,471,402
Total, Goal C: SPECIAL ITEM SUPPORT	$	3,554,594	$	3,554,593
D. Goal: RESEARCH DEVELOPMENT FUND				
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$	218,046	$	218,046
Grand Total, TEXAS A&M UNIVERSITY - COMMERCE	$	46,752,175	$	46,866,996

Object-of-Expense Informational Listing:				
Salaries and Wages	$	14,036,771	$	14,404,574
Other Personnel Costs		212,850		239,221
Faculty Salaries (Higher Education Only)		17,690,209		17,885,157
Utilities		2,197,586		1,316,596
Travel		38,000		38,000
Debt Service		3,185,358		3,185,358
Other Operating Expense		9,347,366		9,734,522
Capital Expenditures		44,035		63,568
Total, Object-of-Expense Informational Listing	$	46,752,175	$	46,866,996

TEXAS A&M UNIVERSITY - COMMERCE
(Continued)

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 2,307,182	$ 2,433,027
Group Insurance	4,401,314	4,700,603
Social Security	2,765,288	2,862,073
Subtotal, Employee Benefits	$ 9,473,784	$ 9,995,703
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 9,473,784	$ 9,995,703

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University - Commerce. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas A&M University - Commerce. In order to achieve the objectives and service standards established by this Act, the Texas A&M University - Commerce shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	38%	39%
Percent of First-time, Full-time, Degree seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	20%	20%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	70%	70%
Certification Rate of Teacher Education Graduates	95%	95%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	60%	60%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	66%	66.25%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	30%	30.25%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	50%	50%
Dollar Value of External or Sponsored Research Funds (in Millions)	3.7	5.1
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	9.4%	9.4%

TEXAS A&M UNIVERSITY - TEXARKANA

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 16,193,428	$ 16,209,526
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	270,600	270,600

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $210,721 and a Federal Funds increase of $210,721 plus a Federal Funds Section 25 appropriation of $6,000,000 in fiscal year 2010, resulting in net General Revenue appropriations of $15,982,707 and a net All Funds appropriation of $24,160,519 in fiscal year 2010.

Estimated Other Educational and General Income Account No. 770	1,696,491	1,699,654
Subtotal, General Revenue Fund - Dedicated	$ 1,967,091	$ 1,970,254
Total, Method of Financing	$ 18,160,519	$ 18,179,780
Items of Appropriation:		
1. Educational and General State Support	$ 18,160,519	$ 18,179,780
Grand Total, TEXAS A&M UNIVERSITY - TEXARKANA	$ 18,160,519	$ 18,179,780
This bill pattern represents an estimated 77.8% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	155.0	155.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 4,903,361	$ 4,903,361
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 169,631	$ 169,631
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 186,447	$ 199,125
A.1.4. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 276,668	$ 277,120
Total, Goal A: INSTRUCTION/OPERATIONS	$ 5,536,107	$ 5,549,237
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 694,029	$ 694,029
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 7,250,425	$ 7,256,562
B.1.3. Strategy: LEASE OF FACILITIES	$ 1,209	$ 1,203
B.1.4. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 750,000	$ 750,000
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 8,695,663	$ 8,701,794
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: ACADEMIC PROGRAMS	$ 953,172	$ 953,172
C.2.1. Strategy: NE TEXAS EDUCATION PARTNERSHIP	$ 48,888	$ 48,888
Northeast Texas Education Partnership.		
C.3.1. Strategy: LOWER-DIVISION TRANSITION FUNDING	$ 98,045	$ 98,045
C.3.2. Strategy: INSTITUTIONAL ENHANCEMENT	$ 2,828,644	$ 2,828,644
Total, Goal C: SPECIAL ITEM SUPPORT	$ 3,928,749	$ 3,928,749
Grand Total, TEXAS A&M UNIVERSITY - TEXARKANA	$ 18,160,519	$ 18,179,780
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 3,089,262	$ 3,301,371
Other Personnel Costs	297,730	330,566
Faculty Salaries (Higher Education Only)	4,415,011	4,750,973
Debt Service	7,250,425	7,256,562
Other Operating Expense	2,471,406	1,996,387
Client Services	266,801	266,801
Grants	276,668	277,120
Capital Expenditures	93,216	0
Total, Object-of-Expense Informational Listing	$ 18,160,519	$ 18,179,780

TEXAS A&M UNIVERSITY - TEXARKANA
(Continued)

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 583,501	$ 613,506
Group Insurance	898,667	959,776
Social Security	642,900	665,401
Subtotal, Employee Benefits	$ 2,125,068	$ 2,238,683
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 2,125,068	$ 2,238,683

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University - Texarkana. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas A&M University - Texarkana. In order to achieve the objectives and service standards established by this Act, the Texas A&M University - Texarkana shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Certification Rate of Teacher Education Graduates	98%	98%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	69%	69%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	80%	80%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	45%	45%
Persistence Rate of First-time, Full-time, Degree-seeking Transfer Students after One Academic Year (Upper-level Institutions Only)	88%	88%
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	14.5%	14.5%

3. **Scholarship Match.** Out of the funds appropriated above, funds may be used to provide a match for funds collected by a two dollar per semester credit hour fee for a student endowment scholarship and internship program adopted by student referendum, pursuant to Education Code § 56.242.

UNIVERSITY OF HOUSTON SYSTEM ADMINISTRATION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 2,840,617	$ 2,840,617
Total, Method of Financing	$ 2,840,617	$ 2,840,617
Items of Appropriation:		
1. Educational and General State Support	$ 2,840,617	$ 2,840,617
Grand Total, UNIVERSITY OF HOUSTON SYSTEM ADMINISTRATION	$ 2,840,617	$ 2,840,617
This bill pattern represents an estimated 21.1% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	64.0	64.0

UNIVERSITY OF HOUSTON SYSTEM ADMINISTRATION
(Continued)

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS Provide Instructional and Operations Support.				
A.1.1. Strategy: SYSTEM OFFICE OPERATIONS	$	2,000,000	$	2,000,000
B. Goal: SPECIAL ITEM SUPPORT Provide Special Item Support.				
B.1.1. Strategy: NASA PROGRAMS High School Cooperative Education Program w/NASA & Tech Outreach Pgm.	$	840,617	$	840,617
Grand Total, UNIVERSITY OF HOUSTON SYSTEM ADMINISTRATION	$	2,840,617	$	2,840,617
Object-of-Expense Informational Listing:				
Salaries and Wages	$	1,950,000	$	1,950,000
Other Personnel Costs		25,000		25,000
Other Operating Expense		191,964		191,964
Client Services		673,653		673,653
Total, Object-of-Expense Informational Listing	$	2,840,617	$	2,840,617
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	367,974	$	386,232
Group Insurance		553,837		591,498
Social Security		531,782		550,395
Subtotal, Employee Benefits	$	1,453,593	$	1,528,125
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	1,453,593	$	1,528,125

2. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $175,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

UNIVERSITY OF HOUSTON

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 167,082,499	$ 167,341,715
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	13,501,189	13,501,189
Estimated Other Educational and General Income Account No. 770	48,986,979	49,124,898
Subtotal, General Revenue Fund - Dedicated	$ 62,488,168	$ 62,626,087
Total, Method of Financing	$ 229,570,667	$ 229,967,802
Items of Appropriation:		
1. Educational and General State Support	$ 229,570,667	$ 229,967,802
Grand Total, UNIVERSITY OF HOUSTON	$ 229,570,667	$ 229,967,802
This bill pattern represents an estimated 33.1% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	2,839.3	2,839.3

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 140,017,254	$ 140,017,254
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 2,730,905	$ 2,730,905
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 5,781,103	$ 6,174,218
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 491,131	$ 491,131
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 6,347,054	$ 6,361,042
A.1.6. Strategy: ORGANIZED ACTIVITIES	$ 1,582,671	$ 1,582,671
Total, Goal A: INSTRUCTION/OPERATIONS	$ 156,950,118	$ 157,357,221
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 31,523,918	$ 31,523,918
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 11,652,230	$ 11,642,262
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 43,176,148	$ 43,166,180
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: LEARNING AND COMPUTATION CENTER	$ 1,935,805	$ 1,935,805
C.1.2. Strategy: SPACE EXPLORATION	$ 349,986	$ 349,986
Houston Partnership for Space Exploration.		
C.1.3. Strategy: COMMERCIAL DEVELOPMENT OF SPACE	$ 400,901	$ 400,901
Center for Commercial Development of Space: Space Vacuum Epitaxy Ctr.		
C.1.4. Strategy: SUPERCONDUCTIVITY CENTER	$ 3,607,625	$ 3,607,625
C.1.5. Strategy: COMPETITIVE KNOWLEDGE FUND	$ 4,535,210	$ 4,535,210
C.1.6. Strategy: ENERGY RESEARCH	$ 2,500,000	$ 2,500,000
Interdisciplinary Energy Research.		
C.2.1. Strategy: SMALL BUSINESS DEVELOPMENT	$ 3,070,697	$ 3,070,697
University of Houston Small Business Development Center.		

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $5,707,005 and a Federal Funds increase of $5,707,005 plus a Federal Funds Section 25 appropriation of $3,000,000 in FY 2010, resulting in net General Revenue appropriations of $161,375,494 and a net All Funds appropriation of $232,570,667 in FY 2010.

C.2.2. Strategy: HEALTH LAW & POLICY INSTITUTE Health Law and Policy Institute.	$	290,937	$	290,937
C.2.3. Strategy: CENTER FOR PUBLIC POLICY	$	249,375	$	249,375
C.2.4. Strategy: PARTNERSHIPS-SUPPORT PUBLIC SCHOOLS Partnerships to Support Public Schools.	$	1,369,247	$	1,369,247
C.3.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	4,753,967	$	4,753,967
Total, Goal C: SPECIAL ITEM SUPPORT	$	23,063,750	$	23,063,750
D. Goal: RESEARCH DEVELOPMENT FUND				
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$	6,380,651	$	6,380,651
Grand Total, UNIVERSITY OF HOUSTON	$	229,570,667	$	229,967,802
Object-of-Expense Informational Listing:				
Salaries and Wages	$	84,674,098	$	85,244,071
Other Personnel Costs		2,104,208		2,161,103
Faculty Salaries (Higher Education Only)		84,224,800		85,969,648
Professional Fees and Services		330,035		305,754
Fuels and Lubricants		272,057		272,161
Consumable Supplies		2,600,631		2,554,929
Utilities		1,469,085		1,386,479
Travel		37,467		37,455
Rent - Building		57,685		52,758
Rent - Machine and Other		374,529		374,545
Debt Service		11,652,230		11,642,262
Other Operating Expense		40,635,736		39,014,023
Client Services		670,760		518,396
Capital Expenditures		467,346		434,218
Total, Object-of-Expense Informational Listing	$	229,570,667	$	229,967,802
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	12,738,302	$	13,370,336
Group Insurance		13,878,160		14,821,875
Social Security		13,266,249		13,730,568
Subtotal, Employee Benefits	$	39,882,711	$	41,922,779
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	39,882,711	$	41,922,779

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the University of Houston. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the University of Houston. In order to achieve the objectives and service standards established by this Act, the University of Houston shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	45.4%	46.4%
Percent of First-time, Full-time, Degree seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	16.9%	17.8%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	82%	83%
Certification Rate of Teacher Education Graduates	90%	90%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	41.6%	41.6%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	64.5%	65%

Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two years	23%	23.5%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	38%	38%
State Licensure Pass Rate of Law Graduates	91%	91%
State Licensure Pass Rate of Engineering Graduates	83%	83%
State Licensure Pass Rate of Pharmacy Graduates	100%	100%
Dollar Value of External or Sponsored Research Funds (in Millions)	78	78
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	6.1%	6.1%

UNIVERSITY OF HOUSTON - CLEAR LAKE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 31,913,168	$ 31,949,128
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	2,830,450	2,830,450
Estimated Other Educational and General Income Account No. 770	7,569,140	7,590,147
Subtotal, General Revenue Fund - Dedicated	$ 10,399,590	$ 10,420,597
Total, Method of Financing	$ 42,312,758	$ 42,369,725
Items of Appropriation:		
1. Educational and General State Support	$ 42,312,758	$ 42,369,725
Grand Total, UNIVERSITY OF HOUSTON - CLEAR LAKE	$ 42,312,758	$ 42,369,725
This bill pattern represents an estimated 52.6% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	583.8	583.8

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 28,860,595	$ 28,860,595
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 584,704	$ 584,704
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 872,313	$ 931,631
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 261,652	$ 261,652
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 1,042,269	$ 1,044,318
Total, Goal A: INSTRUCTION/OPERATIONS	$ 31,621,533	$ 31,682,900
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 4,071,582	$ 4,071,582
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 3,204,841	$ 3,200,441
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 355,650	$ 355,650
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 7,632,073	$ 7,627,673
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: HIGH TECHNOLOGIES LABORATORY	$ 57,546	$ 57,546
C.1.2. Strategy: ENVIRONMENTAL STUDIES PARTNERSHIP	$ 415,626	$ 415,626
Houston Partnership for Environmental Studies.		
C.2.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 2,511,005	$ 2,511,005
Total, Goal C: SPECIAL ITEM SUPPORT	$ 2,984,177	$ 2,984,177
D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 74,975	$ 74,975
Grand Total, UNIVERSITY OF HOUSTON - CLEAR LAKE	$ 42,312,758	$ 42,369,725

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $1,169,439 and a Federal Funds increase of $1,169,439 in FY 2010 resulting in net General Revenue appropriations of $30,743,729 and a net All Funds appropriation of $42,312,758 in FY 2010.

UNIVERSITY OF HOUSTON – CLEAR LAKE
(Continued)

Object-of-Expense Informational Listing:		
Salaries and Wages	$ 13,679,830	$ 14,397,915
Other Personnel Costs	534,265	443,215
Faculty Salaries (Higher Education Only)	16,061,655	16,729,305
Professional Fees and Services	15,157	13,121
Consumable Supplies	73,103	69,980
Utilities	281,767	79,502
Travel	32,730	27,992
Rent - Machine and Other	50,858	43,738
Debt Service	3,204,841	3,200,441
Other Operating Expense	8,378,552	7,364,516
Total, Object-of-Expense Informational Listing	$ 42,312,758	$ 42,369,725
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 2,360,157	$ 2,477,261
Group Insurance	2,724,656	2,909,933
Social Security	2,540,090	2,628,993
Subtotal, Employee Benefits	$ 7,624,903	$ 8,016,187
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 7,624,903	$ 8,016,187

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the University of Houston - Clear Lake. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the University of Houston - Clear Lake. In order to achieve the objectives and service standards established by this Act, the University of Houston - Clear Lake shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Certification Rate of Teacher Education Graduates	93.2%	93.2%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	50%	50%
Dollar Value of External or Sponsored Research Funds (in Millions)	0.7	0.7
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	76%	76%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	35%	35%
Persistence Rate of First-time, Full-time, Degree-seeking Transfer Students after One Academic Year (Upper-level Institutions Only)	85%	85%
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	13.7%	13.7%

UNIVERSITY OF HOUSTON - DOWNTOWN

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 30,287,365	$ 30,340,156

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $1,148,296 and a Federal Funds increase of $1,148,296 plus a Federal Funds Section 25 appropriation of $250,000 in FY 2010, resulting in net General Revenue appropriations of $29,139,069 and a net All Funds appropriation of $44,706,228 in FY 2010.

General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	57,851	57,851
Estimated Other Educational and General Income Account No. 770	14,111,012	14,135,173
Subtotal, General Revenue Fund - Dedicated	$ 14,168,863	$ 14,193,024
Total, Method of Financing	$ 44,456,228	$ 44,533,180
Items of Appropriation:		
1. Educational and General State Support	$ 44,456,228	$ 44,533,180
Grand Total, UNIVERSITY OF HOUSTON - DOWNTOWN	$ 44,456,228	$ 44,533,180
This bill pattern represents an estimated 41.5% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	524.0	524.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 25,184,488	$ 25,184,488
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 1,360,387	$ 1,360,387
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 1,085,358	$ 1,159,162
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 211,935	$ 211,935
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 1,911,831	$ 1,914,983
Total, Goal A: INSTRUCTION/OPERATIONS	$ 29,753,999	$ 29,830,955
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 5,514,358	$ 5,514,358
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 6,238,320	$ 6,238,316
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 11,752,678	$ 11,752,674
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: COMMUNITY DEVELOPMENT PROJECT	$ 382,500	$ 382,500
C.2.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 2,510,067	$ 2,510,067
Total, Goal C: SPECIAL ITEM SUPPORT	$ 2,892,567	$ 2,892,567
D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 56,984	$ 56,984
Grand Total, UNIVERSITY OF HOUSTON - DOWNTOWN	$ 44,456,228	$ 44,533,180
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 12,207,699	$ 12,537,498
Faculty Salaries (Higher Education Only)	15,295,425	15,391,776
Professional Fees and Services	339,750	339,750
Debt Service	6,238,320	6,238,316
Other Operating Expense	10,275,300	9,926,106
Grants	99,734	99,734
Total, Object-of-Expense Informational Listing	$ 44,456,228	$ 44,533,180
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,849,697	$ 1,941,473
Group Insurance	2,349,806	2,509,593

Social Security	2,531,996	2,620,616
Subtotal, Employee Benefits	$ 6,731,499	$ 7,071,682
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 6,731,499	$ 7,071,682

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the University of Houston - Downtown. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the University of Houston - Downtown. In order to achieve the objectives and service standards established by this Act, the University of Houston - Downtown shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	17%	17%
Percent of First-time, Full-time, Degree seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	5%	5%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	69.2%	74.2%
Certification Rate of Teacher Education Graduates	100%	100%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	65%	65%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	62.03%	62.03%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	23.56%	23.56%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	46%	46%
Dollar Value of External or Sponsored Research Funds (in Millions)	0.4	0.4
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	16.8%	16.8%

UNIVERSITY OF HOUSTON - VICTORIA

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 17,262,673	$ 17,260,285
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	1,116,809	1,116,809
Estimated Other Educational and General Income Account No. 770	3,232,785	3,236,381
Subtotal, General Revenue Fund - Dedicated	$ 4,349,594	$ 4,353,190
Total, Method of Financing	$ 21,612,267	$ 21,613,475
Items of Appropriation:		
1. Educational and General State Support	$ 21,612,267	$ 21,613,475
Grand Total, UNIVERSITY OF HOUSTON - VICTORIA	$ 21,612,267	$ 21,613,475

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $433,233 and a Federal Funds increase of $433,233 in FY 2010 resulting in net General Revenue appropriations of $16,829,440 and a net All Funds appropriation of $21,612,267 in FY 2010.

This bill pattern represents an estimated 72.2% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE)- Appropriated Funds	281.4	281.4

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS				
Provide Instructional and Operations Support.				
A.1.1. Strategy: OPERATIONS SUPPORT	$	10,584,206	$	10,584,206
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$	321,940	$	321,940
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	275,238	$	293,954
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$	86,396	$	86,396
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$	632,686	$	633,207
Total, Goal A: INSTRUCTION/OPERATIONS	$	11,900,466	$	11,919,703
B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	1,738,141	$	1,738,141
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	4,162,384	$	4,144,355
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$	750,000	$	750,000
Total, Goal B: INFRASTRUCTURE SUPPORT	$	6,650,525	$	6,632,496
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: MASTER'S DEGREE IN NURSING	$	550,000	$	550,000
C.2.1. Strategy: CENTER FOR REGIONAL OUTREACH CENTER	$	249,375	$	249,375
Center for Regional Outreach.				
C.2.2. Strategy: SMALL BUSINESS DEVELOPMENT CENTER	$	215,050	$	215,050
C.3.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	2,046,851	$	2,046,851
Total, Goal C: SPECIAL ITEM SUPPORT	$	3,061,276	$	3,061,276
Grand Total, UNIVERSITY OF HOUSTON - VICTORIA	$	21,612,267	$	21,613,475
Object-of-Expense Informational Listing:				
Salaries and Wages	$	6,188,762	$	7,124,755
Other Personnel Costs		29,746		23,197
Faculty Salaries (Higher Education Only)		5,679,105		6,314,662
Debt Service		4,162,384		4,144,355
Other Operating Expense		5,552,270		4,006,506
Total, Object-of-Expense Informational Listing	$	21,612,267	$	21,613,475
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	797,756	$	837,338
Group Insurance		1,141,298		1,218,906
Social Security		1,133,519		1,173,193
Subtotal, Employee Benefits	$	3,072,573	$	3,229,437
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	3,072,573	$	3,229,437

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the University of Houston - Victoria. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the University of Houston - Victoria. In order to achieve the objectives and

service standards established by this Act, the University of Houston - Victoria shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Certification Rate of Teacher Education Graduates	93.3%	93.3%
Percentage of Baccalaureate Graduates Who Are First Generation College Graduates	42%	42%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	77.9%	77.9%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	45%	45%
Persistence Rate of First-time, Full-time, Degree-seeking Other Transfer Students after One Academic Year (Upper-level Institutions Only)	83%	85%
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	11.3%	11.3%

MIDWESTERN STATE UNIVERSITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 19,906,413	$ 19,955,008
General Revenue Fund - Dedicated		
Midwestern University Special Mineral Account No 412, estimated	9,000	9,000
Estimated Board Authorized Tuition Increases Account No. 704	374,740	374,740
Estimated Other Educational and General Income Account No. 770	6,543,658	6,551,585
Subtotal, General Revenue Fund - Dedicated	$ 6,927,398	$ 6,935,325
Total, Method of Financing	$ 26,833,811	$ 26,890,333
Items of Appropriation:		
1. Educational and General State Support	$ 26,833,811	$ 26,890,333
Grand Total, MIDWESTERN STATE UNIVERSITY	$ 26,833,811	$ 26,890,333
This bill pattern represents an estimated 42.1% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	438.0	438.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 15,269,066	$ 15,269,066
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 783,875	$ 783,875
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 763,772	$ 815,708
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 70,749	$ 74,287
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 1,064,089	$ 1,065,284
A.1.6. Strategy: FORMULA HOLD HARMLESS	$ 201,896	$ 201,896
Total, Goal A: INSTRUCTION/OPERATIONS	$ 18,153,447	$ 18,210,116

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $682,565 and a Federal Funds increase of $682,565 plus a Federal Funds Section 25 appropriation of $106,500 in FY 2010 and $113,500 in FY 2011, resulting in net General Revenue appropriations of $19,223,848 and a net All Funds appropriation of $26,940,311 in FY 2010 and $27,003,833 in FY 2011.

B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 3,245,118	$ 3,245,118
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 2,151,566	$ 2,151,419
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 586,050	$ 586,050
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 5,982,734	$ 5,982,587
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: SMALL BUSINESS DEVELOPMENT CENTER	$ 135,739	$ 135,739
C.2.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 2,553,605	$ 2,553,605
Total, Goal C: SPECIAL ITEM SUPPORT	$ 2,689,344	$ 2,689,344
D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 8,286	$ 8,286
Grand Total, MIDWESTERN STATE UNIVERSITY	$ 26,833,811	$ 26,890,333
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 8,029,818	$ 8,051,898
Other Personnel Costs	344,272	321,586
Faculty Salaries (Higher Education Only)	13,579,058	14,061,425
Debt Service	2,151,566	2,151,419
Other Operating Expense	2,706,956	2,281,991
Grants	22,141	22,014
Total, Object-of-Expense Informational Listing	$ 26,833,811	$ 26,890,333
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,440,104	$ 1,507,652
Group Insurance	2,506,783	2,677,244
Social Security	1,654,170	1,712,066
Subtotal, Employee Benefits	$ 5,601,057	$ 5,896,962
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 5,601,057	$ 5,896,962

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Midwestern State University. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Midwestern State University. In order to achieve the objectives and service standards established by this Act, the Midwestern State University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	36%	36%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	11%	12%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	75%	75%
Certification Rate of Teacher Education Graduates	99%	99%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	60%	60%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	60.65%	61.99%

Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	28.75%	29%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	59%	59%
State Licensure Pass Rate of Nursing Graduates	93%	93%
Dollar Value of External or Sponsored Research Funds (in Millions)	0.09	0.09
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	8.5%	8.5%

3. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $35,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

4. **Appropriation of Special Mineral Fund.** The balance of funds on hand for the year ending August 31, 2009 (estimated to be $0), in the Midwestern State University Special Mineral Fund No. 412 and any income during the biennium beginning September 1, 2009, deposited to that fund are appropriated in the funds above to Midwestern State University for the general operations of the university. Mineral Funds are estimated to be $9,000 in fiscal year 2010 and $9,000 in fiscal year 2011.

5. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.6, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Midwestern State University.

UNIVERSITY OF NORTH TEXAS SYSTEM ADMINISTRATION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 14,003,007	$ 15,505,467
Total, Method of Financing	$ 14,003,007	$ 15,505,467
Items of Appropriation:		
1. Educational and General State Support	$ 14,003,007	$ 15,505,467
Grand Total, UNIVERSITY OF NORTH TEXAS SYSTEM ADMINISTRATION	$ 14,003,007	$ 15,505,467
This bill pattern represents an estimated 93.9% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)-Appropriated Funds	115.5	115.5

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a Federal Funds increase of $5,000,000 in FY 2010 resulting in a net All Funds appropriation of $19,003,007 in FY 2010.

UNIVERSITY OF NORTH TEXAS SYSTEM ADMINISTRATION
(Continued)

A. Goal: INSTRUCTION/OPERATIONS				
Provide Instructional and Operations Support.				
A.1.1. Strategy: SYSTEM OFFICE OPERATIONS	$	2,000,000	$	2,000,000
B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: TUITION REVENUE BOND RETIREMENT	$	3,789,771	$	3,790,538
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: UNT SYSTEM CENTER AT DALLAS	$	7,538,531	$	9,040,224
C.1.2. Strategy: FEDERATION OF NORTH TEXAS UNIV	$	65,229	$	65,229
Federation of North Texas Universities.				
C.1.3. Strategy: UNIVERSITIES CENTER AT DALLAS	$	609,476	$	609,476
Total, Goal C: SPECIAL ITEM SUPPORT	$	8,213,236	$	9,714,929
Grand Total, UNIVERSITY OF NORTH TEXAS SYSTEM ADMINISTRATION	$	14,003,007	$	15,505,467
Object-of-Expense Informational Listing:				
Salaries and Wages	$	4,623,424	$	4,623,424
Faculty Salaries (Higher Education Only)		5,258,502		6,760,195
Debt Service		3,789,771		3,790,538
Other Operating Expense		331,310		331,310
Total, Object-of-Expense Informational Listing	$	14,003,007	$	15,505,467
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	521,921	$	550,503
Group Insurance		762,899		814,776
Social Security		593,793		614,576
Subtotal, Employee Benefits	$	1,878,613	$	1,979,855
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	1,878,613	$	1,979,855

2. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $53,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

3. **Federation of North Texas Area Universities.** The Comptroller of Public Accounts shall pay all warrants drawn on the identified strategy of the Federation of North Texas Area Universities for expenses incurred on federation business regardless of which member institution of the federation the payee is an employee.

4. **Courses Offered at the University of North Texas System Center at Dallas.** The University of North Texas System shall use an amount not to exceed $500,000 annually from funds received for instruction at the University of North Texas and the University of North Texas System Center at Dallas to support additional course offerings at the System Center. Such additional course offerings shall include increases in the number of courses offered during normal business hours and additional sections of courses required for completion of specific degrees offered at the System Center.

5. **Faculty at the University of North Texas System Center at Dallas.** Out of the funds appropriated above in Strategy C.1.1, UNT System Center at Dallas, the University of North Texas System shall use an amount not to exceed $3,000,000 for the biennium to continue to support up to 14 faculty and appropriate staff to support course offerings at the University of

North Texas System Center at Dallas added by Rider 5, page III-124, Senate Bill 1, 79th Legislative Regular Session. The 14 faculty lines shall be based at the System Center but may offer instruction at any institution in the University of North Texas System.

6. **Universities Center at Dallas Operating Costs.** Out of funds appropriated above in Strategy C.1.3, Universities Center at Dallas, $100,000 each year will be used for operating costs of the Universities Center at Dallas.

7. **Tuition Revenue Bond Retirement.** Out of funds appropriated above in Strategy B.1.1, $2,109,608 fiscal year 2010 and $2,109,608 in fiscal year 2011 is contingent upon the University of North Texas - Dallas Campus reaching the threshold limitation required by Section 55.1751 (e) Education Code, which authorized $25 million in tuition revenue bonds for University of North Texas - Dallas Campus.

8. **University of North Texas System Center at Dallas.** All funding in the University of North Texas System bill pattern that is generated by the operation of the University of North Texas System Center at Dallas is hereby appropriated directly to the University of North Texas System Center at Dallas. Amounts include the proportional funding in the following strategies: A.1.1, Operations Support; A.1.2, Teaching Experience Supplement; A.1.3, Staff Group Insurance Premiums; A.1.4, Worker's Compensation Insurance; A.1.5, Unemployment Compensation; A.1.6, Texas Public Education Grants; B.1.1, E&G Space Support; as well as any other funding in other strategies that is associated with the University of North Texas System Center at Dallas.

   The Legislative Budget Board shall work with the University of North Texas System, and the University of North Texas System Center at Dallas to determine the funding amounts.

   Once the University of North Texas System Center at Dallas becomes an independent general academic teaching institution (University of North Texas-Dallas), those funds are directly appropriated to the independent institution.

9. **Transition Funding - University of North Texas - Dallas.** It is the intent of the legislature that non-formula General Revenue operations funding in Strategy C.1.1, UNT System Center at Dallas, for the University of North Texas-Dallas will be phased out as formula funding increases until the institution reaches 6,000 full-time student equivalents.

UNIVERSITY OF NORTH TEXAS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 108,426,143	$ 109,445,135
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	4,735,068	4,735,068
Estimated Other Educational and General Income Account No. 770	46,828,309	46,968,001
Subtotal, General Revenue Fund - Dedicated	$ 51,563,377	$ 51,703,069
Total, Method of Financing	$ 159,989,520	$ 161,148,204
Items of Appropriation:		
1. Educational and General State Support	$ 159,989,520	$ 161,148,204
Grand Total, UNIVERSITY OF NORTH TEXAS	$ 159,989,520	$ 161,148,204

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $4,722,705 and a Federal Funds increase of $4,722,705 plus a Federal Funds Section 25 appropriation of $2,075,000 in FY 2010 and $75,000 in FY 2011, resulting in net General Revenue appropriations of $103,703,438 and a net All Funds appropriation of $162,064,520 in FY 2010 and $161,223,204 in FY 2011.

This bill pattern represents an estimated 37.5% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE)- Appropriated Funds	3,109.1	3,109.1

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS				
Provide Instructional and Operations Support.				
A.1.1. Strategy: OPERATIONS SUPPORT	$	109,782,557	$	109,782,557
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$	3,280,007	$	3,280,007
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	5,528,858	$	5,904,821
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$	398,850	$	398,850
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$	6,513,777	$	6,530,659
A.1.6. Strategy: ORGANIZED ACTIVITIES	$	352,114	$	352,114
A.1.7. Strategy: FORMULA HOLD HARMLESS	$	166,983	$	166,983
Total, Goal A: INSTRUCTION/OPERATIONS	$	126,023,146	$	126,415,991
B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	17,574,272	$	17,574,272
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	9,891,319	$	9,907,157
B.1.3. Strategy: SKILES ACT REVENUE BOND RETIREMENT	$	422,295	$	422,295
B.1.4. Strategy: SMALL INSTITUTION SUPPLEMENT	$	0	$	750,000
Total, Goal B: INFRASTRUCTURE SUPPORT	$	27,887,886	$	28,653,724
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: TEXAS ACADEMY OF MATH AND SCIENCE	$	1,420,323	$	1,420,324
C.2.1. Strategy: INSTITUTE OF APPLIED SCIENCES	$	58,428	$	58,428
C.3.1. Strategy: EMERGENCY MANAGEMENT CENTER	$	46,923	$	46,923
Center for Studies in Emergency Management.				
C.3.2. Strategy: ED CENTER FOR VOLUNTEERISM	$	80,820	$	80,820
C.4.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	2,869,681	$	2,869,681
Total, Goal C: SPECIAL ITEM SUPPORT	$	4,476,175	$	4,476,176
D. Goal: RESEARCH DEVELOPMENT FUND				
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$	1,602,313	$	1,602,313
Grand Total, UNIVERSITY OF NORTH TEXAS	$	159,989,520	$	161,148,204

Object-of-Expense Informational Listing:				
Salaries and Wages	$	28,079,721	$	20,523,680
Other Personnel Costs		1,315,563		1,374,679
Faculty Salaries (Higher Education Only)		88,110,075		96,169,748
Professional Salaries - Faculty Equivalent (Higher Education Only)		39,378		39,420
Professional Fees and Services		72,682		73,085
Fuels and Lubricants		161,452		166,001
Consumable Supplies		321,742		307,749
Utilities		9,810,786		9,829,286
Rent - Machine and Other		166,749		155,043
Debt Service		9,891,319		9,907,157
Other Operating Expense		13,518,057		14,067,933
Client Services		7,536,560		7,568,340
Capital Expenditures		965,436		966,083
Total, Object-of-Expense Informational Listing	$	159,989,520	$	161,148,204

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 9,938,645	$ 10,442,511
Group Insurance	15,141,839	16,171,484
Social Security	11,437,596	11,837,912
Subtotal, Employee Benefits	$ 36,518,080	$ 38,451,907
Debt Service		
Lease Payments	$ 7,317	$ 3,432
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 36,525,397	$ 38,455,339

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the University of North Texas. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the University of North Texas. In order to achieve the objectives and service standards established by this Act, the University of North Texas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	47%	48%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	21.5%	22.5%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	78%	79%
Certification Rate of Teacher Education Graduates	99%	99%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	50.5%	51%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	64.5%	65%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	28.2%	29%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	35%	36%
Dollar Value of External or Sponsored Research Funds (in Millions)	24.97	26.04
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	7.8%	7.8%

3. **Academic or Policy Research Program.** The Board of Regents of the University of North Texas is hereby authorized to use available funds or to enter into contracts, accept grants or matching grants for the purpose of establishing an academic or policy research program in conjunction with the Federal Emergency Management Agency (FEMA).

4. **Texas Academy of Mathematics and Science.** Notwithstanding any other provision of this Act, the University of North Texas may not transfer money appropriated under Strategy C.1.1, for the purpose of funding the Texas Academy of Mathematics and Science, for another purpose.

5. **University of North Texas Pharmacy Feasibility Study.** Out of funds appropriated above, the University of North Texas is authorized to expend an amount not to exceed $200,000 in fiscal year 2010 and $200,000 in fiscal year 2011 for the purpose of conducting a feasibility study and curriculum and facility planning for a Pharmacy school to include existing pre-pharmacy studies at the University of North Texas as well as new pre-pharmacy studies as the University of North Texas at Dallas and Doctor of Pharmacy courses offered through the University of North Texas and the University of North Texas Dallas.

6. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.7, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for the University of North Texas.

STEPHEN F. AUSTIN STATE UNIVERSITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 45,614,221	$ 45,746,714
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	804,210	804,210
Estimated Other Educational and General Income Account No. 770	15,571,588	15,579,750
Subtotal, General Revenue Fund - Dedicated	$ 16,375,798	$ 16,383,960
Total, Method of Financing	$ 61,990,019	$ 62,130,674
Items of Appropriation:		
1. Educational and General State Support	$ 61,990,019	$ 62,130,674
Grand Total, STEPHEN F. AUSTIN STATE UNIVERSITY	$ 61,990,019	$ 62,130,674
This bill pattern represents an estimated 38.5% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	1,051.0	1,051.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 33,583,819	$ 33,583,819
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 1,693,934	$ 1,693,934
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 2,043,324	$ 2,182,270
A.1.4. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 3,509,651	$ 3,511,360
A.1.5. Strategy: ORGANIZED ACTIVITIES	$ 630,000	$ 630,000
Total, Goal A: INSTRUCTION/OPERATIONS	$ 41,460,728	$ 41,601,383
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 7,185,859	$ 7,185,859
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 4,746,581	$ 4,746,581
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 11,932,440	$ 11,932,440
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: RURAL NURSING INITIATIVE	$ 843,260	$ 843,260
C.2.1. Strategy: APPLIED FORESTRY STUDIES CENTER	$ 740,605	$ 740,605
Center for Applied Studies in Forestry.		
C.3.1. Strategy: STONE FORT MUSEUM & RESEARCH CENTER	$ 141,166	$ 141,166
Stone Fort Museum and Research Center of East Texas.		
C.3.2. Strategy: SOIL PLANT & WATER ANALYSIS LAB	$ 80,526	$ 80,526
Soil Plant and Water Analysis Laboratory.		
C.3.3. Strategy: APPLIED POULTRY STUDIES & RESEARCH	$ 75,946	$ 75,946
Applied Poultry Studies and Research.		

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $1,499,875 and a Federal Funds increase of $1,499,875 in FY 2010 resulting in net General Revenue appropriations of $44,114,346 and a net All Funds appropriation of $61,990,019 in FY 2010.

C.4.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 6,080,847	$ 6,080,847
Total, Goal C: SPECIAL ITEM SUPPORT	$ 7,962,350	$ 7,962,350
D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 634,501	$ 634,501
Grand Total, STEPHEN F. AUSTIN STATE UNIVERSITY	$ 61,990,019	$ 62,130,674
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 15,862,141	$ 17,032,377
Other Personnel Costs	645,774	915,350
Faculty Salaries (Higher Education Only)	28,788,388	29,817,863
Professional Salaries - Faculty Equivalent (Higher Education Only)	757,740	575,799
Professional Fees and Services	25,000	25,000
Consumable Supplies	2,540	4,561
Utilities	3,240,445	1,955,340
Debt Service	4,746,581	4,746,581
Other Operating Expense	3,821,603	2,857,019
Client Services	3,509,651	3,511,360
Grants	590,156	689,424
Total, Object-of-Expense Informational Listing	$ 61,990,019	$ 62,130,674
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 3,533,256	$ 3,713,983
Group Insurance	6,287,327	6,714,866
Social Security	3,728,087	3,858,570
Subtotal, Employee Benefits	$ 13,548,670	$ 14,287,419
Debt Service		
Lease Payments	$ 12,214	$ 12,241
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 13,560,884	$ 14,299,660

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Stephen F. Austin State University. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Stephen F. Austin State University. In order to achieve the objectives and service standards established by this Act, the Stephen F. Austin State University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	42.5%	44%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	26%	28%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	69%	70%
Certification Rate of Teacher Education Graduates	98%	98%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	54%	54%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	70%	70%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	34%	35%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	59%	59%

State Licensure Pass Rate of Nursing Graduates	98%	98%
Dollar Value of External or Sponsored Research Funds (in Millions)	6.5	7
A.1.1. Strategy: OPERATIONS SUPPORT		
Output (Volume):		
Percent of Texas Public University Freshmen from a Fourteen-county Area of East Texas Who Attend SFA	32%	32%
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	9.3%	9.3%

3. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $30,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

4. **Appropriation of Special Mineral Fund.** The balance of funds on hand for the year ending August 31, 2009 (estimated to be $0), in the Stephen F. Austin Special Mineral Fund No. 241 and any income during the biennium beginning September 1, 2009, deposited to that fund are hereby appropriated to Stephen F. Austin University for the general operations of the university. No additional Mineral Funds are expected for the 2010-11 biennium.

TEXAS SOUTHERN UNIVERSITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 61,057,239	$ 61,120,386
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	3,310,249	3,310,249
Estimated Other Educational and General Income Account No. 770	12,013,363	12,048,471
Subtotal, General Revenue Fund - Dedicated	$ 15,323,612	$ 15,358,720
Total, Method of Financing	$ 76,380,851	$ 76,479,106
Items of Appropriation:		
1. Educational and General State Support	$ 76,380,851	$ 76,479,106
Grand Total, TEXAS SOUTHERN UNIVERSITY	$ 76,380,851	$ 76,479,106
This bill pattern represents an estimated 45.5% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)-Appropriated Funds	855.0	855.5

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS
Provide Instructional and Operations Support.

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $1,221,724 and a Federal Funds increase of $1,221,724 in FY 2010 resulting in net General Revenue appropriations of $59,835,515 and a net All Funds appropriation of $76,380,851 in FY 2010.

A.1.1. Strategy: OPERATIONS SUPPORT	$	30,164,060	$	30,164,060
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$	730,619	$	730,619
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	1,439,573	$	1,537,464
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$	194,318	$	189,950
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$	2,068,920	$	2,073,649
A.1.6. Strategy: ORGANIZED ACTIVITIES	$	56,446	$	56,446
A.1.7. Strategy: FORMULA HOLD HARMLESS	$	1,931,369	$	1,931,369
Total, Goal A: INSTRUCTION/OPERATIONS	$	36,585,305	$	36,683,557
B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	6,797,536	$	6,797,536
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	10,627,805	$	10,627,808
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$	134,700	$	134,700
Total, Goal B: INFRASTRUCTURE SUPPORT	$	17,560,041	$	17,560,044
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: THURGOOD MARSHALL SCHOOL OF LAW	$	484,592	$	484,592
C.1.2. Strategy: ACCREDITATION - BUSINESS	$	72,156	$	72,156
Accreditation Continuation - Business.				
C.1.3. Strategy: ACCREDITATION - PHARMACY	$	72,779	$	72,779
Accreditation Continuation - Pharmacy.				
C.1.4. Strategy: ACCREDITATION - EDUCATION	$	91,175	$	91,175
Accreditation Continuation - Education.				
C.2.1. Strategy: MICKEY LELAND CENTER	$	70,509	$	70,509
Mickey Leland Center on World Hunger and Peace.				
C.2.2. Strategy: URBAN REDEVELOPMENT/RENEWAL	$	87,500	$	87,500
Urban Redevelopment and Renewal.				
C.2.3. Strategy: TEXAS SUMMER ACADEMY	$	437,500	$	437,500
C.3.1. Strategy: MIS/FISCAL OPERATIONS	$	144,279	$	144,279
Integrated Plan to Improve MIS and Fiscal Operations.				
C.3.2. Strategy: INSTITUTIONAL ENHANCEMENT	$	7,844,674	$	7,844,674
Total, Goal C: SPECIAL ITEM SUPPORT	$	9,305,164	$	9,305,164
D. Goal: ACADEMIC DEVELOPMENT INITIATIVE				
D.1.1. Strategy: ACADEMIC DEVELOPMENT INITIATIVE	$	12,500,000	$	12,500,000
E. Goal: RESEARCH DEVELOPMENT FUND				
E.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$	430,341	$	430,341
Grand Total, TEXAS SOUTHERN UNIVERSITY	$	76,380,851	$	76,479,106
Object-of-Expense Informational Listing:				
Salaries and Wages	$	19,627,829	$	19,445,721
Other Personnel Costs		622,848		504,261
Faculty Salaries (Higher Education Only)		22,004,238		20,736,442
Professional Fees and Services		1,777,378		2,412,672
Utilities		3,418,474		3,253,649
Travel		623,958		667,317
Debt Service		10,627,805		10,627,808
Other Operating Expense		14,874,020		16,166,322
Client Services		2,390,321		2,395,050
Grants		320,182		191,255
Capital Expenditures		93,798		78,609
Total, Object-of-Expense Informational Listing	$	76,380,851	$	76,479,106
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	3,388,645	$	3,561,925
Group Insurance		4,409,873		4,709,744

Social Security	4,022,316	4,163,097
Subtotal, Employee Benefits	$ 11,820,834	$ 12,434,766
Debt Service		
Lease Payments	$ 1,983	$ 931
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 11,822,817	$ 12,435,697

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Southern University. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Southern University. In order to achieve the objectives and service standards established by this Act, the Texas Southern University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	21%	26%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	7%	7%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	68%	70%
Certification Rate of Teacher Education Graduates	80%	80%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	65%	65%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	53%	55%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	21%	25%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	36%	36%
State Licensure Pass Rate of Law Graduates	80%	80%
State Licensure Pass Rate of Pharmacy Graduates	99%	99%
Dollar Value of External or Sponsored Research Funds (in Millions)	5	5
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	11%	11%

3. **Thurgood Marshall School of Law.** In addition to general revenue funds identified above for the operation and maintenance of the Thurgood Marshall School of Law, all tuition and fee revenues generated through enrollment in the School of Law, including Texas Public Education Grants and Emergency Loans under Education Code, Chapter 56 (Student Financial Aid Assistance), shall be allocated for use by the School of Law and may only be expended for purposes related to the operation and maintenance of the School of Law and its students.

4. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $30,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

5. **Academic Development Inititiative.** Funds appropriated above in Strategy D.1.1, Academic Development Initiative, in the amount of $12,500,000 in fiscal year 2010 and $12,500,000 in fiscal year 2011, are to be used for (1) proven academic success programs; (2) existing graduate programs; (3) undergraduate education; and (4) initiatives to target enrollment growth. Not later than November 1 of each fiscal year, the University shall submit to the Texas Southern University Board of Regents, the Texas Higher Education Coordinating Board, the Legislative Budget Board, and the Governor a report describing the use of the funds appropriated by Subsection (a) of this

section that states the goals to be achieved through use of the funds and established timelines and milestones for showing progress in meeting the goals. The report shall include proposed actions to be taken in the event a milestone is not met. Any unexpended balances as of August 31, 2010, (estimated to be $0) appropriated by the Legislature for the Academic Development Initiative, are hereby appropriated to Texas Southern University for the fiscal year beginning September 1, 2010.

6. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.7, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Texas Southern University.

TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 2,000,000	$ 2,000,000
Total, Method of Financing	$ 2,000,000	$ 2,000,000
Items of Appropriation:		
1. Educational and General State Support	$ 2,000,000	$ 2,000,000
Grand Total, TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION	$ 2,000,000	$ 2,000,000
This bill pattern represents an estimated 11.3% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)-Appropriated Funds	100.0	100.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS Provide Instructional and Operations Support.		
A.1.1. Strategy: SYSTEM OFFICE OPERATIONS Provide Special Item Support.	$ 2,000,000	$ 2,000,000
Grand Total, TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION	$ 2,000,000	$ 2,000,000
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 2,000,000	$ 2,000,000
Total, Object-of-Expense Informational Listing	$ 2,000,000	$ 2,000,000
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 126,049	$ 129,830
Group Insurance	656,132	700,749
Social Security	368,755	381,662
Subtotal, Employee Benefits	$ 1,150,936	$ 1,212,241
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 1,150,936	$ 1,212,241

2. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $125,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

TEXAS TECH UNIVERSITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 140,881,792	$ 141,120,198
General Revenue Fund - Dedicated		
Texas Tech University Special Mineral Account No. 269, estimated	70,176	70,176
Estimated Board Authorized Tuition Increases Account No. 704	7,037,000	7,037,000
Estimated Other Educational and General Income Account No. 770	40,164,329	40,252,964
Subtotal, General Revenue Fund - Dedicated	$ 47,271,505	$ 47,360,140
Total, Method of Financing	$ 188,153,297	$ 188,480,338
Items of Appropriation:		
1. Educational and General State Support	$ 188,153,297	$ 188,480,338
Grand Total, TEXAS TECH UNIVERSITY	$ 188,153,297	$ 188,480,338
This bill pattern represents an estimated 36.1% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)-Appropriated Funds	2,740.4	2,740.4

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 115,454,747	$ 115,454,747
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 3,483,360	$ 3,483,360
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 4,542,448	$ 4,851,334
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 636,441	$ 636,441
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 5,485,672	$ 5,496,200
A.1.6. Strategy: ORGANIZED ACTIVITIES	$ 482,200	$ 482,200
A.1.7. Strategy: FORMULA HOLD HARMLESS	$ 271,858	$ 271,858
Total, Goal A: INSTRUCTION/OPERATIONS	$ 130,356,726	$ 130,676,140
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $4,894,371 and a Federal Funds increase of $4,894,371 plus a Federal Funds Section 25 appropriation of $4,000,000 in FY 2010, resulting in net General Revenue appropriations of $135,987,421 and a net All Funds appropriation of $192,153,297 in FY 2010.

B.1.1. Strategy: E&G SPACE SUPPORT Educational and General Space Support.	$ 20,539,030	$ 20,539,030
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 10,378,067	$ 10,385,694
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 30,917,097	$ 30,924,724
C. Goal: SPECIAL ITEM SUPPORT Provide Special Item Support.		
C.1.1. Strategy: LIBRARY ARCHIVAL SUPPORT	$ 749,132	$ 749,132
C.2.1. Strategy: AGRICULTURAL RESEARCH Research to Enhance Ag Production & Add Value to Ag Products in Texas.	$ 2,283,884	$ 2,283,884
C.2.2. Strategy: ENERGY RESEARCH Research in Energy Production and Environmental Protection in Texas.	$ 967,789	$ 967,789
C.2.3. Strategy: EMERGING TECHNOLOGIES RESEARCH Research in Emerging Technologies and Economic Development in Texas.	$ 333,305	$ 333,305
C.2.4. Strategy: COMPETITIVE KNOWLEDGE FUND	$ 2,965,865	$ 2,965,865
C.3.1. Strategy: JUNCTION ANNEX OPERATION	$ 362,592	$ 362,592
C.3.2. Strategy: HILL COUNTRY EDUCATIONAL NETWORK	$ 637,500	$ 637,500
C.3.3. Strategy: SMALL BUSINESS DEVELOPMENT Small Business Development Center.	$ 1,227,706	$ 1,227,706
C.3.4. Strategy: MUSEUMS & CENTERS Museums and Historical, Cultural, and Educational Centers.	$ 2,137,634	$ 2,137,634
C.3.5. Strategy: CENTER FOR FINANCIAL RESPONSIBILITY	$ 240,001	$ 240,001
C.4.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 10,105,770	$ 10,105,770
Total, Goal C: SPECIAL ITEM SUPPORT	$ 22,011,178	$ 22,011,178
D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 4,868,296	$ 4,868,296
Grand Total, TEXAS TECH UNIVERSITY	$ 188,153,297	$ 188,480,338
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 48,540,287	$ 50,854,216
Other Personnel Costs	822,791	881,288
Faculty Salaries (Higher Education Only)	92,153,518	92,284,342
Professional Fees and Services	523,587	332,129
Fuels and Lubricants	73,267	50,933
Consumable Supplies	3,530,063	2,711,086
Utilities	360,655	325,856
Travel	529,721	548,324
Rent - Building	1,150,389	1,073,887
Rent - Machine and Other	64,184	54,858
Debt Service	10,378,067	10,385,694
Other Operating Expense	19,181,962	17,965,595
Grants	10,667,352	10,834,978
Capital Expenditures	177,454	177,152
Total, Object-of-Expense Informational Listing	$ 188,153,297	$ 188,480,338
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 9,801,345	$ 10,290,616
Group Insurance	15,188,237	16,221,037
Social Security	10,000,096	10,350,100
Subtotal, Employee Benefits	$ 34,989,678	$ 36,861,753
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 34,989,678	$ 36,861,753

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Tech University. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Tech University. In order to achieve the objectives and service standards established by this Act, the Texas Tech University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	57.5%	57.5%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	37%	37%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	84%	84%
Certification Rate of Teacher Education Graduates	88.7%	88.7%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	25%	25%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	58%	58%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	20%	20%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	33%	33%
State Licensure Pass Rate of Law Graduates	91.3%	91.3%
State Licensure Pass Rate of Engineering Graduates	90%	90%
Dollar Value of External or Sponsored Research Funds (in Millions)	32.4	32.4
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	6.1%	6.1%

3. **Texas Tech University Museum.** Out of funds appropriated above in Strategy C.3.4. for the Museums and Historical, Cultural and Educational Centers, $533,565 in fiscal year 2010 and $433,565 in fiscal year 2011 shall be allocated to the Ranching Heritage Center, and $266,859 in each fiscal year shall be allocated to the Lubbock Lake Landmark and at least $50,000 per year will be allocated to the Vietnam Center and Archive.

4. **Appropriation of Special Mineral Fund.** The balance of funds on hand for the year ending August 31, 2009, (estimated to be $0) in the Texas Tech University Special Mineral Fund No. 269 and any income during the biennium beginning September 1, 2009, deposited to that fund are appropriated in the funds above to Texas Tech University for the general operations of the University. Mineral Funds are estimated to be $70,176 in fiscal year 2010 and $70,176 in fiscal year 2011.

5. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.7, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Texas Tech University.

ANGELO STATE UNIVERSITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 25,838,163	$ 25,925,023

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $701,274 and a Federal Funds increase of $701,274 plus a Federal Funds Section 25 appropriation of $2,000,000 in FY 2010, resulting in net General Revenue appropriations of $25,136,889 and a net All Funds appropriation of $35,920,006 in FY 2010.

General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	231,000	231,000
Estimated Other Educational and General Income Account No. 770	7,850,843	7,852,510
Subtotal, General Revenue Fund - Dedicated	$ 8,081,843	$ 8,083,510
Total, Method of Financing	$ 33,920,006	$ 34,008,533
Items of Appropriation:		
1. Educational and General State Support	$ 33,920,006	$ 34,008,533
Grand Total, ANGELO STATE UNIVERSITY	$ 33,920,006	$ 34,008,533
This bill pattern represents an estimated 41.7% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	562.7	562.7

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 15,537,791	$ 15,537,791
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 827,771	$ 827,771
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 1,147,561	$ 1,225,595
A.1.4. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 1,168,138	$ 1,168,384
A.1.5. Strategy: ORGANIZED ACTIVITIES	$ 179,646	$ 179,646
A.1.6. Strategy: FORMULA HOLD HARMLESS	$ 268,257	$ 268,257
Total, Goal A: INSTRUCTION/OPERATIONS	$ 19,129,164	$ 19,207,444
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 3,642,960	$ 3,642,960
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 4,119,317	$ 4,129,564
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 576,750	$ 576,750
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 8,339,027	$ 8,349,274
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: SCHOOL-BASED CLINICS	$ 46,550	$ 46,550
C.1.2. Strategy: CENTER FOR ACADEMIC EXCELLENCE	$ 415,626	$ 415,626
C.2.1. Strategy: SMALL BUSINESS DEVELOPMENT CENTER	$ 134,270	$ 134,270
C.2.2. Strategy: CENTER FOR FINE ARTS	$ 53,426	$ 53,426
C.2.3. Strategy: MGT/INSTRUCTION/RESEARCH CENTER	$ 245,992	$ 245,992
Management, Instruction, and Research Center.		
C.3.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 5,514,319	$ 5,514,319
Total, Goal C: SPECIAL ITEM SUPPORT	$ 6,410,183	$ 6,410,183
D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 41,632	$ 41,632
Grand Total, ANGELO STATE UNIVERSITY	$ 33,920,006	$ 34,008,533
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 10,107,472	$ 10,412,456
Other Personnel Costs	2,260,871	246,285
Faculty Salaries (Higher Education Only)	11,422,177	11,660,340
Professional Fees and Services	2,820	5,474
Fuels and Lubricants	19,747	29,880
Consumable Supplies	37,151	35,551

Utilities	531,314	284,982
Travel	14,253	20,352
Rent - Machine and Other	3,665	4,269
Debt Service	4,119,317	4,129,564
Other Operating Expense	2,930,493	4,635,508
Grants	2,443,390	2,542,680
Capital Expenditures	27,336	1,192
Total, Object-of-Expense Informational Listing	$ 33,920,006	$ 34,008,533
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,770,647	$ 1,854,150
Group Insurance	4,221,985	4,509,080
Social Security	1,909,868	1,976,713
Subtotal, Employee Benefits	$ 7,902,500	$ 8,339,943
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 7,902,500	$ 8,339,943

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Angelo State University. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Angelo State University. In order to achieve the objectives and service standards established by this Act, the Angelo State University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	39%	40%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	18%	20%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	68%	70%
Certification Rate of Teacher Education Graduates	92%	92%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	53.6%	53.6%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	69%	69%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	30%	30%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	55%	55%
State Licensure Pass Rate of Nursing Graduates	92.8%	92.8%
Dollar Value of External or Sponsored Research Funds (in Millions)	0.16	0.16
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	10.4%	10.4%

3. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.6, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Angelo State University.

TEXAS WOMAN'S UNIVERSITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 55,264,268	$ 55,373,677
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	3,781,766	3,781,766
Estimated Other Educational and General Income Account No. 770	16,211,020	16,241,358
Subtotal, General Revenue Fund - Dedicated	$ 19,992,786	$ 20,023,124
Total, Method of Financing	$ 75,257,054	$ 75,396,801
Items of Appropriation:		
1. Educational and General State Support	$ 75,257,054	$ 75,396,801
Grand Total, TEXAS WOMAN'S UNIVERSITY	$ 75,257,054	$ 75,396,801
This bill pattern represents an estimated 49.2% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	1,074.8	1,074.8

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 45,757,462	$ 45,757,462
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 798,735	$ 798,735
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 1,904,824	$ 2,034,352
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 190,000	$ 190,000
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 2,702,647	$ 2,706,871
A.1.6. Strategy: FORMULA HOLD HARMLESS	$ 5,000,000	$ 5,000,000
Total, Goal A: INSTRUCTION/OPERATIONS	$ 56,353,668	$ 56,487,420
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 6,782,804	$ 6,782,804
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 4,421,345	$ 4,427,340
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 11,204,149	$ 11,210,144
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: TX MED CNTR LIBRARY ASSESSMENT	$ 175,301	$ 175,301
Texas Medical Center Library Assessment.		
C.1.2. Strategy: ONLINE NURSING EDUCATION	$ 357,600	$ 357,600
C.2.1. Strategy: NUTRITION RESEARCH PROGRAM	$ 40,000	$ 40,000
Human Nutrition Research Development Program.		
C.2.2. Strategy: WOMEN'S HEALTH RESEARCH CENTER	$ 167,005	$ 167,005
Center for Research on Women's Health.		
C.3.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 6,788,218	$ 6,788,218
Total, Goal C: SPECIAL ITEM SUPPORT	$ 7,528,124	$ 7,528,124

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $1,874,548 and a Federal Funds increase of $1,874,548 in FY 2010 resulting in net General Revenue appropriations of $53,389,720 and a net All Funds appropriation of $75,257,054 in FY 2010.

D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 171,113	$ 171,113
Grand Total, TEXAS WOMAN'S UNIVERSITY	$ 75,257,054	$ 75,396,801
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 29,837,575	$ 29,239,494
Other Personnel Costs	445,547	465,050
Faculty Salaries (Higher Education Only)	19,335,442	20,395,628
Professional Salaries - Faculty Equivalent (Higher Education Only)	170,408	149,228
Professional Fees and Services	300,465	291,642
Fuels and Lubricants	85,325	86,038
Consumable Supplies	630,300	596,955
Utilities	2,714,171	2,343,398
Travel	476,748	481,713
Rent - Building	11,921	12,057
Rent - Machine and Other	343,689	346,803
Debt Service	4,420,554	4,426,384
Other Operating Expense	14,721,359	14,570,184
Client Services	29,181	0
Grants	461,957	467,101
Capital Expenditures	1,272,412	1,525,126
Total, Object-of-Expense Informational Listing	$ 75,257,054	$ 75,396,801
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 3,321,230	$ 3,496,006
Group Insurance	5,802,825	6,197,418
Social Security	4,226,411	4,374,336
Subtotal, Employee Benefits	$ 13,350,466	$ 14,067,760
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 13,350,466	$ 14,067,760

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Woman's University. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Woman's University. In order to achieve the objectives and service standards established by this Act, the Texas Woman's University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	43%	43%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	23.5%	23.5%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	76%	76%
Certification Rate of Teacher Education Graduates	98%	98%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	68%	68%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	72%	73%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	34%	35%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	40%	40%
State Licensure Pass Rate of Nursing Graduates	99.6%	99.6%
Dollar Value of External or Sponsored Research Funds (in Millions)	1.4	1.4

A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	7%	7%

3. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $35,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

4. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.6, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Texas Woman's University.

5. **Reporting Requirement.** Out of funds appropriated above, Texas Woman's University shall submit to the Legislative Budget Board no later than January 1, 2011 an update to its original plan to increase operational efficiency. The update should include information about the biennium beginning September 1, 2011.

TEXAS STATE UNIVERSITY SYSTEM

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,133,248	$ 1,133,248
GR Dedicated - Special Mineral Fund No. 283, estimated	7,000	5,000
Total, Method of Financing	$ 1,140,248	$ 1,138,248
Items of Appropriation:		
1. Educational and General State Support	$ 1,140,248	$ 1,138,248
Grand Total, TEXAS STATE UNIVERSITY SYSTEM	$ 1,140,248	$ 1,138,248
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)-Appropriated Funds	12.6	12.6

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: SYSTEM OFFICE OPERATIONS	$ 1,140,248	$ 1,138,248
Grand Total, TEXAS STATE UNIVERSITY SYSTEM	$ 1,140,248	$ 1,138,248
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 1,105,748	$ 1,105,748
Other Personnel Costs	20,000	20,000
Other Operating Expense	14,500	12,500
Total, Object-of-Expense Informational Listing	$ 1,140,248	$ 1,138,248

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 129,857	$ 136,665
Group Insurance	126,065	134,637
Social Security	111,478	115,380
Subtotal, Employee Benefits	$ 367,400	$ 386,682
Debt Service		
Lease Payments	$ 31,062	$ 14,667
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 398,462	$ 401,349

2. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $85,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

3. **Audit of Base Period Contact Hours.** The hours used in the contact hour base period to fund the Lamar State Colleges are subject to audit for accuracy by the State Auditor according to an audit plan developed in consultation with the Texas Higher Education Coordinating Board, the Legislative Budget Board and community, technical, and state colleges and the appropriation amounts adjusted accordingly by the Comptroller of Public Accounts at the direction of the Legislative Budget Board. The total amount appropriated to the two year institutions' contact hour formula shall be redistributed to all institutions funded by the formula based on contact hours. The calculation of revised appropriation amounts shall allow each institution an error rate of up to 2 percent of the total contact hour formula appropriations to that institution for the biennium. Adjustments shall be made to appropriated amounts in accordance with adjustments of estimated contact hours to actual certified contact hours, even if the total error rate is less than 2 percent of the total amount appropriated to the institution for the biennium.

4. **Transferability.** The Board of Regents of the Texas State University System is authorized to transfer and utilize funds appropriated to Sul Ross State University and Sul Ross State University-Rio Grande College between the campuses if necessary to accomplish the capital improvement goals of the University.

5. **Appropriation of Special Mineral Fund.** The balance of funds on hand for the year ending August 31, 2009, (estimated to be $2,000) in the Texas State University System Special Mineral Fund No. 283 and any income during the biennium beginning September 1, 2009, deposited to that fund are appropriated above to the Board of Regents of the Texas State University System to be disbursed for the purposes provided for and in accordance with the provisions of Education Code, § 95.36. Mineral Funds are estimated to be $5,000 in fiscal year 2010 and $5,000 in fiscal year 2011.

LAMAR UNIVERSITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 43,370,588	$ 43,318,247
GR Dedicated - Estimated Other Educational and General Income Account No. 770	15,913,732	15,950,947
Total, Method of Financing	$ 59,284,320	$ 59,269,194
Items of Appropriation:		
1. Educational and General State Support	$ 59,284,320	$ 59,269,194
Grand Total, LAMAR UNIVERSITY	$ 59,284,320	$ 59,269,194
This bill pattern represents an estimated 54.7% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	913.4	913.4

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 40,711,870	$ 40,711,870
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 1,209,443	$ 1,209,443
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 1,815,454	$ 1,938,905
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 335,091	$ 335,091
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 2,413,741	$ 2,420,524
Total, Goal A: INSTRUCTION/OPERATIONS	$ 46,485,599	$ 46,615,833
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 6,005,392	$ 6,005,392
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 2,593,169	$ 2,593,169
B.1.3. Strategy: SKILES ACT REVENUE BOND RETIREMENT	$ 145,360	$ 0
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 8,743,921	$ 8,598,561
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: ACADEMY IN HUMANITIES LEADERSHIP	$ 285,184	$ 285,184
Texas Academy of Leadership in the Humanities.		
C.2.1. Strategy: HAZARDOUS SUBSTANCE RESEARCH CENTER	$ 401,907	$ 401,907
Gulf Coast Hazardous Substance Research Center.		
C.2.2. Strategy: AIR QUALITY INITIATIVE	$ 581,876	$ 581,876
Air Quality Initiative: Texas Hazardous Waste Research Center.		
C.3.1. Strategy: SPINDLETOP MUSEUM EDUC'AL ACTIVITY	$ 27,321	$ 27,321
Spindletop Museum Educational Activities.		
C.3.2. Strategy: SMALL BUSINESS DEVELOPMENT CENTER	$ 119,918	$ 119,918

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $1,816,749 and a Federal Funds increase of $1,816,749 plus a Federal Funds Section 25 appropriation of $2,500,000 in FY 2010, resulting in net General Revenue appropriations of $41,553,839 and a net All Funds appropriation of $61,784,320 in FY 2010.

C.3.3. Strategy: COMMUNITY OUTREACH EXPANSION Public Service/Community Outreach Expansion.	$ 72,941	$ 72,941
C.3.4. Strategy: SPINDLETOP TEACHING CENTER Spindletop Center for Excellence in Teaching Technology.	$ 124,689	$ 124,689
C.4.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 2,003,074	$ 2,003,074
Total, Goal C: SPECIAL ITEM SUPPORT	$ 3,616,910	$ 3,616,910
D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 437,890	$ 437,890
Grand Total, LAMAR UNIVERSITY	$ 59,284,320	$ 59,269,194
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 5,043,764	$ 4,626,921
Other Personnel Costs	5,794,656	5,506,162
Faculty Salaries (Higher Education Only)	28,191,937	27,388,780
Professional Fees and Services	1,121,164	716,420
Fuels and Lubricants	182,850	115,913
Consumable Supplies	563,296	543,800
Utilities	85,907	86,243
Travel	21,262	86,814
Rent - Building	1,743	4,209
Rent - Machine and Other	80,284	172,158
Debt Service	2,593,169	2,593,169
Other Operating Expense	12,894,749	14,845,581
Grants	2,625,320	2,527,949
Capital Expenditures	84,219	55,075
Total, Object-of-Expense Informational Listing	$ 59,284,320	$ 59,269,194
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 3,043,900	$ 3,200,473
Group Insurance	5,491,680	5,865,114
Social Security	3,310,587	3,426,458
Subtotal, Employee Benefits	$ 11,846,167	$ 12,492,045
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 11,846,167	$ 12,492,045

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Lamar University. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Lamar University. In order to achieve the objectives and service standards established by this Act, the Lamar University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	38.5%	39%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	16%	16%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	70%	73%
Certification Rate of Teacher Education Graduates	95.6%	95.6%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	48%	48%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	63%	63.5%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	29.5%	30%

Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	60%	60%
State Licensure Pass Rate of Engineering Graduates	80%	80%
State Licensure Pass Rate of Nursing Graduates	100%	100%
Dollar Value of External or Sponsored Research Funds (in Millions)	3.5	3.5
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	11.1%	11.1%

3. **Contingent Appropriation.** The Legislative Budget Board, Higher Education Coordinating Board, State Auditor's Office and Lamar University shall conduct a study to determine if Lamar University has met all the requirements of House Bill 63, 79th Legislature, third called session, relating to the repayment of appropriations for recovery from hurricanes Katrina and Rita.

   Until certification by the State Auditor, the Legislative Budget Board and Comptroller of Public Accounts that Lamar University has reimbursed the State the full amount owed the State for recovery from hurricanes Katrina and Rita, as determined by the study above, $2.1 million in General Revenue appropriated in Strategy A.1.1, Operations Support, plus the additional amount determined by this study, shall not be released for use by the university.

LAMAR INSTITUTE OF TECHNOLOGY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 10,011,227	$ 10,010,328
GR Dedicated - Estimated Other Educational and General Income Account No. 770	2,850,344	2,848,932
Total, Method of Financing	$ 12,861,571	$ 12,859,260
Items of Appropriation:		
1. Educational and General State Support	$ 12,861,571	$ 12,859,260
Grand Total, LAMAR INSTITUTE OF TECHNOLOGY	$ 12,861,571	$ 12,859,260
This bill pattern represents an estimated 94.5% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)-Appropriated Funds	174.0	174.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: ACADEMIC EDUCATION	$ 3,209,217	$ 3,217,308
A.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 5,425,842	$ 5,425,842
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 244,089	$ 260,687
A.1.4. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 500,000	$ 500,000
Total, Goal A: INSTRUCTION/OPERATIONS	$ 9,379,148	$ 9,403,837

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $400,196 and a Federal Funds increase of $400,196 in FY 2010 resulting in net General Revenue appropriations of $9,611,031 and a net All Funds appropriation of $12,861,571 in FY 2010.

B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	1,345,723	$	1,345,723
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	545,066	$	545,066
B.1.3. Strategy: SKILES ACT REVENUE BOND RETIREMENT	$	27,000	$	0
B.1.4. Strategy: SMALL INSTITUTION SUPPLEMENT	$	375,000	$	375,000
Total, Goal B: INFRASTRUCTURE SUPPORT	$	2,292,789	$	2,265,789
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: WORKFORCE LITERACY	$	54,092	$	54,092
C.2.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	1,135,542	$	1,135,542
Total, Goal C: SPECIAL ITEM SUPPORT	$	1,189,634	$	1,189,634
Grand Total, LAMAR INSTITUTE OF TECHNOLOGY	$	12,861,571	$	12,859,260
Object-of-Expense Informational Listing:				
Salaries and Wages	$	2,905,183	$	2,954,252
Other Personnel Costs		244,089		260,687
Faculty Salaries (Higher Education Only)		4,306,158		4,404,258
Debt Service		572,066		545,066
Other Operating Expense		2,979,049		3,008,013
Grants		1,754,103		1,561,743
Capital Expenditures		100,923		125,241
Total, Object-of-Expense Informational Listing	$	12,861,571	$	12,859,260
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	532,332	$	559,073
Group Insurance		808,569		863,552
Social Security		621,343		643,090
Subtotal, Employee Benefits	$	1,962,244	$	2,065,715
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	1,962,244	$	2,065,715

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Lamar Institute of Technology. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Lamar Institute of Technology. In order to achieve the objectives and service standards established by this Act, the Lamar Institute of Technology shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percentage of Courses Completed	93.9%	93.9%
Percent of Contact Hours Taught by Full-time Faculty	80.8%	80.8%
Percentage of Developmental Education Students Who Pass Skills Assessment Test	34.5%	34.5%
A.1.1. Strategy: ACADEMIC EDUCATION		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	12.8%	12.8%

LAMAR STATE COLLEGE - ORANGE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 6,959,683	$ 6,953,879
GR Dedicated - Estimated Other Educational and General Income Account No. 770	2,283,800	2,293,478
Total, Method of Financing	$ 9,243,483	$ 9,247,357
Items of Appropriation:		
1. Educational and General State Support	$ 9,243,483	$ 9,247,357
Grand Total, LAMAR STATE COLLEGE - ORANGE	$ 9,243,483	$ 9,247,357
This bill pattern represents an estimated 46% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	133.0	133.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: ACADEMIC EDUCATION	$ 3,314,270	$ 3,332,383
A.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 2,109,648	$ 2,109,648
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 177,115	$ 189,159
A.1.4. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 357,370	$ 359,178
A.1.5. Strategy: FORMULA HOLD HARMLESS	$ 21,732	$ 21,732
Total, Goal A: INSTRUCTION/OPERATIONS	$ 5,980,135	$ 6,012,100
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 902,436	$ 902,436
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 440,562	$ 436,771
B.1.3. Strategy: SKILES ACT REVENUE BOND RETIREMENT	$ 24,300	$ 0
B.1.4. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 375,000	$ 375,000
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 1,742,298	$ 1,714,207
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 1,521,050	$ 1,521,050
Grand Total, LAMAR STATE COLLEGE - ORANGE	$ 9,243,483	$ 9,247,357
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 3,183,141	$ 3,438,389
Other Personnel Costs	100,799	61,154
Faculty Salaries (Higher Education Only)	1,823,737	2,157,927
Consumable Supplies	119,604	75,615
Utilities	1,001,481	794,176
Rent - Machine and Other	108,490	85,897
Other Operating Expense	2,006,594	1,743,801
Grants	756,683	733,851

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $229,063 and a Federal Funds increase of $229,063 in FY 2010 resulting in net General Revenue appropriations of $6,730,620 and a net All Funds appropriation of $9,243,483 in FY 2010.

LAMAR STATE COLLEGE - ORANGE
(Continued)

Capital Expenditures	142,954	156,547
Total, Object-of-Expense Informational Listing	$ 9,243,483	$ 9,247,357
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 397,824	$ 419,985
Group Insurance	698,138	745,612
Social Security	471,451	487,951
Subtotal, Employee Benefits	$ 1,558,413	$ 1653,548
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 1,558,413	$ 1,653,548

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Lamar State College - Orange. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Lamar State College - Orange. In order to achieve the objectives and service standards established by this Act, the Lamar State College - Orange shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of Courses Completed	89%	89%
Number of Students Who Transfer to a University	350	390
Percent of Contact Hours Taught by Full-time Faculty	79%	79%
Percentage of Developmental Education Students Who Pass Skills Assessment Test	61%	61%
A.1.1. Strategy: ACADEMIC EDUCATION		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	13%	13%

3. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.5, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Lamar State College - Orange.

LAMAR STATE COLLEGE - PORT ARTHUR

	For the Years Ending August 31, 2010	August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 9,231,490	$ 9,682,172
GR Dedicated - Estimated Other Educational and General Income Account No. 770	2,026,528	2,025,670
Total, Method of Financing	$ 11,258,018	$ 11,707,842
Items of Appropriation:		
1. Educational and General State Support	$ 11,258,018	$ 11,707,842
Grand Total, LAMAR STATE COLLEGE - PORT ARTHUR	$ 11,258,018	$ 11,707,842

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $285,470 and a Federal Funds increase of $285,470 plus a Federal Funds Section 25 appropriation of $500,000 in FY 2010, resulting in net General Revenue appropriations of $8,946,020 and a net All Funds appropriation of $11,758,018 in FY 2010.

This bill pattern represents an estimated 64% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE)- Appropriated Funds	205.0	205.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS				
Provide Instructional and Operations Support.				
A.1.1. Strategy: ACADEMIC EDUCATION	$	3,061,941	$	3,073,326
A.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	3,101,199	$	3,101,199
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	211,154	$	225,512
A.1.4. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$	300,264	$	300,398
A.1.5. Strategy: FORMULA HOLD HARMLESS	$	879,884	$	879,884
Total, Goal A: INSTRUCTION/OPERATIONS	$	7,554,442	$	7,580,319
B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	1,007,162	$	1,007,162
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	939,578	$	933,613
B.1.3. Strategy: SKILES ACT REVENUE BOND RETIREMENT	$	28,000	$	0
B.1.4. Strategy: SMALL INSTITUTION SUPPLEMENT	$	375,000	$	375,000
Total, Goal B: INFRASTRUCTURE SUPPORT	$	2,349,740	$	2,315,775
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: SMALL BUSINESS DEVELOPMENT CENTER	$	210,000	$	210,000
C.2.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	1,143,836	$	1,601,748
Total, Goal C: SPECIAL ITEM SUPPORT	$	1,353,836	$	1,811,748
Grand Total, LAMAR STATE COLLEGE - PORT ARTHUR	$	11,258,018	$	11,707,842
Object-of-Expense Informational Listing:				
Salaries and Wages	$	4,132,862	$	4,565,468
Faculty Salaries (Higher Education Only)		3,464,034		4,062,185
Utilities		660,929		666,635
Debt Service		967,578		933,613
Other Operating Expense		361,221		327,716
Client Services		300,264		300,398
Grants		1,371,130		851,827
Total, Object-of-Expense Informational Listing	$	11,258,018	$	11,707,842
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	636,724	$	671,743
Group Insurance		1,119,249		1,195,358
Social Security		748,116		774,300
Subtotal, Employee Benefits	$	2,504,089	$	2,641,401
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	2,504,089	$	2,641,401

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Lamar State College - Port Arthur. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Lamar State College - Port Arthur. In order to achieve the objectives and

service standards established by this Act, the Lamar State College - Port Arthur shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of Courses Completed	92.5%	92.5%
Number of Students Who Transfer to a University	400	400
Percent of Contact Hours Taught by Full-time Faculty	82.5%	82.5%
Percentage of Developmental Education Students Who Pass Skills Assessment Test	46.5%	46.5%
A.1.1. Strategy: ACADEMIC EDUCATION		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	13%	13%

3. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.5, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Lamar State College - Port Arthur.

SAM HOUSTON STATE UNIVERSITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 46,336,872	$ 46,461,324
General Revenue Fund - Dedicated		
Law Enforcement Management Institute Account No. 581, estimated	5,405,000	4,615,000
Estimated Board Authorized Tuition Increases Account No. 704	1,890,300	1,890,300
Estimated Other Educational and General Income Account No. 770	24,526,268	24,556,843
Correctional Management Institute of Texas Account No. 5083, estimated	4,324,000	2,540,000
Subtotal, General Revenue Fund - Dedicated	$ 36,145,568	$ 33,602,143
Total, Method of Financing	$ 82,482,440	$ 80,063,467
Items of Appropriation:		
1. Educational and General State Support	$ 82,482,440	$ 80,063,467
Grand Total, SAM HOUSTON STATE UNIVERSITY	$ 82,482,440	$ 80,063,467
This bill pattern represents an estimated 43.5% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)-Appropriated Funds	1,154.0	1,154.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $2,122,710 and a Federal Funds increase of $2,122,710 plus a Federal Funds Section 25 appropriation of $4,000,000 in FY 2010, resulting in net General Revenue appropriations of $44,214,162 and a net All Funds appropriation of $86,482,440 in FY 2010.

SAM HOUSTON STATE UNIVERSITY
(Continued)

A. Goal: INSTRUCTION/OPERATIONS				
Provide Instructional and Operations Support.				
A.1.1. Strategy: OPERATIONS SUPPORT	$	48,230,715	$	48,230,280
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$	2,352,407	$	2,352,387
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	1,881,077	$	2,008,991
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$	268,488	$	268,488
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$	3,311,445	$	3,315,485
A.1.6. Strategy: ORGANIZED ACTIVITIES	$	86,885	$	86,885
Total, Goal A: INSTRUCTION/OPERATIONS	$	56,131,017	$	56,262,516
B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	9,151,334	$	9,151,252
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	2,850,145	$	2,852,774
Total, Goal B: INFRASTRUCTURE SUPPORT	$	12,001,479	$	12,004,026
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: ACADEMIC ENRICHMENT CENTER	$	124,687	$	125,070
Academic Enrichment Center/Advisement Center.				
C.2.1. Strategy: SAM HOUSTON MUSEUM	$	366,116	$	366,116
C.2.2. Strategy: BUSINESS & ECONOMIC DEVELOPMENT CTR	$	217,238	$	217,238
Center for Business and Economic Development.				
C.2.3. Strategy: LAW ENFORCEMENT MGT INSTITUTE	$	5,405,000	$	4,615,000
Bill Blackwood Law Enforcement Management Institute of Texas. Est.				
C.2.4. Strategy: CORRECTIONAL MANAGEMENT INSTITUTE	$	4,324,000	$	2,540,000
Criminal Justice Correctional Management Institute of Texas.				
C.2.5. Strategy: CRIME VICTIMS' INSTITUTE	$	299,218	$	319,816
C.2.6. Strategy: FORENSIC SCIENCE COMMISSION	$	250,000	$	250,000
C.3.1. Strategy: ENVIRONMENTAL STUDIES INSTITUTE	$	145,666	$	145,666
Institute of Environmental Studies.				
C.3.2. Strategy: INSTITUTIONAL ENHANCEMENT	$	2,836,945	$	2,836,945
Total, Goal C: SPECIAL ITEM SUPPORT	$	13,968,870	$	11,415,851
D. Goal: RESEARCH DEVELOPMENT FUND				
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$	381,074	$	381,074
Grand Total, SAM HOUSTON STATE UNIVERSITY	$	82,482,440	$	80,063,467
Object-of-Expense Informational Listing:				
Salaries and Wages	$	20,930,573	$	21,659,073
Other Personnel Costs		3,547,981		3,604,313
Faculty Salaries (Higher Education Only)		24,629,974		25,959,157
Professional Fees and Services		1,706,991		1,166,328
Fuels and Lubricants		41,309		29,693
Consumable Supplies		306,466		521,707
Utilities		994,552		660,418
Travel		177,594		215,304
Rent - Building		72,336		247,695
Rent - Machine and Other		46,848		86,444
Other Operating Expense		28,674,156		25,086,190
Grants		918,410		505,144
Capital Expenditures		435,250		322,001
Total, Object-of-Expense Informational Listing	$	82,482,440	$	80,063,467
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	4,110,387	$	4,311,489
Group Insurance		6,553,662		6,999,311

Social Security	4,522,558	4,680,848
Subtotal, Employee Benefits	$ 15,186,607	$ 15,991,648
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 15,186,607	$ 15,991,648

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Sam Houston State University. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Sam Houston State University. In order to achieve the objectives and service standards established by this Act, the Sam Houston State University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	51%	53%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	39.5%	39.5%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	75%	79%
Certification Rate of Teacher Education Graduates	97%	97%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	50.7%	50.7%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	76.92%	78.66%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	41.1%	42.44%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	56%	56%
Dollar Value of External or Sponsored Research Funds (in Millions)	3.2	3.2
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	7%	7%

3. **Unexpended Balances, CJ-CMIT.** Any unexpended balances from appropriations for the fiscal year ending August 31, 2009 in the Criminal Justice Correctional Management Institute of Texas Fund (GR Dedicated Fund 5083), estimated to be $1,784,000 and included above in the Method of Financing are appropriated for the same purpose for the fiscal year beginning September 1, 2009. Any balances in Fund 5083 remaining as of August 31, 2010 are appropriated for the same purpose for the fiscal year beginning September 1, 2010. Fund 5083 revenues are estimated to be $2,540,000 in fiscal year 2010 and $2,540,000 in fiscal year 2011.

4. **Unexpended Balances, LEMIT.** Any unexpended balances from appropriations for the fiscal year ending August 31, 2009 in the Law Enforcement Management Institute of Texas Fund (GR Dedicated Fund 581), estimated to be $790,000 and included above in the Method of Financing, are appropriated for the same purpose for the fiscal year beginning September 1, 2009. Any balances in Fund 581 remaining as of August 31, 2010 are appropriated for the same purpose for the fiscal year beginning September 1, 2010. Fund 581 revenues are estimated to be $4,615,000 in fiscal year 2010 and $4,615,000 in fiscal year 2011.

5. **Appropriation for the Texas Forensic Science Commission.** Out of the funds appropriated above in Strategy C.2.6, Texas Forensic Commission, $250,000 per year in General Revenue shall be used for the Texas Forensic Science Commission.

TEXAS STATE UNIVERSITY - SAN MARCOS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 91,468,157	$ 91,713,986
General Revenue Fund - Dedicated		
Estimated Board Authorized Tuition Increases Account No. 704	3,113,299	3,113,299
Estimated Other Educational and General Income Account No. 770	37,362,425	37,390,344
Subtotal, General Revenue Fund - Dedicated	$ 40,475,724	$ 40,503,643
Total, Method of Financing	$ 131,943,881	$ 132,217,629
Items of Appropriation:		
1. Educational and General State Support	$ 131,943,881	$ 132,217,629
Grand Total, TEXAS STATE UNIVERSITY - SAN MARCOS	$ 131,943,881	$ 132,217,629
This bill pattern represents an estimated 33.1% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	1,953.0	1,953.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 83,758,776	$ 83,758,776
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 3,166,397	$ 3,166,397
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 3,973,005	$ 4,243,169
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 674,221	$ 674,221
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 5,418,177	$ 5,421,761
A.1.6. Strategy: ORGANIZED ACTIVITIES	$ 771,827	$ 771,827
Total, Goal A: INSTRUCTION/OPERATIONS	$ 97,762,403	$ 98,036,151
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 15,589,483	$ 15,589,483
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 11,725,927	$ 11,725,927
B.1.3. Strategy: SKILES ACT REVENUE BOND RETIREMENT	$ 299,190	$ 299,190
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 27,614,600	$ 27,614,600
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: GEOGRAPHY EDUCATION	$ 43,750	$ 43,750
Improvement of Geography Education.		
C.1.2. Strategy: ROUND ROCK HIGHER EDUCATION CENTER	$ 350,000	$ 350,000
C.1.3. Strategy: SCHOOL SAFETY CENTER	$ 1,500,000	$ 1,500,000
C.2.1. Strategy: EDWARDS AQUIFER RESEARCH CENTER	$ 216,266	$ 216,266
Edwards Aquifer Research and Data Center.		

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $3,652,684 and a Federal Funds increase of $3,652,684 plus a Federal Funds Section 25 appropriation of $1,000,000 in FY 2010, resulting in net General Revenue appropriations of $87,815,473 and a net All Funds appropriation of $132,943,881 in FY 2010.

C.2.2. Strategy: TEXAS LONG-TERM CARE INST Texas Long-term Care Institute.	$ 146,832	$ 146,832
C.2.3. Strategy: SEMICONDUCTOR INITIATIVE Semiconductor Manufacturing and Research Initiative.	$ 87,500	$ 87,500
C.3.1. Strategy: SMALL BUSINESS DEVELOPMENT CENTER	$ 188,607	$ 188,607
C.4.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 2,681,221	$ 2,681,221
Total, Goal C: SPECIAL ITEM SUPPORT	$ 5,214,176	$ 5,214,176
D. Goal: RESEARCH DEVELOPMENT FUND		
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$ 1,352,702	$ 1,352,702
Grand Total, TEXAS STATE UNIVERSITY - SAN MARCOS	$ 131,943,881	$ 132,217,629
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 35,613,722	$ 35,999,366
Faculty Salaries (Higher Education Only)	69,995,432	69,481,044
Travel	174,282	169,236
Debt Service	11,725,927	11,725,927
Other Operating Expense	12,642,201	13,054,030
Grants	1,696,333	1,691,551
Capital Expenditures	95,984	96,475
Total, Object-of-Expense Informational Listing	$ 131,943,881	$ 132,217,629
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 7,357,731	$ 7,747,615
Group Insurance	9,645,991	10,301,918
Social Security	7,096,587	7,344,968
Subtotal, Employee Benefits	$ 24,100,309	$ 25,394,501
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 24,100,309	$ 25,394,501

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas State University - San Marcos. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas State University - San Marcos. In order to achieve the objectives and service standards established by this Act, the Texas State University - San Marcos shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	54.8%	54.8%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	25.7%	25.7%
Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	85%	85%
Certification Rate of Teacher Education Graduates	92%	92%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	46.1%	46.1%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	69.9%	69.6%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two years	27.7%	28.3%
Percent of Lower Division Courses Taught by Tenured Faculty	44%	44%
Dollar Value of External or Sponsored Research Funds (in Millions)	22.3	22.3

A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	9.4%	9.4%

3. **Freeman Ranch.** Out of the amounts appropriated above in informational item A.1.6, Organized Activities, $115,089 in each year of the biennium shall be used for the Freeman Ranch.

SUL ROSS STATE UNIVERSITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 15,348,957	$ 15,374,551
GR Dedicated - Estimated Other Educational and General Income Account No. 770	2,264,245	2,266,207
Total, Method of Financing	$ 17,613,202	$ 17,640,758
Items of Appropriation:		
1. Educational and General State Support	$ 17,613,202	$ 17,640,758
Grand Total, SUL ROSS STATE UNIVERSITY	$ 17,613,202	$ 17,640,758
This bill pattern represents an estimated 40.1% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	327.3	327.3

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 5,214,395	$ 5,214,395
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 208,275	$ 208,275
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 352,042	$ 375,981
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 36,796	$ 36,796
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 361,081	$ 361,401
A.1.6. Strategy: ORGANIZED ACTIVITIES	$ 100,817	$ 100,817
A.1.7. Strategy: FORMULA HOLD HARMLESS	$ 599,250	$ 599,250
Total, Goal A: INSTRUCTION/OPERATIONS	$ 6,872,656	$ 6,896,915
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 1,944,048	$ 1,944,048
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 2,750,745	$ 2,754,042
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 750,000	$ 750,000
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 5,444,793	$ 5,448,090
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: CHIHUAHUAN DESERT RESEARCH	$ 25,000	$ 25,000
C.1.2. Strategy: CENTER FOR BIG BEND STUDIES	$ 165,000	$ 165,000

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $235,001 and a Federal Funds increase of $235,001 in FY 2010 resulting in net General Revenue appropriations of $15,113,956 and a net All Funds appropriation of $17,613,202 in FY 2010.

C.2.1. Strategy: SUL ROSS MUSEUM Sul Ross State University Museum.	$	113,064	$	113,064
C.2.2. Strategy: BIG BEND SMALL BUSINESS DEVT CENTER Big Bend Region Minority and Small Business Development Center.	$	133,866	$	133,866
C.2.3. Strategy: CRIMINAL JUSTICE ACADEMY	$	74,164	$	74,164
C.2.4. Strategy: BIG BEND ARCHIVES Archives of the Big Bend.	$	90,000	$	90,000
C.2.5. Strategy: RURAL HISPANIC LEADERSHIP	$	50,000	$	50,000
C.2.6. Strategy: MUSEUM OF THE BIG BEND	$	30,000	$	30,000
C.3.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	4,324,078	$	4,324,078
Total, Goal C: SPECIAL ITEM SUPPORT	$	5,005,172	$	5,005,172
D. Goal: RESEARCH DEVELOPMENT FUND				
D.1.1. Strategy: RESEARCH DEVELOPMENT FUND	$	290,581	$	290,581
Grand Total, SUL ROSS STATE UNIVERSITY	$	17,613,202	$	17,640,758
Object-of-Expense Informational Listing:				
Salaries and Wages	$	6,226,020	$	5,645,721
Other Personnel Costs		253,921		259,451
Faculty Salaries (Higher Education Only)		5,030,343		5,171,680
Professional Salaries - Faculty Equivalent (Higher Education Only)		34,216		34,216
Professional Fees and Services		99,572		103,981
Fuels and Lubricants		7,176		18,507
Consumable Supplies		164,108		226,657
Utilities		1,304,649		1,844,871
Travel		161,497		193,262
Rent - Machine and Other		40,205		15,526
Debt Service		2,750,745		2,754,042
Other Operating Expense		998,490		841,717
Client Services		452,081		452,401
Grants		85,628		74,144
Capital Expenditures		4,551		4,582
Total, Object-of-Expense Informational Listing	$	17,613,202	$	17,640,758
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	863,984	$	908,626
Group Insurance		1,817,448		1,941,035
Social Security		1,004,981		1,040,156
Subtotal, Employee Benefits	$	3,686,413	$	3,889,817
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	3,686,413	$	3,889,817

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Sul Ross State University. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Sul Ross State University. In order to achieve the objectives and service standards established by this Act, the Sul Ross State University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years	23.2%	23.2%
Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years	10.9%	11%

Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year	60%	60%
Certification Rate of Teacher Education Graduates	91.7%	91.7%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	65%	65%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	65%	65%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	20%	20%
Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty	55.2%	55.2%
Dollar Value of External or Sponsored Research Funds (in Millions)	2.6	2.7
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	14%	14%

3. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.7, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used Sul Ross University.

SUL ROSS STATE UNIVERSITY RIO GRANDE COLLEGE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 5,739,800	$ 5,742,343
GR Dedicated - Estimated Other Educational and General Income Account No. 770	981,351	981,432
Total, Method of Financing	$ 6,721,151	$ 6,723,775
Items of Appropriation:		
1. Educational and General State Support	$ 6,721,151	$ 6,723,775
Grand Total, SUL ROSS STATE UNIVERSITY RIO GRANDE COLLEGE	$ 6,721,151	$ 6,723,775
This bill pattern represents an estimated 67.8% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	73.4	73.4

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: OPERATIONS SUPPORT	$ 2,337,421	$ 2,337,421
A.1.2. Strategy: TEACHING EXPERIENCE SUPPLEMENT	$ 143,472	$ 143,472
A.1.3. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 38,413	$ 41,025
A.1.4. Strategy: WORKERS' COMPENSATION INSURANCE	$ 20,328	$ 20,328
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 146,795	$ 146,807
A.1.6. Strategy: FORMULA HOLD HARMLESS	$ 207,897	$ 207,897
Total, Goal A: INSTRUCTION/OPERATIONS	$ 2,894,326	$ 2,896,950

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $107,514 and a Federal Funds increase of $107,514 in FY 2010 resulting in net General Revenue appropriations of $5,632,286 and a net All Funds appropriation of $6,721,151 in FY 2010.

B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: LEASE OF FACILITIES	$ 228,016	$ 228,016
B.1.2. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 750,000	$ 750,000
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 978,016	$ 978,016
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: SMALL BUSINESS DEVELOPMENT CENTER	$ 167,838	$ 167,838
C.1.2. Strategy: DOLPH BRISCOE INSTITUTE	$ 41,500	$ 41,500
Dolph Briscoe Institute for Local Government.		
C.2.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 2,639,471	$ 2,639,471
Total, Goal C: SPECIAL ITEM SUPPORT	$ 2,848,809	$ 2,848,809
Grand Total, SUL ROSS STATE UNIVERSITY RIO GRANDE COLLEGE	$ 6,721,151	$ 6,723,775
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 1,239,868	$ 1,622,094
Other Personnel Costs	9,409	11,270
Faculty Salaries (Higher Education Only)	1,416,242	1,370,523
Professional Salaries - Faculty Equivalent (Higher Education Only)	1,615,809	1,431,709
Professional Fees and Services	16,873	4,634
Consumable Supplies	74,646	69,247
Utilities	30,172	8,286
Travel	145,280	107,061
Rent - Building	677,205	526,807
Other Operating Expense	1,255,405	1,331,948
Client Services	169,995	170,007
Grants	56,704	56,618
Capital Expenditures	13,543	13,571
Total, Object-of-Expense Informational Listing	$ 6,721,151	$ 6,723,775
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 216,657	$ 227,851
Group Insurance	335,585	358,405
Social Security	252,014	260,834
Subtotal, Employee Benefits	$ 804,256	$ 847,090
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 804,256	$ 847,090

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Sul Ross State University Rio Grande College. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Sul Ross State University Rio Grande College. In order to achieve the objectives and service standards established by this Act, the Sul Ross State University Rio Grande College shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Certification Rate of Teacher Education Graduates	80%	80%
Percent of Baccalaureate Graduates Who Are First Generation College Graduates	86.4%	86.4%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years	79%	79%
Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years	39.7%	39.7%

Persistence Rate of First-time, Full-time, Degree-seeking Transfer Students after One Academic Year (Upper-level Institutions Only)	81.5%	81.5%
A.1.1. Strategy: OPERATIONS SUPPORT		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	9%	9%

3. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.6, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Sul Ross State University - Rio Grande College.

THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 152,214,669	$ 152,125,964
GR Dedicated - Estimated Other Educational and General Income Account No. 770	10,429,239	10,972,084
Other Funds		
Permanent Health Fund for Higher Education No. 810, estimated	2,079,000	2,079,000
Permanent Endowment Fund, UT Southwestern Medical Center at Dallas No. 813, estimated	2,250,000	2,250,000
Subtotal, Other Funds	$ 4,329,000	$ 4,329,000
Total, Method of Financing	$ 166,972,908	$ 167,427,048
Items of Appropriation:		
1. Educational and General State Support	$ 166,972,908	$ 167,427,048
Grand Total, THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS	$ 166,972,908	$ 167,427,048
This bill pattern represents an estimated 10.4% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	2,025.2	2,025.2

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: MEDICAL EDUCATION	$ 48,821,314	$ 48,821,314
A.1.2. Strategy: BIOMEDICAL SCIENCES TRAINING	$ 10,792,023	$ 10,792,023
Graduate Training in Biomedical Sciences.		
A.1.3. Strategy: ALLIED HEALTH PROFESSIONS TRAINING	$ 4,679,459	$ 4,679,459
A.1.4. Strategy: GRADUATE MEDICAL EDUCATION	$ 8,496,205	$ 8,496,205
A.2.1. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 607,674	$ 648,996
A.2.2. Strategy: WORKERS' COMPENSATION INSURANCE	$ 185,596	$ 190,017
A.2.3. Strategy: UNEMPLOYMENT INSURANCE	$ 43,600	$ 32,592

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $8,614,303 and a Federal Funds increase of $8,614,303 plus a Federal Funds Section 25 appropriation of $8,000,000 in FY 2010, resulting in net General Revenue appropriations of $143,600,366 and a net All Funds appropriation of $174,972,908 in FY 2010.

A.3.1. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 1,156,729	$ 1,167,123
A.3.2. Strategy: MEDICAL LOANS	$ 121,689	$ 122,736
Total, Goal A: INSTRUCTION/OPERATIONS	$ 74,904,289	$ 74,950,465
B. Goal: PROVIDE RESEARCH SUPPORT		
B.1.1. Strategy: RESEARCH ENHANCEMENT	$ 6,912,057	$ 6,912,057
C. Goal: PROVIDE INFRASTRUCTURE SUPPORT		
C.1.1. Strategy: E&G SPACE SUPPORT	$ 26,943,271	$ 26,943,271
C.2.1. Strategy: TUITION REVENUE BOND RETIREMENT	$ 12,457,181	$ 12,423,526
C.2.2. Strategy: LONG-TERM INSTR REL EQUIPMENT Long-term Instructional Related Equipment.	$ 2,748,207	$ 3,190,839
Total, Goal C: PROVIDE INFRASTRUCTURE SUPPORT	$ 42,148,659	$ 42,557,636
D. Goal: PROVIDE SPECIAL ITEM SUPPORT		
D.1.1. Strategy: PRIMARY CARE RESIDENCY TRAINING Primary Care Residency Training Program.	$ 1,557,500	$ 1,557,500
D.2.1. Strategy: INSTITUTE FOR NOBEL/NA BIO RESEARCH Institute for Nobel/National-Academy Biomedical Research.	$ 8,246,403	$ 8,245,390
D.2.2. Strategy: INNOVATIONS IN MED TECHNOLOGY Institute for Innovations in Medical Technology.	$ 9,000,000	$ 9,000,000
D.2.3. Strategy: METROPLEX COMP MED IMAGING CENTER Metroplex Comprehensive Medical Imaging Center.	$ 7,500,000	$ 7,500,000
D.2.4. Strategy: CNTR OBESITY, DIABETES & METAB RSCH Center for Obesity, Diabetes and Metabolism Research.	$ 9,000,000	$ 9,000,000
D.3.1. Strategy: REGIONAL BURN CARE CENTER	$ 125,000	$ 125,000
D.3.2. Strategy: CENTER FOR TREATMENT OF SICKLE CELL Center for Treatment and Research on Sickle Cell Disease.	$ 1,500,000	$ 1,500,000
D.4.1. Strategy: SCIENCE TEACHER ACCESS TO RESOURCES Program for Science Teacher Access to Resources (STARS).	$ 750,000	$ 750,000
D.5.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 1,000,000	$ 1,000,000
Total, Goal D: PROVIDE SPECIAL ITEM SUPPORT	$ 38,678,903	$ 38,677,890
E. Goal: TOBACCO FUNDS		
E.1.1. Strategy: TOBACCO EARNINGS - UT SWMC DALLAS Tobacco Earnings for UT Southwestern Medical Center at Dallas.	$ 2,250,000	$ 2,250,000
E.1.2. Strategy: TOBACCO - PERMANENT HEALTH FUND Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810.	$ 2,079,000	$ 2,079,000
Total, Goal E: TOBACCO FUNDS	$ 4,329,000	$ 4,329,000
Grand Total, THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS	$ 166,972,908	$ 167,427,048
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 74,454,931	$ 77,061,705
Other Personnel Costs	1,826,924	1,872,763
Faculty Salaries (Higher Education Only)	73,356,210	72,487,636
Professional Fees and Services	7,813	7,812
Consumable Supplies	33,979	33,979
Utilities	18,138	18,139
Rent - Building	26,242	26,242
Rent - Machine and Other	9,595	9,595
Debt Service	12,457,181	12,423,526
Other Operating Expense	4,591,360	3,295,112

Capital Expenditures	190,535	190,539
Total, Object-of-Expense Informational Listing	$ 166,972,908	$ 167,427,048
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 9,519,570	$ 10,056,933
Group Insurance	12,586,197	13,442,058
Social Security	9,029,189	9,345,211
Subtotal, Employee Benefits	$ 31,134,956	$ 32,844,202
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 31,134,956	$ 32,844,202

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas Southwestern Medical Center at Dallas. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of The University of Texas Southwestern Medical Center at Dallas. In order to achieve the objectives and service standards established by this Act, The University of Texas Southwestern Medical Center at Dallas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of Medical School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt	97%	97%
Percent of Medical School Graduates Practicing Primary Care in Texas	27%	27%
Percent of Medical Residency Completers Practicing in Texas	58%	58%
Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt	93%	93%
Percent of Allied Health Graduates Who Are Licensed or Certified in Texas	88%	88%
Administrative (Institutional Support) Cost as a Percent of Total Expenditures	4.5%	4.5%
Percent of Medical School Graduates Practicing in Texas	52%	52%
A.1.1. Strategy: MEDICAL EDUCATION		
Output (Volume):		
Number of Combined MD/PhD Graduates	10	10
Explanatory:		
Minority Admissions as a Percent of Total First-year Admissions (All Schools)	15%	15%
Minority MD Admissions as a Percent of Total MD Admissions	24%	24%
Total Number of MD or DO Residents	1,250	1,250
Minority MD or DO Residents as a Percent of Total MD or DO Residents	15%	16%
Percent of Medical School Graduates Entering a Primary Care Residency	47%	47%
B. Goal: PROVIDE RESEARCH SUPPORT		
Outcome (Results/Impact):		
Total External Research Expenditures	331,387,338	344,642,831
D. Goal: PROVIDE SPECIAL ITEM SUPPORT		
D.4.1. Strategy: SCIENCE TEACHER ACCESS TO RESOURCES		
Output (Volume):		
Number of High School and Middle School Teachers Completing a STARS Program	450	450

3. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for The University of Texas Southwestern Medical Center at Dallas No. 813 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

b. All balances of estimated appropriations from the Permanent Endowment Fund for The University of Texas Southwestern Medical Center at Dallas No. 813 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2009, and the income to said fund during the fiscal years beginning September 1, 2009, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated to the institution for the same purposes for fiscal year 2011.

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 331,854,314	$ 234,678,383
General Revenue Fund - Dedicated		
Estimated Other Educational and General Income Account No. 770	12,410,449	12,770,643
Commission on State Emergency Communications Account No. 5007	75,000	75,000
Subtotal, General Revenue Fund - Dedicated	$ 12,485,449	$ 12,845,643
Other Funds		
Health-Related Institutions Patient Income, estimated	216,618,127	228,798,852
Interagency Contracts	10,000,000	10,000,000
Permanent Health Fund for Higher Education No. 810, estimated	1,912,365	1,912,365
Permanent Endowment Fund, UT Medical Branch at Galveston No. 814, estimated	1,125,000	1,125,000
Subtotal, Other Funds	$ 229,655,492	$ 241,836,217
Total, Method of Financing	$ 573,995,255	$ 489,360,243
Items of Appropriation:		
1. Educational and General State Support	$ 573,995,255	$ 489,360,243
Grand Total, THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON	$ 573,995,255	$ 489,360,243
This bill pattern represents an estimated 33.1% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	5,818.7	5,818.7

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS Provide Instructional and Operations Support.		
A.1.1. Strategy: MEDICAL EDUCATION	$ 60,709,822	$ 61,377,086

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $6,745,161 and a Federal Funds increase of $6,745,161 in FY 2010, resulting in net General Revenue appropriations of $325,109,153 and a net All Funds appropriation of $573,995,255 in FY 2010.

A.1.2. Strategy: BIOMEDICAL SCIENCES TRAINING	$	4,088,716	$	4,133,656
Graduate Training in Biomedical Sciences.				
A.1.3. Strategy: ALLIED HEALTH PROFESSIONS TRAINING	$	9,653,238	$	9,759,337
A.1.4. Strategy: NURSING EDUCATION	$	8,359,702	$	8,451,584
A.1.5. Strategy: GRADUATE MEDICAL EDUCATION	$	4,510,906	$	4,510,906
A.2.1. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	23,233,992	$	24,813,904
A.2.2. Strategy: WORKERS' COMPENSATION INSURANCE	$	1,226,415	$	1,226,415
A.2.3. Strategy: UNEMPLOYMENT INSURANCE	$	418,776	$	418,776
A.3.1. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$	1,110,000	$	1,110,000
A.3.2. Strategy: MEDICAL LOANS	$	213,519	$	213,519
Total, Goal A: INSTRUCTION/OPERATIONS	$	113,525,086	$	116,015,183
B. Goal: PROVIDE RESEARCH SUPPORT				
B.1.1. Strategy: RESEARCH ENHANCEMENT	$	3,686,727	$	3,686,727
C. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
C.1.1. Strategy: E&G SPACE SUPPORT	$	21,439,984	$	21,675,632
C.2.1. Strategy: TUITION REVENUE BOND RETIREMENT	$	6,185,129	$	6,185,209
C.2.2. Strategy: CAPITAL PROJECTS	$	54,749,000	$	51,297,000
Total, Goal C: INFRASTRUCTURE SUPPORT	$	82,374,113	$	79,157,841
D. Goal: PROVIDE HEALTH CARE SUPPORT				
D.1.1. Strategy: MEDICAL BRANCH HOSPITALS	$	354,519,689	$	270,590,920
E. Goal: PROVIDE SPECIAL ITEM SUPPORT				
E.1.1. Strategy: CHRONIC HOME DIALYSIS CENTER	$	3,478,033	$	3,493,914
E.1.2. Strategy: PRIMARY CARE PHYSICIAN SERVICES	$	6,373,307	$	6,373,307
E.1.3. Strategy: EAST TEXAS HEALTH EDUCATION CENTERS	$	2,005,846	$	2,005,846
East Texas Area Health Education Centers.				
E.1.4. Strategy: SUPPORT FOR INDIGENT CARE	$	3,508,761	$	3,508,761
E.2.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	1,486,328	$	1,490,379
Total, Goal E: PROVIDE SPECIAL ITEM SUPPORT	$	16,852,275	$	16,872,207
F. Goal: TOBACCO FUNDS				
F.1.1. Strategy: TOBACCO EARNINGS - UTMB-GALVESTON	$	1,125,000	$	1,125,000
Tobacco Earnings for the UT Medical Branch at Galveston.				
F.1.2. Strategy: TOBACCO - PERMANENT HEALTH FUND	$	1,912,365	$	1,912,365
Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810.				
Total, Goal F: TOBACCO FUNDS	$	3,037,365	$	3,037,365
Grand Total, THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON	$	573,995,255	$	489,360,243
Object-of-Expense Informational Listing:				
Salaries and Wages	$	181,272,268	$	145,380,402
Other Personnel Costs		96,760,928		85,683,022
Faculty Salaries (Higher Education Only)		34,798,084		35,193,217
Professional Fees and Services		22,522,036		17,316,321
Fuels and Lubricants		143,659		107,482
Consumable Supplies		35,877,701		27,789,474
Utilities		14,948,099		13,559,382
Travel		25,622		33,943
Rent - Building		2,485,155		2,077,494
Rent - Machine and Other		2,822,763		2,189,444
Debt Service		17,596,932		29,798,677
Other Operating Expense		117,972,409		99,976,600
Grants		3,432,402		2,571,253
Capital Expenditures		43,337,197		27,683,532
Total, Object-of-Expense Informational Listing	$	573,995,255	$	489,360,243

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 1,062,095	$ 1,078,027
Group Insurance	39,327,198	42,001,448
Social Security	24,442,423	25,297,908
Subtotal, Employee Benefits	$ 64,831,716	$ 68,377,383
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 64,831,716	$ 68,377,383

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas Medical Branch at Galveston. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of The University of Texas Medical Branch at Galveston. In order to achieve the objectives and service standards established by this Act, The University of Texas Medical Branch at Galveston shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of Medical School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt	97%	97%
Percent of Medical School Graduates Practicing Primary Care in Texas	28%	28%
Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt	90%	90%
Percent of Allied Health Graduates Who Are Licensed or Certified in Texas	90%	90%
Percent of Bachelor of Science in Nursing Graduates Passing the National Licensing Exam on the First Attempt in Texas	98%	98%
Percent of Bachelor of Science in Nursing Graduates Who Are Licensed in Texas	98%	98%
Administrative (Institutional Support) Cost as a Percent of Total Expenditures	1.71%	1.71%
Percent of Medical School Graduates Practicing in Texas	65%	65%
A.1.1. Strategy: MEDICAL EDUCATION		
Explanatory:		
Minority Admissions as a Percent of Total First-year Admissions (All Schools)	25%	25%
Minority MD Admissions as a Percent of Total MD Admissions	28%	28%
Percent of Medical School Graduates Entering a Primary Care Residency	42%	42%
A.1.4. Strategy: NURSING EDUCATION		
Explanatory:		
Percent of Master of Science in Nursing Graduates Granted Advanced Practice Status in Texas	97%	97%
B. Goal: PROVIDE RESEARCH SUPPORT		
Outcome (Results/Impact):		
Total External Research Expenditures	163,393,587	169,929,330
D. Goal: PROVIDE HEALTH CARE SUPPORT		
Outcome (Results/Impact):		
Percent of Medical Residency Completers Practicing in Texas	35.62%	35.62%
Total Gross Patient Charges for Unsponsored Charity Care Provided in State-owned Facilities	323,870,090	326,087,770
Total Gross Patient Charges (Excluding Unsponsored Charity Care) Provided in State-owned Facilities	1,128,149,441	1,226,831,747
D.1.1. Strategy: MEDICAL BRANCH HOSPITALS		
Output (Volume):		
Total Number of Outpatient Visits	713,319	726,559
Total Number of Inpatient Days	169,046	172,184
Explanatory:		
Total Number of MD or DO Residents	738	739
Minority MD or DO Residents as a Percent of Total MD or DO Residents	23.4%	23.4%

3. **Appropriation of Charges and Fees.** There is hereby appropriated to The University of Texas Medical Branch at Galveston all charges and fees collected for the general expenses of the medical branch hospitals, including maintenance, support, and salaries of employees for the fiscal years ending August 31, 2010 and 2011.

4. **Rates, Donations and Gifts.** The Board of Regents of The University of Texas System shall fix reasonable rates to be charged and collected by hospitals, and may make and enter into contracts for the hospitalization of the indigent sick and accept donations and gifts for the support and maintenance of the hospitals and may utilize up to $5 million per annum of local income to match any gift made to endowments provided, however, such match will not result in any reduction in the level of services for patients or any requirement for General Revenue replacement. Any project initiated under this authorization shall not be structured in such a manner that will require future specific appropriation of General Revenue. Provided, however, that this provision shall not be construed so as to authorize, without the prior and specific approval of the Legislature, the acceptance of real property which would require an appropriation by the Legislature for maintenance, repair, or construction of buildings.

5. **Helicopter Operation.** The University of Texas Medical Branch at Galveston is authorized to lease and operate a helicopter for the purpose of transporting critically ill or emergency patients to the medical branch hospitals. No state funds are to be used for the operation of this helicopter, except where the patient served is indigent or through an interagency contract with another state agency, or unless costs are reimbursed from insurance proceeds.

6. **Transfers of Appropriations - State Owned Hospitals.** The University of Texas Medical Branch at Galveston shall transfer from non-Medicaid state appropriated funds $101,646,462 in fiscal year 2010 and $101,646,462 in fiscal year 2011 to the Health and Human Services Commission. The timing and form of such transfers shall be determined by the Comptroller of Public Accounts in consultation with the Health and Human Services Commission. The Legislative Budget Board is authorized to adjust the amounts of such transfers as necessary to match available federal funds.

7. **Appropriation of Costs for Health Care to Inmates.** None of the funds appropriated above shall be expended to provide or support the provision of health care to inmates of the Texas Department of Criminal Justice (TDCJ). It is the intent of the Legislature that all costs for providing health care to inmates of the TDCJ including costs of operating TDCJ hospital facilities in Galveston County and Lubbock County shall be paid from appropriations made to the TDCJ and from any financial reserves from contracts with TDCJ that are held by the University for the correctional health care services. Appropriations made to the TDCJ for the provision of inmate health care services shall be expended in accordance with Government Code, Chapter 501, Subchapter E.

8. **Support of Student and Resident Training Programs.** The University of Texas Medical Branch at Galveston may spend any revenue appropriated to the institution by this Act or from other available funds for the support and development of student and resident training programs in Austin, including the payment of compensation, travel costs, costs for leased premises, and other operating expenses.

9. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for The University of Texas Medical Branch at Galveston No. 814 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

   a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   b. All balances of estimated appropriations from the Permanent Endowment Fund for The University of Texas Medical Branch at Galveston No. 814 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2009, and the income to said fund during the fiscal years beginning September 1, 2009, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated to the institution for the same purpose for fiscal year 2011.

10. **Regional Emergency Medical Dispatch Resource Center Pilot Program.** Out of funds appropriated above in Strategy E.1.3, East Texas Health Education Centers, $75,000 from the Commission on State Emergency Communications Account No. 5007 shall be allocated, in each fiscal year of the 2010-11 biennium, to support the regional emergency medical dispatch resource center pilot program to be carried out by the East Texas Area Health Education Center of The University of Texas Medical Branch at Galveston, which is also authorized to seek additional grant funding for the program.

11. **Health Care Services.** From funds appropriated above in Strategy D.1.1, Medical Branch Hospitals, The University of Texas Medical Branch at Galveston shall use at least $1,000,000 for the 2010-11 biennium to operate and provide uncompensated care at the Cervical Dysplasia and Cancer Stop Clinic in McAllen.

12. **Unexpended Balances Between Fiscal Years.** Any unexpended balances as of August 31, 2010, from $97,000,000 in General Revenue in appropriations identified in Strategy D.1.1, Medical Branch Hospitals, are hereby appropriated to The University of Texas Medical Branch at Galveston for the same purposes for fiscal year 2011.

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 155,412,196	$ 155,282,670
GR Dedicated - Estimated Other Educational and General Income Account No. 770	15,581,924	15,875,433
Other Funds		
Permanent Health Fund for Higher Education No. 810, estimated	1,712,655	1,712,655
Permanent Endowment Fund, UTHSC Houston No. 815, estimated	1,125,000	1,125,000
Health-Related Institutions Patient Income, estimated	4,907,444	4,973,811
Subtotal, Other Funds	$ 7,745,099	$ 7,811,466
Total, Method of Financing	$ 178,739,219	$ 178,969,569
Items of Appropriation:		
1. Educational and General State Support	$ 178,739,219	$ 178,969,569
Grand Total, THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON	$ 178,739,219	$ 178,969,569
This bill pattern represents an estimated 25.6% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	1,873.3	1,873.3

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: MEDICAL EDUCATION	$ 48,314,635	$ 48,316,567
A.1.2. Strategy: DENTAL EDUCATION	$ 20,191,256	$ 20,192,064

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $9,673,647 and a Federal Funds increase of $9,673,647 plus a Federal Funds Section 25 appropriation of $14,500,000 in FY 2010, resulting in net General Revenue appropriations of $145,738,549 and a net All Funds appropriation of $193,239,219 in FY 2010.

A.1.3. Strategy: BIOMEDICAL SCIENCES TRAINING	$	7,529,918	$	7,530,219
Graduate Training in Biomedical Sciences.				
A.1.4. Strategy: ALLIED HEALTH PROFESSIONS TRAINING	$	2,426,421	$	2,426,518
A.1.5. Strategy: NURSING EDUCATION	$	9,262,826	$	9,263,197
A.1.6. Strategy: GRADUATE TRAINING IN PUBLIC HEALTH	$	17,100,706	$	17,101,390
A.1.7. Strategy: GRADUATE MEDICAL EDUCATION	$	5,256,070	$	5,256,070
A.2.1. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	2,187,948	$	2,336,729
A.2.2. Strategy: WORKERS' COMPENSATION INSURANCE	$	554,608	$	554,608
A.2.3. Strategy: UNEMPLOYMENT INSURANCE	$	54,072	$	54,072
A.3.1. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$	1,537,911	$	1,573,114
A.3.2. Strategy: MEDICAL LOANS	$	169,326	$	173,202
Total, Goal A: INSTRUCTION/OPERATIONS	$	114,585,697	$	114,777,750
B. Goal: PROVIDE RESEARCH SUPPORT				
B.1.1. Strategy: RESEARCH ENHANCEMENT	$	4,335,682	$	4,335,682
C. Goal: PROVIDE INFRASTRUCTURE SUPPORT				
C.1.1. Strategy: E&G SPACE SUPPORT	$	18,822,258	$	18,823,011
C.2.1. Strategy: TUITION REVENUE BOND RETIREMENT	$	13,694,901	$	13,694,368
Total, Goal C: PROVIDE INFRASTRUCTURE SUPPORT	$	32,517,159	$	32,517,379
D. Goal: PROVIDE HEALTH CARE SUPPORT				
D.1.1. Strategy: DENTAL CLINIC OPERATIONS	$	9,000,764	$	9,038,841
E. Goal: PROVIDE SPECIAL ITEM SUPPORT				
E.1.1. Strategy: REGIONAL ACADEMIC HLTH CTR-PUBHLTH	$	750,000	$	750,000
Regional Academic Health Center - Public Health.				
E.2.1. Strategy: HEART DISEASE/STROKE RESEARCH	$	5,125,000	$	5,125,000
Heart Disease and Stroke Research.				
E.2.2. Strategy: BIOTECHNOLOGY PROGRAM	$	875,000	$	875,000
E.2.3. Strategy: WORLD'S GREATEST SCIENTIST	$	2,500,000	$	2,500,000
E.3.1. Strategy: HARRIS COUNTY HOSPITAL DISTRICT	$	3,801,583	$	3,801,583
E.3.2. Strategy: SERVICE DELIVERY VALLEY/BORDER	$	495,466	$	495,466
Service Delivery in the Valley/Border Region.				
E.4.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	1,915,213	$	1,915,213
Total, Goal E: PROVIDE SPECIAL ITEM SUPPORT	$	15,462,262	$	15,462,262
F. Goal: TOBACCO FUNDS				
F.1.1. Strategy: TOBACCO EARNINGS - UTHSC-HOUSTON	$	1,125,000	$	1,125,000
Tobacco Earnings for the UT Health Science Center at Houston.				
F.1.2. Strategy: TOBACCO - PERMANENT HEALTH FUND	$	1,712,655	$	1,712,655
Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810.				
Total, Goal F: TOBACCO FUNDS	$	2,837,655	$	2,837,655
Grand Total, THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON	$	178,739,219	$	178,969,569
Object-of-Expense Informational Listing:				
Salaries and Wages	$	73,928,963	$	75,335,396
Other Personnel Costs		1,173,145		1,721,057
Faculty Salaries (Higher Education Only)		52,824,912		52,584,129
Professional Fees and Services		181,670		158,363
Consumable Supplies		5,222,578		4,413,075
Utilities		12,751,266		11,601,194
Travel		439,661		384,694
Rent - Building		1,757,545		1,339,115
Rent - Machine and Other		473,491		250,523
Debt Service		13,694,901		13,694,368
Other Operating Expense		14,404,273		16,149,679
Grants		633,256		515,626

Capital Expenditures	1,253,558	822,350
Total, Object-of-Expense Informational Listing	$ 178,739,219	$ 178,969,569
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 8,690,301	$ 9,184,313
Group Insurance	12,490,841	13,340,219
Social Security	7,403,409	7,662,528
Subtotal, Employee Benefits	$ 28,584,551	$ 30,187,060
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 28,584,551	$ 30,187,060

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas Health Science Center at Houston. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of The University of Texas Health Science Center at Houston. In order to achieve the objectives and service standards established by this Act, The University of Texas Health Science Center at Houston shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of Medical School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt	92%	92%
Percent of Medical School Graduates Practicing Primary Care in Texas	34%	34%
Percent of Medical Residency Completers Practicing in Texas	66%	66%
Percent of Dental School Graduates Admitted to an Advanced Education Program in General Dentistry	15%	15%
Percent of Dental School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt	96%	96%
Percent of Dental School Graduates Who Are Licensed in Texas	93%	93%
Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt	96%	96%
Percent of Allied Health Graduates Who Are Licensed or Certified in Texas	90%	90%
Percent of Public Health School Graduates Who Are Employed in Texas	75%	75%
Percent of Bachelor of Science in Nursing Graduates Passing the National Licensing Exam on the First Attempt in Texas	92%	95%
Percent of Bachelor of Science in Nursing Graduates Who Are Licensed in Texas	95%	95%
Administrative (Institutional Support) Cost as a Percent of Total Expenditures	7.62%	7.62%
Percent of Medical School Graduates Practicing in Texas	60%	60%
A.1.1. Strategy: MEDICAL EDUCATION		
Explanatory:		
Minority Admissions as a Percent of Total First-year Admissions (All Schools)	26.5%	27.4%
Minority MD Admissions as a Percent of Total MD Admissions	20%	20%
Total Number of MD or DO Residents	860	885
Minority MD or DO Residents as a Percent of Total MD or DO Residents	20%	20%
Percent of Medical School Graduates Entering a Primary Care Residency	38%	38%
A.1.2. Strategy: DENTAL EDUCATION		
Explanatory:		
Minority Admissions as a Percent of Total Dental School Admissions	18%	18%
A.1.5. Strategy: NURSING EDUCATION		
Explanatory:		
Percent of Master of Science in Nursing Graduates Granted Advanced Practice Status in Texas	98%	98%

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON
(Continued)

B. Goal: PROVIDE RESEARCH SUPPORT		
Outcome (Results/Impact):		
Total External Research Expenditures	160,310,000	164,798,000
D. Goal: PROVIDE HEALTH CARE SUPPORT		
Outcome (Results/Impact):		
Total Gross Patient Charges for Unsponsored Charity Care Provided in State-owned Facilities	40,439,541	40,254,778
Total Gross Patient Charges (Excluding Unsponsored Charity Care) Provided in State-owned Facilities	34,447,687	34,246,991

3. **Texas Heart Institute.** Out of the funds appropriated above, The University of Texas Health Science Center at Houston shall allocate up to $894,133 in each year of the 2010-11 biennium to the Texas Heart Institute for gene therapy and up to $399,086 in each year of the 2010-11 biennium to the Texas Heart Institute for cardiovascular research.

4. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for The University of Texas Health Science Center at Houston No. 815 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

   a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   b. All balances of estimated appropriations from the Permanent Endowment Fund for The University of Texas Health Science Center at Houston No. 815 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2009, and the income to said fund during the fiscal years beginning September 1, 2009, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated to the institution for the same purposes for fiscal year 2011.

5. **Unexpended Balances Between Fiscal Years: Regional Academic Health Center - Public Health.** Any unexpended balances as of August 31, 2010, from the appropriations identified in Strategy E.1.1, Regional Academic Health Center-Public Health, are hereby appropriated to The University of Texas Health Science Center at Houston for the same purpose for the fiscal year beginning September 1, 2010.

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 154,454,884	$ 154,369,619
GR Dedicated - Estimated Other Educational and General Income Account No. 770	8,297,685	8,438,540
Other Funds		
Permanent Health Fund for Higher Education No. 810, estimated	1,571,220	1,571,220
Permanent Endowment Fund, UTHSC San Antonio No.811, estimated	9,000,000	9,000,000

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $8,724,332 and a Federal Funds increase of $8,724,332 plus a Federal Funds Section 25 appropriation of $10,500,000 in FY 2010, resulting in net General Revenue appropriations of $145,730,552 and a net All Funds appropriation of $185,356,974 in FY 2010.

Health-Related Institutions Patient Income, estimated	1,533,185	1,529,850
Subtotal, Other Funds	$ 12,104,405	$ 12,101,070
Total, Method of Financing	$ 174,856,974	$ 174,909,229
Items of Appropriation:		
1. Educational and General State Support	$ 174,856,974	$ 174,909,229
Grand Total, THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO	$ 174,856,974	$ 174,909,229
This bill pattern represents an estimated 26.4% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)-Appropriated Funds	2,308.9	2,308.9

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: MEDICAL EDUCATION	$ 47,833,897	$ 47,833,206
A.1.2. Strategy: DENTAL EDUCATION	$ 24,386,199	$ 24,385,847
A.1.3. Strategy: BIOMEDICAL SCIENCES TRAINING	$ 4,318,325	$ 4,318,262
Graduate Training in Biomedical Sciences.		
A.1.4. Strategy: ALLIED HEALTH PROFESSIONS TRAINING	$ 9,243,173	$ 9,243,039
A.1.5. Strategy: NURSING EDUCATION	$ 8,015,019	$ 8,014,903
A.1.6. Strategy: GRADUATE MEDICAL EDUCATION	$ 4,643,971	$ 4,643,971
A.2.1. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 1,001,386	$ 1,069,481
A.2.2. Strategy: WORKERS' COMPENSATION INSURANCE	$ 324,680	$ 324,680
A.2.3. Strategy: UNEMPLOYMENT INSURANCE	$ 147,824	$ 147,824
A.3.1. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 1,348,126	$ 1,348,126
A.3.2. Strategy: MEDICAL LOANS	$ 152,000	$ 152,000
Total, Goal A: INSTRUCTION/OPERATIONS	$ 101,414,600	$ 101,481,339
B. Goal: PROVIDE RESEARCH SUPPORT		
B.1.1. Strategy: RESEARCH ENHANCEMENT	$ 4,207,775	$ 4,207,775
C. Goal: PROVIDE INFRASTRUCTURE SUPPORT		
C.1.1. Strategy: E&G SPACE SUPPORT	$ 17,608,610	$ 17,608,355
C.2.1. Strategy: TUITION REVENUE BOND RETIREMENT	$ 10,314,981	$ 10,320,188
Total, Goal C: PROVIDE INFRASTRUCTURE SUPPORT	$ 27,923,591	$ 27,928,543
D. Goal: PROVIDE HEALTH CARE SUPPORT		
D.1.1. Strategy: DENTAL CLINIC OPERATIONS	$ 3,465,113	$ 3,445,677
E. Goal: PROVIDE SPECIAL ITEM SUPPORT		
E.1.1. Strategy: REGIONAL ACADEMIC HEALTH CENTER	$ 12,042,410	$ 12,042,410
E.1.2. Strategy: LAREDO CAMPUS EXTENSION (LCE)	$ 5,050,231	$ 5,050,231
E.1.3. Strategy: OUTREACH SUPPORT-SOUTH TX PROGRAMS	$ 1,750,000	$ 1,750,000
Institutional Support for South Texas Programs.		
E.2.1. Strategy: FAMILY PRACTICE RESIDENCY TRAINING	$ 565,178	$ 565,178
Family Practice Residency Training Program.		
E.2.2. Strategy: PODIATRY RESIDENCY TRAINING	$ 177,273	$ 177,273
Podiatry Residency Training Program.		
E.3.1. Strategy: MYCOBACTERIAL-MYCOLOGY RESEARCH LAB	$ 192,006	$ 192,006
E.4.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 7,497,577	$ 7,497,577
Total, Goal E: PROVIDE SPECIAL ITEM SUPPORT	$ 27,274,675	$ 27,274,675

F. Goal: TOBACCO FUNDS		
F.1.1. Strategy: TOBACCO EARNINGS - UTHSC SA Tobacco Earnings for the UT Health Science Center at San Antonio.	$ 9,000,000	$ 9,000,000
F.1.2. Strategy: TOBACCO - PERMANENT HEALTH FUND Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810.	$ 1,571,220	$ 1,571,220
Total, Goal F: TOBACCO FUNDS	$ 10,571,220	$ 10,571,220
Grand Total, THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO	$ 174,856,974	$ 174,909,229
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 64,713,001	$ 64,249,788
Other Personnel Costs	7,835,711	7,545,520
Faculty Salaries (Higher Education Only)	71,767,642	71,182,567
Travel	356,634	362,219
Debt Service	12,420,797	12,418,702
Other Operating Expense	17,445,622	18,833,726
Client Services	141,212	142,290
Capital Expenditures	176,355	174,417
Total, Object-of-Expense Informational Listing	$ 174,856,974	$ 174,909,229
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 8,541,293	$ 9,020,884
Group Insurance	15,557,455	16,615,362
Social Security	7,797,163	8,070,063
Subtotal, Employee Benefits	$ 31,895,911	$ 33,706,309
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 31,895,911	$ 33,706,309

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas Health Science Center at San Antonio. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of The University of Texas Health Science Center at San Antonio. In order to achieve the objectives and service standards established by this Act, The University of Texas Health Science Center at San Antonio shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of Medical School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt	92%	92%
Percent of Medical School Graduates Practicing Primary Care in Texas	25%	25%
Percent of Medical Residency Completers Practicing in Texas	80%	80%
Percent of Dental School Graduates Admitted to an Advanced Education Program in General Dentistry	25%	25%
Percent of Dental School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt	94%	94%
Percent of Dental School Graduates Who Are Licensed in Texas	80%	80%
Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt	90%	90%
Percent of Allied Health Graduates Who Are Licensed or Certified in Texas	90%	90%
Percent of Bachelor of Science in Nursing Graduates Passing the National Licensing Exam on the First Attempt in Texas	90%	90%

Percent of Bachelor of Science in Nursing Graduates Who Are Licensed in Texas	85%	85%
Administrative (Institutional Support) Cost as a Percent of Total Expenditures	5.6%	5.6%
Percent of Medical School Graduates Practicing in Texas	62%	60%
A.1.1. Strategy: MEDICAL EDUCATION		
Explanatory:		
Minority Admissions as a Percent of Total First-year Admissions (All Schools)	39%	39%
Minority MD Admissions as a Percent of Total MD Admissions	22%	22%
Total Number of MD or DO Residents	750	750
Minority MD or DO Residents as a Percent of Total MD or DO Residents	45%	45%
Percent of Medical School Graduates Entering a Primary Care Residency	40%	40%
A.1.2. Strategy: DENTAL EDUCATION		
Explanatory:		
Minority Admissions as a Percent of Total Dental School Admissions	18%	18%
A.1.5. Strategy: NURSING EDUCATION		
Explanatory:		
Percent of Master of Science in Nursing Graduates Granted Advanced Practice Status in Texas	100%	100%
B. Goal: PROVIDE RESEARCH SUPPORT		
Outcome (Results/Impact):		
Total External Research Expenditures	122,000,000	123,000,000

3. **Unexpended Balances Between Fiscal Years: Regional Academic Health Center (RAHC).** Any unexpended balances as of August 31, 2010, from the appropriations identified in Strategy E.1.1, Regional Academic Health Center, are hereby appropriated to The University of Texas Health Science Center at San Antonio for the same purpose for the fiscal year beginning September 1, 2010.

4. **Unexpended Balances Between Fiscal Years: Laredo Campus Extension.** Any unexpended balances as of August 31, 2010, from the appropriations identified in Strategy E.1.2, Laredo Campus Extension, are hereby appropriated to The University of Texas Health Science Center at San Antonio for the same purpose for the fiscal year beginning September 1, 2010.

5. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for The University of Texas Health Science Center at San Antonio No. 811 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for High Education No. 810.

   a. Amounts for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   b. All balances of estimated appropriations from the Permanent Endowment Fund for The University of Texas Health Science Center at San Antonio No. 811 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2009, and the income to said fund during the fiscal years beginning September 1, 2009, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated to the institution for the same purposes for fiscal year 2011.

6. **Laredo Campus Extension.** Included in the amounts appropriated above in Strategy E.1.2, Laredo Campus Extension (LCE), $1,500,000 in fiscal year 2010 and $1,500,000 in fiscal year 2011 in General Revenue is to fund the Laredo Campus Extension to provide for faculty, staff, dental and other educational programs, joint degrees, facilities, and student support services.

THE UNIVERSITY OF TEXAS M.D. ANDERSON CANCER CENTER

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 164,926,404	$ 164,903,651
GR Dedicated - Estimated Other Educational and General Income Account No. 770	31,741,762	32,334,909
Other Funds		
Permanent Health Fund for Higher Education No. 810, estimated	1,656,270	1,656,270
Permanent Endowment Fund, UT MD Anderson Cancer Center No. 812, estimated	4,500,000	4,500,000
Health-Related Institutions Patient Income, estimated	2,038,586,072	2,255,852,890
Subtotal, Other Funds	$ 2,044,742,342	$ 2,262,009,160
Total, Method of Financing	$ 2,241,410,508	$ 2,459,247,720
Items of Appropriation:		
1. Educational and General State Support	$ 2,241,410,508	$ 2,459,247,720
Grand Total, THE UNIVERSITY OF TEXAS M.D. ANDERSON CANCER CENTER	$ 2,241,410,508	$ 2,459,247,720
This bill pattern represents an estimated 76.9% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	13,081.9	13,081.9

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: ALLIED HEALTH PROFESSIONS TRAINING	$ 17,779,733	$ 19,377,848
A.1.2. Strategy: GRADUATE MEDICAL EDUCATION	$ 844,963	$ 844,963
A.2.1. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 80,983,988	$ 86,490,900
A.2.2. Strategy: WORKERS' COMPENSATION INSURANCE	$ 1,003,429	$ 1,115,318
A.2.3. Strategy: UNEMPLOYMENT INSURANCE	$ 468,606	$ 434,135
A.3.1. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 100,693	$ 108,778
A.4.1. Strategy: CANCER CENTER OPERATIONS	$ 117,698,502	$ 117,701,202
Total, Goal A: INSTRUCTION/OPERATIONS	$ 218,879,914	$ 226,073,144
B. Goal: PROVIDE RESEARCH SUPPORT		
B.1.1. Strategy: RESEARCH ENHANCEMENT	$ 8,654,145	$ 8,654,145
B.1.2. Strategy: SCIENCE PARK OPERATIONS	$ 4,503,689	$ 4,503,688
Total, Goal B: PROVIDE RESEARCH SUPPORT	$ 13,157,834	$ 13,157,833
C. Goal: PROVIDE INFRASTRUCTURE SUPPORT		
C.1.1. Strategy: E&G SPACE SUPPORT	$ 147,720,066	$ 160,997,742
C.2.1. Strategy: TUITION REVENUE BOND RETIREMENT	$ 6,331,536	$ 6,341,348
C.2.2. Strategy: LONG-TERM CAPITAL PROGRAM	$ 245,000,000	$ 250,000,000
C.2.3. Strategy: LONG-TERM CAPITAL EQUIPMENT	$ 50,000,000	$ 55,000,000
Total, Goal C: PROVIDE INFRASTRUCTURE SUPPORT	$ 449,051,602	$ 472,339,090

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $634,206 and a Federal Funds increase of $634,206 in FY 2010, resulting in net General Revenue appropriations of $164,292,198 and a net All Funds appropriation of $2,241,410,508 in FY 2010.

D. Goal: PROVIDE HEALTH CARE SUPPORT		
D.1.1. Strategy: PATIENT CARE ACTIVITIES	$ 1,544,972,467	$ 1,731,900,897
E. Goal: PROVIDE SPECIAL ITEM SUPPORT		
E.1.1. Strategy: RESEARCH SUPPORT	$ 4,797,067	$ 5,094,398
E.1.2. Strategy: BREAST CANCER RESEARCH PROGRAM	$ 2,000,000	$ 2,000,000
E.2.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 2,395,354	$ 2,526,088
Total, Goal E: PROVIDE SPECIAL ITEM SUPPORT	$ 9,192,421	$ 9,620,486
F. Goal: TOBACCO FUNDS		
F.1.1. Strategy: TOBACCO EARNINGS - UT MD ANDERSON	$ 4,500,000	$ 4,500,000
Tobacco Earnings for the University of Texas MD Anderson Cancer Center.		
F.1.2. Strategy: TOBACCO - PERMANENT HEALTH FUND	$ 1,656,270	$ 1,656,270
Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810.		
Total, Goal F: TOBACCO FUNDS	$ 6,156,270	$ 6,156,270
Grand Total, THE UNIVERSITY OF TEXAS M.D. ANDERSON CANCER CENTER	$ 2,241,410,508	$ 2,459,247,720
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 689,795,221	$ 766,402,031
Other Personnel Costs	48,482,296	53,469,404
Faculty Salaries (Higher Education Only)	144,082,194	159,595,722
Professional Fees and Services	1,424,763	1,518,229
Consumable Supplies	620,513	605,094
Utilities	32,659,637	36,748,351
Travel	3,686,875	614,278
Debt Service	86,292,357	100,105,621
Other Operating Expense	1,000,390,191	1,108,142,438
Grants	425,462	451,439
Capital Expenditures	233,550,999	231,595,113
Total, Object-of-Expense Informational Listing	$ 2,241,410,508	$ 2,459,247,720
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 50,392,327	$ 53,884,376
Group Insurance	6,497,666	6,939,507
Social Security	5,302,671	5,488,264
Subtotal, Employee Benefits	$ 62,192,664	$ 66,312,147
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 62,192,664	$ 66,312,147

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas M.D. Anderson Cancer Center. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of The University of Texas M.D. Anderson Cancer Center. In order to achieve the objectives and service standards established by this Act, The University of Texas M.D. Anderson Cancer Center shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt	94%	94%
Percent of Allied Health Graduates Who Are Licensed or Certified in Texas	86%	86%

A.1.1. Strategy: ALLIED HEALTH PROFESSIONS TRAINING		
Explanatory:		
Minority Admissions As a Percent of Total First-Year Admissions (All Schools)	15%	15%
B. Goal: PROVIDE RESEARCH SUPPORT		
Outcome (Results/Impact):		
Total External Research Expenditures	311,267,858	326,831,152
D. Goal: PROVIDE HEALTH CARE SUPPORT		
Outcome (Results/Impact):		
Percent of Medical Residency Completers Practicing in Texas	39%	39%
Total Gross Charges for Unsponsored Charity Care Provided in State-owned Facilities	223,199,697	253,002,959
Total Gross Patient Charges (Excluding Unsponsored Charity Care) Provided in State-owned Facilities	4,018,827,616	4,505,335,684
Administrative (Institutional Support) Cost as a Percent of Total Expenditures	7.5%	7.5%
D.1.1. Strategy: PATIENT CARE ACTIVITIES		
Output (Volume):		
Total Number of Outpatient Visits	1,103,475	1,158,649
Total Number of Inpatient Days	178,039	188,722
Explanatory:		
Total Number of MD or DO Residents	142	144
Minority MD or DO Residents as a Percent of Total MD or DO Residents	9%	9%

3. **Special Project Funding.** Notwithstanding other provisions of this article, the Board of Regents of The University of Texas System is hereby authorized, subject to approval by the Texas Higher Education Coordinating Board: (1) to expend such amounts of its Permanent University Fund No. 45 bond proceeds and/or other bond proceeds and such amounts of its other available moneys as may be necessary to fund the following project either in whole or in part; (2) to accept gifts, grants, and matching grants to fund such project either in whole or in part; and (3) to acquire, construct, alter, add to, repair, rehabilitate, equip and/or furnish such project for The University of Texas M. D. Anderson Cancer Center: (a) research facilities and (b) administrative support facilities and related parking facilities.

4. **Transfers of Appropriations - State Owned Hospitals.** The University of Texas M. D. Anderson Cancer Center shall transfer from non-Medicaid state appropriated funds $42,952,652 in fiscal year 2010 and $42,952,652 in fiscal year 2011 to the Health and Human Services Commission. The timing and form of such transfers shall be determined by the Comptroller of Public Accounts in consultation with the Health and Human Services Commission. The Legislative Budget Board is authorized to adjust the amounts of such transfers as necessary to match available federal funds. The transfers, however, shall be made not less frequently than monthly.

5. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for The University of Texas M.D. Anderson Cancer Center No. 812 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

   a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   b. All balances of estimated appropriations from the Permanent Endowment Fund for The University of Texas M.D. Anderson Cancer Center No. 812 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2009, and the income to said fund during the fiscal years beginning September 1, 2009, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated to the institution for the same purposes for fiscal year 2011.

6. **Best Business Practices.** It is the intent of the Legislature that The University of Texas M.D. Anderson Cancer Center shall adopt appropriate measures to initiate the most cost-effective

practices when delivering unreimbursed services to financially and medically indigent Texans. The intent of these practices is to allow for funds to be used in a manner, which would allow for greater benefits for the patients, the state, and the institution.

7. **Animal Facilities and Programs.** The animal facilities and programs of the Department of Veterinary Sciences at The University of Texas M. D. Anderson Cancer Center (UTMDACC) - Bastrop shall be regulated and inspected by the United States Department of Agriculture, Animal and Plant Health Inspection Services, pursuant to the Federal Animal Welfare Act. The UTMDACC - Bastrop Department of Veterinary Sciences shall comply with the regulations and is under the oversight of the United States Public Health Service/National Institutes of Health Office of Laboratory Animal Welfare. The UTMDACC - Bastrop Department of Veterinary Sciences shall be independently accredited for animal care programs and facilities by the Council on Accreditation of the Association for Assessment and Accreditation of Laboratory Animal Care (AAALAC International). The department shall be accredited by this body. It shall also be inspected regularly and its programs reviewed biannually by the UTMDACC Institutional Animal Care and Use Committee.

8. **Rare and Aggressive Breast Cancer Research Program.** Of the amounts appropriated above in Strategy E.1.2, Breast Cancer Research Program, $2,000,000 in fiscal year 2010 and $2,000,000 in fiscal year 2011 in General Revenue is for the rare and aggressive breast cancer research program. Its efforts will contribute to improving the diagnostics in patients with breast cancer.

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT TYLER

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 37,362,761	$ 37,359,661
GR Dedicated - Estimated Other Educational and General Income Account No. 770	255,702	253,525
Other Funds		
Permanent Health Fund for Higher Education No. 810, estimated	1,163,689	1,163,689
Permanent Endowment Fund, UT HSC Tyler No. 816, estimated	1,125,000	1,125,000
Health-Related Institutions Patient Income, estimated	47,271,817	47,694,123
Subtotal, Other Funds	$ 49,560,506	$ 49,982,812
Total, Method of Financing	$ 87,178,969	$ 87,595,998
Items of Appropriation:		
1. Educational and General State Support	$ 87,178,969	$ 87,595,998
Grand Total, THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT TYLER	$ 87,178,969	$ 87,595,998
This bill pattern represents an estimated 73.8% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	708.4	708.4

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: PROVIDE INSTRUCTION/OPERATIONS
Provide Instructional and Operations Support.

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $80,210 and a Federal Funds increase of $80,210 in FY 2010, resulting in net General Revenue appropriations of $37,282,551 and a net All Funds appropriation of $87,178,969 in FY 2010.

A.1.1. Strategy: GRADUATE MEDICAL EDUCATION	$	159,678	$	159,678
A.1.2. Strategy: CHEST DISEASE CENTER OPERATIONS	$	26,136,476	$	26,136,476
A.2.1. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	2,930,498	$	3,129,772
A.2.2. Strategy: WORKERS' COMPENSATION INSURANCE	$	97,755	$	91,481
A.2.3. Strategy: UNEMPLOYMENT INSURANCE	$	92,890	$	92,876
Total, Goal A: PROVIDE INSTRUCTION/OPERATIONS	$	29,417,297	$	29,610,283
B. Goal: PROVIDE RESEARCH SUPPORT				
B.1.1. Strategy: RESEARCH ENHANCEMENT	$	1,615,566	$	1,615,566
C. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
C.1.1. Strategy: E&G SPACE SUPPORT	$	1,887,242	$	1,890,734
C.2.1. Strategy: TUITION REVENUE BOND RETIREMENT	$	2,712,644	$	2,709,544
Total, Goal C: INFRASTRUCTURE SUPPORT	$	4,599,886	$	4,600,278
D. Goal: PROVIDE HEALTH CARE SUPPORT				
D.1.1. Strategy: PATIENT CARE ACTIVITIES	$	43,723,597	$	43,947,248
E. Goal: PROVIDE SPECIAL ITEM SUPPORT				
E.1.1. Strategy: NORTHEAST TEXAS INITIATIVE	$	2,000,000	$	2,000,000
E.2.1. Strategy: FAMILY PRACTICE RESIDENCY TRAINING	$	1,203,034	$	1,203,034
Family Practice Residency Training Program.				
E.3.1. Strategy: SUPPORT FOR INDIGENT CARE	$	1,312,500	$	1,312,500
E.4.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	1,018,400	$	1,018,400
Total, Goal E: PROVIDE SPECIAL ITEM SUPPORT	$	5,533,934	$	5,533,934
F. Goal: TOBACCO FUNDS				
F.1.1. Strategy: TOBACCO EARNINGS - UT HSC AT TYLER	$	1,125,000	$	1,125,000
Tobacco Earnings for University of Texas Health Science Center/Tyler.				
F.1.2. Strategy: TOBACCO - PERMANENT HEALTH FUND	$	1,163,689	$	1,163,689
Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810.				
Total, Goal F: TOBACCO FUNDS	$	2,288,689	$	2,288,689
Grand Total, THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT TYLER	$	87,178,969	$	87,595,998
Object-of-Expense Informational Listing:				
Salaries and Wages	$	22,681,415	$	22,012,653
Other Personnel Costs		4,194,842		4,006,806
Faculty Salaries (Higher Education Only)		6,219,812		6,287,026
Professional Fees and Services		1,613,411		1,735,340
Fuels and Lubricants		6,858		5,763
Consumable Supplies		353,470		278,092
Utilities		1,328,103		1,418,381
Travel		71,857		123,622
Rent - Building		65,062		64,426
Rent - Machine and Other		461,841		442,197
Debt Service		2,712,644		2,709,544
Other Operating Expense		21,242,914		22,245,504
Grants		26,136,476		26,136,476
Capital Expenditures		90,264		130,168
Total, Object-of-Expense Informational Listing	$	87,178,969	$	87,595,998
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	2,392,633	$	2,545,165
Group Insurance		2,549,138		2,722,480

Social Security	1,158,567	1,199,117
Subtotal, Employee Benefits	$ 6,100,338	$ 6,466,762
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 6,100,338	$ 6,466,762

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas Health Science Center at Tyler. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of The University of Texas Health Science Center at Tyler. In order to achieve the objectives and service standards established by this Act, The University of Texas Health Science Center at Tyler shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
B. Goal: PROVIDE RESEARCH SUPPORT		
Outcome (Results/Impact):		
Total External Research Expenditures	11,449,728	12,480,204
D. Goal: PROVIDE HEALTH CARE SUPPORT		
Outcome (Results/Impact):		
Percent of Medical Residency Completers Practicing in Texas	83%	83%
Total Gross Charges for Unsponsored Charity Care Provided in State-owned Facilities	19,306,011	19,306,011
Total Gross Patient Charges (Excluding Unsponsored Charity Care) Provided in State-owned Facilities	136,451,107	136,451,107
Administrative (Institutional Support) Cost as a Percent of Total Expenditures	8.5%	8.5%
D.1.1. Strategy: PATIENT CARE ACTIVITIES		
Output (Volume):		
Total Number of Outpatient Visits	85,000	85,000
Total Number of Inpatient Days	13,511	13,511
Explanatory:		
Total Number of MD or DO Residents	24	24
Minority MD or DO Residents as a Percent of Total MD or DO Residents	17%	17%

3. **Rates, Donations and Gifts.** The Board of Regents of The University of Texas System shall fix reasonable rates to be charged and collected from paying patients of the center, and may make and enter into contracts for the hospitalization of the indigent sick and accept donations and gifts for the support and maintenance of the center; provided, however, that this provision should not be construed so as to authorize, without prior and specific approval of the Legislature, acceptance of real property which would require an appropriation by the Legislature for maintenance, repair, or construction of buildings.

4. **Transfers of Appropriations - State Owned Hospitals.** The University of Texas Health Science Center at Tyler shall transfer from non-Medicaid state appropriated funds $8,815,354 in fiscal year 2010 and $8,815,354 in fiscal year 2011 to the Health and Human Services Commission. The timing and form of such transfers shall be determined by the Comptroller of Public Accounts in consultation with the Health and Human Services Commission. The Legislative Budget Board is authorized to adjust the amounts of such transfers as necessary to match available federal funds.

5. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for The University of Texas Health Science Center at Tyler No. 816 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

   a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   b. All balances of estimated appropriations from the Permanent Endowment Fund for The University of Texas Health Science Center at Tyler No. 816 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher

Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2009, and the income to said fund during the fiscal years beginning September 1, 2009, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated to the institution for the same purposes for fiscal year 2011.

TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 110,347,936	$ 105,335,067
GR Dedicated - Estimated Other Educational and General Income Account No. 770	7,587,945	7,648,062
Other Funds		
Permanent Health Fund for Higher Education No. 810, estimated	1,184,951	1,184,951
Permanent Endowment Fund, Texas A&M University HSC No. 818, estimated	1,125,000	1,125,000
Health-Related Institutions Patient Income, estimated	6,639,242	6,603,759
Subtotal, Other Funds	$ 8,949,193	$ 8,913,710
Total, Method of Financing	$ 126,885,074	$ 121,896,839
Items of Appropriation:		
1. Educational and General State Support	$ 126,885,074	$ 121,896,839
Grand Total, TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER	$ 126,885,074	$ 121,896,839
This bill pattern represents an estimated 73% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	964.4	969.1

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: MEDICAL EDUCATION	$ 22,968,773	$ 22,967,674
A.1.2. Strategy: DENTAL EDUCATION	$ 25,469,783	$ 25,468,565
A.1.3. Strategy: DENTAL HYGIENE EDUCATION	$ 914,416	$ 914,372
A.1.4. Strategy: BIOMEDICAL SCIENCES TRAINING	$ 2,797,897	$ 2,797,763
Graduate Training in Biomedical Sciences.		
A.1.5. Strategy: NURSING EDUCATION	$ 678,627	$ 678,595
A.1.6. Strategy: RURAL PUBLIC HEALTH TRAINING	$ 5,347,863	$ 5,347,607
Graduate Training in Rural Public Health.		
A.1.7. Strategy: GRADUATE MEDICAL EDUCATION	$ 3,359,893	$ 3,359,893
A.1.8. Strategy: PHARMACY EDUCATION	$ 6,611,875	$ 6,611,558
A.2.1. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 753,182	$ 804,398
A.2.2. Strategy: WORKERS' COMPENSATION INSURANCE	$ 94,175	$ 94,266
A.2.3. Strategy: UNEMPLOYMENT INSURANCE	$ 48,418	$ 48,497
A.3.1. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 798,114	$ 808,659

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $6,014,608 and a Federal Funds increase of $6,014,608 plus a Federal Funds Section 25 appropriation of $9,000,000 in FY 2010, resulting in net General Revenue appropriations of $104,333,328 and a net All Funds appropriation of $135,885,074 in FY 2010.

A.3.2. Strategy: MEDICAL LOANS	$ 86,000	$ 87,000
Total, Goal A: INSTRUCTION/OPERATIONS	$ 69,929,016	$ 69,988,847
B. Goal: PROVIDE RESEARCH SUPPORT		
B.1.1. Strategy: RESEARCH ENHANCEMENT	$ 2,546,225	$ 2,546,225
C. Goal: PROVIDE INFRASTRUCTURE SUPPORT		
C.1.1. Strategy: E&G SPACE SUPPORT	$ 9,274,021	$ 9,273,577
C.2.1. Strategy: TUITION REVENUE BOND RETIREMENT	$ 5,462,859	$ 5,458,760
Total, Goal C: PROVIDE INFRASTRUCTURE SUPPORT	$ 14,736,880	$ 14,732,337
D. Goal: PROVIDE HEALTH CARE SUPPORT		
D.1.1. Strategy: DENTAL CLINIC OPERATIONS	$ 7,253,052	$ 7,209,534
E. Goal: PROVIDE SPECIAL ITEM SUPPORT		
E.1.1. Strategy: COASTAL BEND HEALTH EDUCATION CTR	$ 2,118,220	$ 2,118,218
Coastal Bend Health Education Center.		
E.1.2. Strategy: SOUTH TEXAS HEALTH CENTER	$ 913,322	$ 913,321
E.1.3. Strategy: IRMA RANGEL COLLEGE OF PHARMACY	$ 3,137,845	$ 3,137,844
E.1.4. Strategy: COLL STN, TEMPLE, R ROCK - **MEDICAL**	$ 21,000,000	$ 16,000,000
College Station, Temple, and Round Rock - Medical.		
E.2.1. Strategy: MULTICAMPUS INST ENHANCEMENT	$ 2,940,563	$ 2,940,562
Multicampus (2) Institutional Enhancement.		
Total, Goal E: PROVIDE SPECIAL ITEM SUPPORT	$ 30,109,950	$ 25,109,945
F. Goal: TOBACCO FUNDS		
F.1.1. Strategy: TOBACCO EARNINGS - TAMU SYSTEM **HSC**	$ 1,125,000	$ 1,125,000
Tobacco Earnings for Texas A&M University System Health Science Center.		
F.1.2. Strategy: TOBACCO - PERMANENT HEALTH FUND	$ 1,184,951	$ 1,184,951
Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810.		
Total, Goal F: TOBACCO FUNDS	$ 2,309,951	$ 2,309,951
Grand Total, TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER	$ 126,885,074	$ 121,896,839
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 41,932,063	$ 41,024,524
Other Personnel Costs	2,388,387	2,831,692
Faculty Salaries (Higher Education Only)	27,278,699	26,585,078
Professional Salaries - Faculty Equivalent (Higher Education Only)	718,383	623,552
Professional Fees and Services	1,072,928	976,268
Fuels and Lubricants	39,550	28,101
Consumable Supplies	1,196,703	914,253
Utilities	4,356,619	3,922,165
Travel	543,549	563,237
Rent - Building	685,166	3,962,928
Rent - Machine and Other	315,599	351,675
Debt Service	5,463,229	5,459,362
Other Operating Expense	31,354,978	28,563,342
Client Services	571,818	691,883
Capital Expenditures	8,967,403	5,398,779
Total, Object-of-Expense Informational Listing	$ 126,885,074	$ 121,896,839
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 3,812,675	$ 4,002,179
Group Insurance	4,978,937	5,317,505

Social Security	3,937,304	4,075,109
Subtotal, Employee Benefits	$ 12,728,916	$ 13,394,793
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 12,728,916	$ 13,394,793

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University System Health Science Center. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas A&M University System Health Science Center. In order to achieve the objectives and service standards established by this Act, the Texas A&M University System Health Science Center shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of Medical School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt	95%	95%
Percent of Medical School Graduates Practicing Primary Care in Texas	38%	38%
Percent of Medical Residency Completers Practicing in Texas	50%	50%
Percent of Dental School Graduates Admitted to an Advanced Education Program in General Dentistry	10%	10%
Percent of Dental School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt	92%	92%
Percent of Dental School Graduates Who Are Licensed in Texas	80%	80%
Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt	92%	92%
Percent of Allied Health Graduates Who Are Licensed or Certified in Texas	88%	88%
Percent of Rural Public Health School Graduates Who Are Employed in Texas	45%	45%
Administrative (Institutional Support) Cost as a Percent of Total Expenditures	8.5%	8.5%
Percent of Pharmacy School Graduates Who are Licensed in Texas	75%	75%
Percent of Pharmacy School Graduates Passing the National Licensing Exam in the first try	90%	90%
Percent of Medical School Graduates Practicing in Texas	61%	61%
A.1.1. Strategy: MEDICAL EDUCATION		
Explanatory:		
Minority Admissions as a Percent of Total First-year Admissions (All Schools)	25%	25%
Minority MD Admissions as a Percent of Total MD Admissions	15%	15%
Total Number of MD or DO Residents	500	500
Minority MD or DO Residents as a Percent of Total MD or DO Residents	20%	20%
Percent of Medical School Graduates Entering a Primary Care Residency	50%	50%
A.1.2. Strategy: DENTAL EDUCATION		
Explanatory:		
Minority Admissions as a Percent of Total Dental School Admissions	28%	28%
B. Goal: PROVIDE RESEARCH SUPPORT		
Outcome (Results/Impact):		
Total Research Expenditures	51,306,570	52,845,767

3. **Cardiovascular Research Institute.** Out of the amounts appropriated above, Texas A&M University System Health Science Center shall expend up to $2,055,000 in fiscal year 2010 and up to $2,305,000 in fiscal year 2011 for Cardiovascular Research Institute activities conducted primarily at the health science center facilities in Temple. It is the intent of the Legislature that these funds would be in addition to the amounts allocated to the Temple campus for the normal operation and maintenance of programs and facilities during the biennium.

4. **Coastal Bend Health Education Center.** Out of funds appropriated above to Texas A&M University System Health Science Center in Strategy E.1.1, Coastal Bend Health Education Center, the institution shall allocate up to $568,340 in fiscal year 2010 and up to $505,192 in fiscal year 2011 to operate a local area network among coastal distance education sites, provide electronic library access, and develop allied health programs with area general academic institutions.

5. **Medical Program.** Texas A&M University System Health Science Center is hereby authorized to unite with Scott & White Clinic, Scott & White Memorial Hospital, and the Scott, Sherwood, and Brindley Foundation as its long-term primary partners for high quality clinical education and research for the benefit of the citizens of Texas. Texas A&M University System Health Science Center is additionally authorized to collaborate with the Central Texas Veterans' Health Care System, Darnall Army Community Hospital, and Driscoll Children's Hospital. Research conducted by Texas A&M University System Health Science Center faculty under the contract with its primary clinical partner to provide clinical education and research services shall be considered in the formula calculations for the Research Enhancement and E&G Space Support strategies.

6. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for Texas A&M University System Health Science Center No. 818 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

   a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   b. All balances of estimated appropriations from the Permanent Endowment Fund for Texas A&M University System Health Science Center No. 818 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2009, and the income to said fund during the fiscal years beginning September 1, 2009, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated to the institution for the same purposes for fiscal year 2011.

7. **Research on Acute Neurological Injuries.** Out of funds appropriated above, Texas A&M University System Health Science Center may allocate up to $1,000,000 in each fiscal year of the 2010-11 biennium to conduct joint research endeavors with other scientists from Baylor College of Medicine, The University of Texas Health Science Center at Houston, and The University of Texas Medical Branch at Galveston to develop treatments to repair acute neurological injuries such as those caused by trauma and strokes.

8. **Medical School Expansion.** Out of the funds appropriated above in Strategy E.1.4, College Station, Temple, Round Rock-Medical for the Medical School Expansion at the Texas A&M University System Health Science Center, $10,000,000 shall be used for the expansion of the Temple campus and $9,000,000 shall be used to support and/or provide clinical facilities for the Round Rock campus. The legislature hereby finds in accordance with Article 7, Section 18(i) of the Texas Constitution, that there is a demonstrated need for clinical facilities at the Round Rock campus of the A&M University System Health Science Center and that such appropriation may be used for the acquisition, equipping or improvement of such facilities. Any unexpended balance as of August 31, 2010 in Strategy E.1.4, College Station, Temple, Round Rock- Medical is hereby appropriated for the same purposes for fiscal year 2011.

UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 62,540,846	$ 62,564,129
GR Dedicated - Estimated Other Educational and General Income Account No. 770	4,896,384	4,899,898
Other Funds		
Permanent Health Fund for Higher Education No. 810, estimated	1,155,420	1,155,420
Permanent Endowment Fund, UNTHSC at Fort Worth No. 819, estimated	1,125,000	1,125,000
Subtotal, Other Funds	$ 2,280,420	$ 2,280,420
Total, Method of Financing	$ 69,717,650	$ 69,744,447
Items of Appropriation:		
1. Educational and General State Support	$ 69,717,650	$ 69,744,447
Grand Total, UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH	$ 69,717,650	$ 69,744,447
This bill pattern represents an estimated 40.3% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	681.1	681.1

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: MEDICAL EDUCATION	$ 33,323,324	$ 33,323,324
A.1.2. Strategy: BIOMEDICAL SCIENCES TRAINING	$ 3,620,716	$ 3,620,716
Graduate Training in Biomedical Sciences.		
A.1.3. Strategy: GRADUATE TRAINING IN PUBLIC HEALTH	$ 3,810,110	$ 3,810,110
A.1.4. Strategy: PHYSICIAN ASSISTANT PROGRAM	$ 2,295,716	$ 2,295,716
A.1.5. Strategy: GRADUATE MEDICAL EDUCATION	$ 1,071,174	$ 1,071,174
A.2.1. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 423,931	$ 452,759
A.2.2. Strategy: WORKERS' COMPENSATION INSURANCE	$ 221,594	$ 221,594
A.2.3. Strategy: UNEMPLOYMENT INSURANCE	$ 52,596	$ 52,596
A.3.1. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 884,939	$ 884,939
A.3.2. Strategy: MEDICAL LOANS	$ 135,053	$ 135,053
Total, Goal A: INSTRUCTION/OPERATIONS	$ 45,839,153	$ 45,867,981
B. Goal: PROVIDE RESEARCH SUPPORT		
B.1.1. Strategy: RESEARCH ENHANCEMENT	$ 1,885,175	$ 1,885,175
C. Goal: PROVIDE INFRASTRUCTURE SUPPORT		
C.1.1. Strategy: E&G SPACE SUPPORT	$ 4,768,159	$ 4,768,159
C.2.1. Strategy: TUITION REVENUE BOND RETIREMENT	$ 8,189,633	$ 8,189,633
C.2.2. Strategy: LEASE OF FACILITIES	$ 108,310	$ 108,310
C.2.3. Strategy: LONG-TERM INSTR REL EQUIPMENT	$ 322,621	$ 318,653
Long-term Instructional Related Equipment.		
Total, Goal C: PROVIDE INFRASTRUCTURE SUPPORT	$ 13,388,723	$ 13,384,755

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $3,438,054 and a Federal Funds increase of $3,438,054 in FY 2010, resulting in net General Revenue appropriations of $59,102,792 and a net All Funds appropriation of $69,717,650 in FY 2010.

D. Goal: PROVIDE SPECIAL ITEM SUPPORT		
D.1.1. Strategy: ALZHEIMER'S DIAG &TREATMENT CENTER	$ 798,220	$ 798,641
Alzheimer's Diagnostic and Treatment Center.		
D.2.1. Strategy: DNA LABORATORY	$ 2,948,829	$ 2,950,345
D.2.2. Strategy: ECON DEV & TECH COMMERCIALIZATION	$ 1,550,000	$ 1,550,000
Economic Development & Technology Commercialization.		
D.3.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 1,027,130	$ 1,027,130
Total, Goal D: PROVIDE SPECIAL ITEM SUPPORT	$ 6,324,179	$ 6,326,116
E. Goal: TOBACCO FUNDS		
E.1.1. Strategy: TOBACCO EARNINGS - UNT HSC FT WORTH	$ 1,125,000	$ 1,125,000
Tobacco Earnings for the UNT Health Science Center at Fort Worth.		
E.1.2. Strategy: TOBACCO - PERMANENT HEALTH FUND	$ 1,155,420	$ 1,155,420
Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810.		
Total, Goal E: TOBACCO FUNDS	$ 2,280,420	$ 2,280,420
Grand Total, UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH	$ 69,717,650	$ 69,744,447
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 27,199,446	$ 27,460,839
Other Personnel Costs	1,213,744	1,131,899
Faculty Salaries (Higher Education Only)	21,285,798	21,617,398
Professional Salaries - Faculty Equivalent (Higher Education Only)	497,005	503,571
Professional Fees and Services	697,979	708,503
Fuels and Lubricants	23,567	23,568
Consumable Supplies	384,240	388,364
Utilities	2,901,158	2,908,405
Travel	68,408	69,230
Rent - Building	188,833	190,007
Rent - Machine and Other	272,577	276,681
Debt Service	8,189,633	8,189,633
Other Operating Expense	6,034,352	5,513,090
Capital Expenditures	760,910	763,259
Total, Object-of-Expense Informational Listing	$ 69,717,650	$ 69,744,447
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 3,041,496	$ 3,201,405
Group Insurance	4,249,266	4,538,216
Social Security	3,015,830	3,121,385
Subtotal, Employee Benefits	$ 10,306,592	$ 10,861,006
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 10,306,592	$ 10,861,006

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the University of North Texas Health Science Center at Fort Worth. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the University of North Texas Health Science Center at Fort Worth. In order to achieve the objectives and service standards established by this Act, the University of North Texas Health Science Center at Fort Worth shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of Medical School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt	95%	95%
Percent of Medical School Graduates Practicing Primary Care in Texas	46%	46%
Percent of Medical Residency Completers Practicing in Texas	75%	75%
Percent of Graduates in Family Practice in Texas	27%	27%
Percent of Graduates Entering a Family Practice Residency	30%	30%
Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt	95%	95%
Percent of Allied Health Graduates Who Are Licensed or Certified in Texas	90%	90%
Percent of Public Health School Graduates Who Are Employed in Texas	70.8%	70.8%
Administrative (Institutional Support) Cost as a Percent of Total Expenditures	9.5%	9.5%
Percent of Medical School Graduates Practicing in Texas	67%	66%
A.1.1. Strategy: MEDICAL EDUCATION		
Explanatory:		
Minority Admissions as a Percent of Total First-year Admissions (All Schools)	19%	20%
Minority Admissions as a Percent of Total DO Admissions	13%	13%
Total Number of MD or DO Residents	165	170
Minority MD or DO Residents as a Percent of Total MD or DO Residents	9%	9%
Percent of Medical School Graduates Entering a Primary Care Residency	70%	70%
B. Goal: PROVIDE RESEARCH SUPPORT		
Outcome (Results/Impact):		
Total External Research Expenditures	35,870,000	38,760,000

3. **Forensic Laboratory.** The University of North Texas Health Science Center at Fort Worth is authorized to conduct all blood and DNA tests associated with paternity testing for the Office of the Attorney General at a monetary rate not to exceed the monetary rate at which the Attorney General could obtain the service elsewhere to the extent permitted under federal law and regulations. The income derived from this testing is to be spent only on the Forensic Laboratory. In addition, the services of the Forensic Laboratory are available to other entities or interested parties approved by the University of North Texas Health Science Center at Fort Worth.

4. **Parking Garage Debt Service.** Funds appropriated in Strategy C.2.1, Tuition Revenue Bond Retirement, may be used to retire bonds authorized by the Seventy-sixth Legislature to construct a campus parking garage. Parking fee revenue generated by this facility will be accounted for and reported to the Legislative Budget Board. The fee revenue, minus operational and maintenance costs, will be counted in the appropriations process to offset the costs of servicing debt associated with this facility.

5. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for the University of North Texas Health Science Center at Fort Worth No. 819 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

   a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   b. All balances of estimated appropriations from the Permanent Endowment Fund for the University of North Texas Health Science Center at Fort Worth No. 819 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2009, and the income to said fund during the fiscal years

beginning September 1, 2009, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated to the institution for the same purposes for fiscal year 2011.

6. **Contingency Appropriations: Economic Development & Technology Commercialization.** Of the amounts appropriated above in Strategy D.2.2, Economic Development & Technology Commercialization, $3,100,000 for the University of North Texas Health Science Center is contingent upon the certification by the Comptroller of Public Accounts that the joint activities of the collaboration of the University of North Texas Health Science Center and the City of Fort Worth will generate revenue to the General Revenue Fund sufficient to offset the appropriation. The Comptroller shall specify the supporting information to be provided by the collaboration and may require independent verification of the information. 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 contingency appropriation up to the amount certified, not to exceed $3,100,000 for the 2010-11 biennium, shall be made available for the intended purpose.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 160,940,004	$ 164,806,157
GR Dedicated - Estimated Other Educational and General Income Account No. 770	10,732,225	11,303,110
Other Funds		
Permanent Health Fund for Higher Education No. 810, estimated	1,398,600	1,398,600
Permanent Endowment Fund, Texas Tech University HSC El Paso No. 820, estimated	1,125,000	1,125,000
Permanent Endowment Fund, Texas Tech University HSC (Other than El Paso) No. 821, estimated	1,125,000	1,125,000
Subtotal, Other Funds	$ 3,648,600	$ 3,648,600
Total, Method of Financing	$ 175,320,829	$ 179,757,867
Items of Appropriation:		
1. Educational and General State Support	$ 175,320,829	$ 179,757,867
Grand Total, TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER	$ 175,320,829	$ 179,757,867
This bill pattern represents an estimated 29.7% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	1,766.3	1,787.6

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: MEDICAL EDUCATION	$ 32,892,535	$ 32,892,535
A.1.2. Strategy: BIOMEDICAL SCIENCES TRAINING	$ 3,030,539	$ 3,030,539
Graduate Training in Biomedical Sciences.		
A.1.3. Strategy: ALLIED HEALTH PROFESSIONS TRAINING	$ 15,080,624	$ 15,080,624
A.1.4. Strategy: NURSING EDUCATION	$ 11,574,226	$ 11,574,226

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $7,075,479 and a Federal Funds increase of $7,075,579 plus a Federal Funds Section 25 appropriation of $4,000,000 in FY 2010, resulting in net General Revenue appropriations of $153,864,525 and a net All Funds appropriation of $179,320,829 in FY 2010.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER
(Continued)

A.1.5. Strategy: PHARMACY EDUCATION	$	15,616,926	$	15,616,926
A.1.6. Strategy: GRADUATE MEDICAL EDUCATION	$	3,566,144	$	3,566,144
A.2.1. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	754,884	$	806,216
A.2.2. Strategy: WORKERS' COMPENSATION INSURANCE	$	648,934	$	648,934
A.3.1. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$	1,076,256	$	1,145,871
A.3.2. Strategy: MEDICAL LOANS	$	78,666	$	86,526
Total, Goal A: INSTRUCTION/OPERATIONS	$	84,319,734	$	84,448,541
B. Goal: PROVIDE RESEARCH SUPPORT				
B.1.1. Strategy: RESEARCH ENHANCEMENT	$	1,774,365	$	1,774,365
C. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
C.1.1. Strategy: E&G SPACE SUPPORT	$	11,606,078	$	11,606,078
C.2.1. Strategy: TUITION REVENUE BOND RETIREMENT	$	13,188,498	$	13,183,318
C.2.2. Strategy: LONG-TERM INSTR REL EQUIPMENT	$	3,309,269	$	3,422,680
Long-term Instructional Related Equipment.				
Total, Goal C: INFRASTRUCTURE SUPPORT	$	28,103,845	$	28,212,076
D. Goal: PROVIDE SPECIAL ITEM SUPPORT				
D.1.1. Strategy: SOUTH TEXAS PROFESSIONAL EDUCATION	$	906,228	$	906,228
South Texas Border Region Health Professional Education.				
D.1.2. Strategy: BORDER SUPPORT - ACADEMIC EXPANSION	$	3,888,891	$	3,888,891
Border Health Care Support - Academic Expansion.				
D.1.3. Strategy: ACADEMIC SUPPORT-BORDER DEVELOPMENT	$	393,470	$	393,470
Academic Operations Support - Border Region Development.				
D.1.4. Strategy: INTEGRATED HEALTH NETWORK	$	1,324,895	$	1,324,895
D.1.5. Strategy: MEDICAL EDUCATION - ODESSA	$	1,559,965	$	1,559,965
D.1.6. Strategy: PAUL L. FOSTER SCHOOL OF MEDICINE	$	28,300,000	$	37,300,000
D.1.7. Strategy: PHYSICIAN ASSISTANT PROGRAM	$	508,250	$	508,250
D.2.1. Strategy: FAMILY/COMMUNITY MEDICINE RESIDENCY	$	600,915	$	600,915
Family and Community Medicine Residency Training Program.				
D.2.2. Strategy: BORDER HEALTH - RESIDENT SUPPORT	$	387,773	$	387,773
Border Health Care Support - Resident Support.				
D.2.3. Strategy: MIDLAND MEDICAL RESIDENCY	$	1,941,799	$	1,941,799
Midland Medical Residency.				
D.3.1. Strategy: DIABETES RESEARCH CENTER	$	289,140	$	289,140
D.3.2. Strategy: CANCER RESEARCH	$	4,800,000	$	UB
D.4.1. Strategy: RURAL HEALTH CARE	$	1,022,164	$	1,022,164
D.5.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	11,550,795	$	11,550,795
Multicampus (4) Institutional Enhancement.				
Total, Goal D: PROVIDE SPECIAL ITEM SUPPORT	$	57,474,285	$	61,674,285
E. Goal: TOBACCO FUNDS				
E.1.1. Strategy: TOBACCO EARNINGS TX TECH HSC ELPASO	$	1,125,000	$	1,125,000
Tobacco Earnings - Texas Tech Univ Health Sciences Center (El Paso).				
E.1.2. Strategy: TOBACCO EARNINGS TX TECH UNIV HSC	$	1,125,000	$	1,125,000
Tobacco Earnings for Texas Tech University Health Sciences Center.				
E.1.3. Strategy: TOBACCO - PERMANENT HEALTH FUND	$	1,398,600	$	1,398,600
Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810.				
Total, Goal E: TOBACCO FUNDS	$	3,648,600	$	3,648,600
Grand Total, TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER	$	175,320,829	$	179,757,867

Object-of-Expense Informational Listing:		
Salaries and Wages	$ 59,683,311	$ 69,536,540
Other Personnel Costs	1,434,251	1,456,343
Faculty Salaries (Higher Education Only)	59,682,911	66,275,939
Professional Salaries - Faculty Equivalent (Higher Education Only)	209,727	0
Professional Fees and Services	448,806	393,600
Fuels and Lubricants	17,317	17,651
Consumable Supplies	2,589,095	2,652,716
Utilities	3,289,747	3,609,140
Travel	571,229	719,745
Rent - Building	310,978	258,629
Rent - Machine and Other	33,098	36,750
Debt Service	13,188,498	13,183,318
Other Operating Expense	21,231,698	16,822,050
Client Services	178,690	192,148
Grants	120,863	6,009
Capital Expenditures	12,330,610	4,597,289
Total, Object-of-Expense Informational Listing	$ 175,320,829	$ 179,757,867
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 9,222,605	$ 9,682,986
Group Insurance	16,740,051	17,878,376
Social Security	9,611,108	9,947,497
Subtotal, Employee Benefits	$ 35,573,764	$ 37,508,859
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 35,573,764	$ 37,508,859

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Tech University Health Sciences Center. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Tech University Health Sciences Center. In order to achieve the objectives and service standards established by this Act, the Texas Tech University Health Sciences Center shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of Medical School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt	90%	90%
Percent of Medical School Graduates Practicing Primary Care in Texas	40%	40%
Percent of Medical Residency Completers Practicing in Texas	39%	39%
Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt	93%	93%
Percent of Allied Health Graduates Who Are Licensed or Certified in Texas	75%	75%
Percent of Bachelor of Science in Nursing Graduates Passing the National Licensing Exam on the First Attempt in Texas	86%	86%
Percent of Bachelor of Science in Nursing Graduates Who Are Licensed in Texas	95%	95%
Percent of Pharmacy School Graduates Passing the National Licensing Exam on the First Attempt	95%	95%
Percent of Pharmacy School Graduates Who Are Licensed in Texas	85%	85%
Administrative (Institutional Support) Cost as a Percent of Total Expenditures	4%	4%
Percent of Medical School Graduates Practicing in Texas	66.2%	61.3%
A.1.1. Strategy: MEDICAL EDUCATION		
Explanatory:		
Minority Admissions as a Percent of Total First-year Admissions (All Schools)	20%	20%

Minority MD Admissions as a Percent of Total MD Admissions	15%	15%
Total Number of MD or DO Residents	513	514
Minority MD or DO Residents as a Percent of Total MD or DO Residents	27%	27%
Percent of Medical School Graduates Entering a Primary Care Residency	48%	48%
A.1.4. Strategy: NURSING EDUCATION		
Explanatory:		
Percent of Master of Science in Nursing Graduates Granted Advanced Practice Status in Texas	75%	75%
B. Goal: PROVIDE RESEARCH SUPPORT		
Outcome (Results/Impact):		
Total External Research Expenditures	16,000,000	16,500,000
D. Goal: PROVIDE SPECIAL ITEM SUPPORT		
D.1.4. Strategy: INTEGRATED HEALTH NETWORK		
Output (Volume):		
Annual Event Hours of Distance Education	725,000	775,000

3. **South Texas/Border Region Health Professional Education.** Out of the amounts appropriated above to Texas Tech University Health Sciences Center in Strategy D.1.1, South Texas Professional Education, is the amount of $906,228 for the fiscal year ending August 31, 2010 and $906,228 for the fiscal year ending August 31, 2011 for use by the Regional Academic Health Center in El Paso for infrastructure support, faculty salaries, maintenance and operation, and library resources.

   a. Any unexpended balances remaining in the appropriations identified in this section as of August 31, 2010, are appropriated to Texas Tech University Health Sciences Center for their original purposes and shall be used with funds appropriated by this section for the fiscal year ending August 31, 2011.

   b. A report by the Texas Tech University Health Sciences Center shall be filed with the Legislative Budget Board and the Governor on or before December 1, 2010, concerning the use of the funds appropriated by this section and the extent to which the purposes specified by this section have been achieved.

4. **Appropriation of Costs for Health Care to Inmates.** None of the funds appropriated above shall be expended to provide or support the provision of health care to inmates of the Texas Department of Criminal Justice (TDCJ). It is the intent of the Legislature that all costs for providing health care to inmates of the TDCJ including costs of operating TDCJ hospital facilities in Galveston County and Lubbock County shall be paid from appropriations made to the TDCJ and from any financial reserves from contracts with TDCJ that are held by the university for the correctional health care services. Appropriations made to the TDCJ for the provision of inmate health care services shall be expended in accordance with Government Code, Chapter 501, Subchapter E.

5. **El Paso Center for Border Health Research.** Funds appropriated above provide funding for Texas Tech Health Sciences Center's collaboration with the University of Texas at El Paso and the El Paso Center for Border Health Research, a component of the Paso del Norte Regional Health Institute located in the City of El Paso. Funding included above is for research, in areas not limited to, but focusing on and including, infectious diseases such as tuberculosis, Hispanic health issues such as diabetes and hypertension, border environmental health issues such as those associated with water and air quality, and children's health.

6. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for the Texas Tech University Health Sciences Center at El Paso No. 820, (2) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for the Texas Tech University Health Sciences Center at locations other than El Paso No. 821 and (3) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

   a. Amounts available for distribution or investment returns in excess of the amounts estimated are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

b. All balances of estimated appropriations from the Permanent Endowment Fund for the Texas Tech University Health Sciences Center at El Paso No. 820, Permanent Endowment Fund for the Texas Tech University Health Sciences Center at locations other than El Paso No. 821, and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2009, and the income to said fund during the fiscal years beginning September 1, 2009 are hereby appropriated. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated to the institution for the same purposes for fiscal year 2011.

7. Transfers of Appropriations. Texas Tech University Health Sciences Center shall transfer from non-Medicaid state appropriated funds $7,500,000 in fiscal year 2010 and $7,500,000 in fiscal year 2011 to the Health and Human Services Commission. The timing of such transfers shall be determined by the Comptroller of Public Accounts in consultation with the Health and Human Services Commission. The Legislative Budget Board is authorized to adjust the amounts of such transfers as necessary to match available federal funds.

8. Cancer Research. Funds appropriated above in Strategy D.3.2, Cancer Research, to the Texas Tech University Health Sciences Center for cancer research in the amount of $4,800,000 is for new research opportunities for clinical trials in rural and underserved areas of Texas. These services shall be delivered in partnership with an established research entity conducting peer-reviewed research in cancer therapy and control. The amount of funds expended by Texas Tech University Health Sciences Center shall be limited to the amounts outlined in this rider. The appropriation of the funds is contingent upon the execution of a memorandum of understanding between the health sciences center and an established research entity that conduct peer-reviewed, audited research in cancer therapy and control. Any unexpended balance as of August 31, 2010 is hereby appropriated for the same purposes for fiscal year 2011.

9. Abilene Pharmacy School. The Texas Tech University Health Sciences Center School of Pharmacy at Abilene shall be recognized as a separate campus for the purposes of calculating the small class supplement component of the instruction and operations formula and the multi-campus adjustment component of the space projection model.

PUBLIC COMMUNITY/JUNIOR COLLEGES

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 929,621,578	$ 929,621,580
Total, Method of Financing	$ 929,621,578	$ 929,621,580
Items of Appropriation:		
1. Educational and General State Support	$ 929,621,578	$ 929,621,580
Grand Total, PUBLIC COMMUNITY/JUNIOR COLLEGES	$ 929,621,578	$ 929,621,580

This bill pattern represents an estimated 25.3% of this agency's estimated total available funds for the biennium.

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: ALAMO COMMUNITY COLLEGE		
A.1.1. Strategy: ACADEMIC EDUCATION	$ 54,941,675	$ 54,941,675
A.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 17,192,516	$ 17,192,517
Total, Goal A: ALAMO COMMUNITY COLLEGE	$ 72,134,191	$ 72,134,192
B. Goal: ALVIN COMMUNITY COLLEGE		
B.1.1. Strategy: ACADEMIC EDUCATION	$ 4,105,762	$ 4,105,762
B.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 3,874,735	$ 3,874,734
B.1.3. Strategy: FORMULA HOLD HARMLESS	$ 476,212	$ 476,212
Total, Goal B: ALVIN COMMUNITY COLLEGE	$ 8,456,709	$ 8,456,708
C. Goal: AMARILLO COLLEGE		
C.1.1. Strategy: ACADEMIC EDUCATION	$ 8,820,416	$ 8,820,416
C.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 7,785,996	$ 7,785,997
C.1.3. Strategy: FORMULA HOLD HARMLESS	$ 546,854	$ 546,854
Total, Goal C: AMARILLO COLLEGE	$ 17,153,266	$ 17,153,267
D. Goal: ANGELINA COLLEGE		
D.1.1. Strategy: ACADEMIC EDUCATION	$ 4,579,733	$ 4,579,733
D.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 3,273,568	$ 3,273,568
D.1.3. Strategy: FORMULA HOLD HARMLESS	$ 553,913	$ 553,914
Total, Goal D: ANGELINA COLLEGE	$ 8,407,214	$ 8,407,215
E. Goal: AUSTIN COMMUNITY COLLEGE		
E.1.1. Strategy: VIRTUAL COLLEGE OF TEXAS	$ 500,000	$ 500,000
E.1.2. Strategy: ACADEMIC EDUCATION	$ 34,009,941	$ 34,009,941
E.1.3. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 12,518,467	$ 12,518,467
Total, Goal E: AUSTIN COMMUNITY COLLEGE	$ 47,028,408	$ 47,028,408
F. Goal: BLINN COLLEGE		
F.1.1. Strategy: STAR OF THE REPUBLIC MUSEUM	$ 356,248	$ 356,248
F.2.1. Strategy: ACADEMIC EDUCATION	$ 20,179,568	$ 20,179,568
F.2.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 3,171,346	$ 3,171,347
Total, Goal F: BLINN COLLEGE	$ 23,707,162	$ 23,707,163

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For community college districts, Article XII includes a General Revenue reduction of $15,000,000 and a Federal Funds increase of $15,000,000, plus a Federal Funds Section 25 appropriation of $1,905,000 in FY 2010, resulting in net General Revenue appropriations of $914,621,578 and a net All Funds appropriation of $931,526,578 in FY 2010.

PUBLIC COMMUNITY/JUNIOR COLLEGES
(Continued)

G. Goal: BRAZOSPORT COLLEGE				
G.1.1. Strategy: BACHELOR OF APPLIED TECHNOLOGY	$	92,766	$	92,766
G.2.1. Strategy: ACADEMIC EDUCATION	$	2,940,440	$	2,940,440
G.2.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	2,123,195	$	2,123,195
G.2.3. Strategy: FORMULA HOLD HARMLESS	$	694,249	$	694,250
Total, Goal G: BRAZOSPORT COLLEGE	$	5,850,650	$	5,850,651
H. Goal: CENTRAL TEXAS COLLEGE				
H.1.1. Strategy: ACADEMIC EDUCATION	$	12,378,003	$	12,378,003
H.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	8,804,927	$	8,804,928
Total, Goal H: CENTRAL TEXAS COLLEGE	$	21,182,930	$	21,182,931
I. Goal: CISCO JUNIOR COLLEGE				
I.1.1. Strategy: ACADEMIC EDUCATION	$	3,936,760	$	3,936,760
I.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	1,700,770	$	1,700,770
Total, Goal I: CISCO JUNIOR COLLEGE	$	5,637,530	$	5,637,530
J. Goal: CLARENDON COLLEGE				
J.1.1. Strategy: ACADEMIC EDUCATION	$	1,565,824	$	1,565,824
J.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	657,329	$	657,328
J.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$	449,408	$	449,409
Total, Goal J: CLARENDON COLLEGE	$	2,672,561	$	2,672,561
K. Goal: COASTAL BEND COLLEGE				
K.1.1. Strategy: ACADEMIC EDUCATION	$	3,448,705	$	3,448,705
K.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	3,293,848	$	3,293,848
K.1.3. Strategy: FORMULA HOLD HARMLESS	$	73,455	$	73,456
Total, Goal K: COASTAL BEND COLLEGE	$	6,816,008	$	6,816,009
L. Goal: COLLEGE OF THE MAINLAND				
L.1.1. Strategy: ACADEMIC EDUCATION	$	3,771,502	$	3,771,502
L.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	2,279,834	$	2,279,833
L.1.3. Strategy: FORMULA HOLD HARMLESS	$	305,727	$	305,726
Total, Goal L: COLLEGE OF THE MAINLAND	$	6,357,063	$	6,357,061
M. Goal: COLLIN COUNTY COMMUNITY COLLEGE				
M.1.1. Strategy: ACADEMIC EDUCATION	$	25,844,989	$	25,844,989
M.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	5,989,419	$	5,989,418
Total, Goal M: COLLIN COUNTY COMMUNITY COLLEGE	$	31,834,408	$	31,834,407
N. Goal: DALLAS COUNTY COMMUNITY COLLEGE				
N.1.1. Strategy: SMALL BUSINESS DEVELOPMENT CENTER	$	1,651,904	$	1,651,904
N.1.2. Strategy: STARLINK	$	280,834	$	280,834
N.2.1. Strategy: ACADEMIC EDUCATION	$	64,334,744	$	64,334,744
N.2.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	33,659,344	$	33,659,344
Total, Goal N: DALLAS COUNTY COMMUNITY COLLEGE	$	99,926,826	$	99,926,826
O. Goal: DEL MAR COLLEGE				
O.1.1. Strategy: ACADEMIC EDUCATION	$	10,588,082	$	10,588,082
O.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	8,001,833	$	8,001,833
O.1.3. Strategy: FORMULA HOLD HARMLESS	$	68,762	$	68,762
Total, Goal O: DEL MAR COLLEGE	$	18,658,677	$	18,658,677
P. Goal: EL PASO COMMUNITY COLLEGE				
P.1.1. Strategy: ACADEMIC EDUCATION	$	25,919,847	$	25,919,847
P.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	7,729,325	$	7,729,325
Total, Goal P: EL PASO COMMUNITY COLLEGE	$	33,649,172	$	33,649,172
Q. Goal: FRANK PHILLIPS COLLEGE				
Q.1.1. Strategy: ACADEMIC EDUCATION	$	1,351,874	$	1,351,874

PUBLIC COMMUNITY/JUNIOR COLLEGES
(Continued)

Q.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	1,119,941	$	1,119,941
Q.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$	373,105	$	373,105
Total, Goal Q: FRANK PHILLIPS COLLEGE	$	2,844,920	$	2,844,920
R. Goal: GALVESTON COLLEGE				
R.1.1. Strategy: ACADEMIC EDUCATION	$	1,933,768	$	1,933,768
R.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	1,499,185	$	1,499,185
R.1.3. Strategy: FORMULA HOLD HARMLESS	$	1,200,738	$	1,200,739
R.1.4. Strategy: SMALL INSTITUTION SUPPLEMENT	$	95,658	$	95,658
Total, Goal R: GALVESTON COLLEGE	$	4,729,349	$	4,729,350
S. Goal: GRAYSON COUNTY COLLEGE				
S.1.1. Strategy: ACADEMIC EDUCATION	$	4,242,988	$	4,242,988
S.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	3,197,628	$	3,197,628
Total, Goal S: GRAYSON COUNTY COLLEGE	$	7,440,616	$	7,440,616
T. Goal: HILL COLLEGE				
T.1.1. Strategy: HERITAGE MUSEUM/GENEALOGY CENTER	$	360,001	$	360,000
Heritage Museum and Genealogy Center.				
T.2.1. Strategy: ACADEMIC EDUCATION	$	4,301,128	$	4,301,128
T.2.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	2,604,641	$	2,604,641
Total, Goal T: HILL COLLEGE	$	7,265,770	$	7,265,769
U. Goal: HOUSTON COMMUNITY COLLEGE				
U.1.1. Strategy: ACADEMIC EDUCATION	$	45,753,415	$	45,753,415
U.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	24,583,697	$	24,583,698
Total, Goal U: HOUSTON COMMUNITY COLLEGE	$	70,337,112	$	70,337,113
V. Goal: HOWARD COLLEGE				
V.1.1. Strategy: SOUTHWEST INSTITUTE FOR THE DEAF	$	3,100,924	$	3,100,923
Southwest Collegiate Institute for the Deaf.				
V.2.1. Strategy: ACADEMIC EDUCATION	$	3,013,477	$	3,013,477
V.2.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	5,260,291	$	5,260,290
V.2.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$	537,103	$	537,103
Total, Goal V: HOWARD COLLEGE	$	11,911,795	$	11,911,793
W. Goal: KILGORE COLLEGE				
W.1.1. Strategy: ACADEMIC EDUCATION	$	5,908,270	$	5,908,270
W.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	6,661,337	$	6,661,337
Total, Goal W: KILGORE COLLEGE	$	12,569,607	$	12,569,607
X. Goal: LAREDO COMMUNITY COLLEGE				
X.1.1. Strategy: IMPORT/EXPORT TRNG CTR	$	210,888	$	210,887
Regional Import/Export Training Center.				
X.2.1. Strategy: ACADEMIC EDUCATION	$	8,366,083	$	8,366,083
X.2.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	3,600,428	$	3,600,428
X.2.3. Strategy: FORMULA HOLD HARMLESS	$	673,388	$	673,389
Total, Goal X: LAREDO COMMUNITY COLLEGE	$	12,850,787	$	12,850,787
Y. Goal: LEE COLLEGE				
Y.1.1. Strategy: ACADEMIC EDUCATION	$	4,658,933	$	4,658,933
Y.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	5,625,767	$	5,625,767
Total, Goal Y: LEE COLLEGE	$	10,284,700	$	10,284,700
Z. Goal: LONE STAR COLLEGE SYSTEM				
Z.1.1. Strategy: ACADEMIC EDUCATION	$	46,404,253	$	46,404,253
Z.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	15,211,586	$	15,211,586
Total, Goal Z: LONE STAR COLLEGE SYSTEM	$	61,615,839	$	61,615,839

PUBLIC COMMUNITY/JUNIOR COLLEGES
(Continued)

AA. Goal: MCLENNAN COMMUNITY COLLEGE		
AA.1.1. Strategy: ACADEMIC EDUCATION	$ 8,869,577	$ 8,869,577
AA.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 5,218,086	$ 5,218,086
Total, Goal AA: MCLENNAN COMMUNITY COLLEGE	$ 14,087,663	$ 14,087,663
AB. Goal: MIDLAND COLLEGE		
AB.1.1. Strategy: AMERICAN AIRPOWER HERITAGE MUSEUM	$ 498,702	$ 498,702
AB.2.1. Strategy: BACHELOR OF APPLIED TECHNOLOGY	$ 65,388	$ 65,388
AB.3.1. Strategy: ACADEMIC EDUCATION	$ 5,583,118	$ 5,583,118
AB.3.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 3,999,685	$ 3,999,684
AB.3.3. Strategy: FORMULA HOLD HARMLESS	$ 145,642	$ 145,642
Total, Goal AB: MIDLAND COLLEGE	$ 10,292,535	$ 10,292,534
AC. Goal: NAVARRO COLLEGE		
AC.1.1. Strategy: ACADEMIC EDUCATION	$ 9,147,727	$ 9,147,727
AC.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 6,010,571	$ 6,010,571
Total, Goal AC: NAVARRO COLLEGE	$ 15,158,298	$ 15,158,298
AD. Goal: NORTH CENTRAL TEXAS COLLEGE		
AD.1.1. Strategy: ACADEMIC EDUCATION	$ 7,732,725	$ 7,732,725
AD.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 2,777,153	$ 2,777,154
Total, Goal AD: NORTH CENTRAL TEXAS COLLEGE	$ 10,509,878	$ 10,509,879
AE. Goal: NORTHEAST TEXAS COMMUNITY COLLEGE		
AE.1.1. Strategy: ACADEMIC EDUCATION	$ 2,754,664	$ 2,754,664
AE.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 1,477,343	$ 1,477,343
Total, Goal AE: NORTHEAST TEXAS COMMUNITY COLLEGE	$ 4,232,007	$ 4,232,007
AF. Goal: ODESSA COLLEGE		
AF.1.1. Strategy: ACADEMIC EDUCATION	$ 4,113,357	$ 4,113,357
AF.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 3,600,629	$ 3,600,630
AF.1.3. Strategy: FORMULA HOLD HARMLESS	$ 759,777	$ 759,777
Total, Goal AF: ODESSA COLLEGE	$ 8,473,763	$ 8,473,764
AG. Goal: PANOLA COLLEGE		
AG.1.1. Strategy: ACADEMIC EDUCATION	$ 1,896,314	$ 1,896,314
AG.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 1,862,928	$ 1,862,929
AG.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 66,857	$ 66,856
Total, Goal AG: PANOLA COLLEGE	$ 3,826,099	$ 3,826,099
AH. Goal: PARIS JUNIOR COLLEGE		
AH.1.1. Strategy: ACADEMIC EDUCATION	$ 5,921,938	$ 5,921,938
AH.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 2,809,656	$ 2,809,656
AH.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 540,812	$ 540,813
Total, Goal AH: PARIS JUNIOR COLLEGE	$ 9,272,406	$ 9,272,407
AI. Goal: RANGER COLLEGE		
AI.1.1. Strategy: ACADEMIC EDUCATION	$ 899,979	$ 899,979
AI.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 603,399	$ 603,399
AI.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 521,780	$ 521,780
AI.1.4. Strategy: FORMULA HOLD HARMLESS	$ 64,652	$ 64,652
Total, Goal AI: RANGER COLLEGE	$ 2,089,810	$ 2,089,810
AJ. Goal: SAN JACINTO COLLEGE		
AJ.1.1. Strategy: ACADEMIC EDUCATION	$ 24,240,087	$ 24,240,087
AJ.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 14,643,409	$ 14,643,409
Total, Goal AJ: SAN JACINTO COLLEGE	$ 38,883,496	$ 38,883,496
AK. Goal: SOUTH PLAINS COLLEGE		
AK.1.1. Strategy: ACADEMIC EDUCATION	$ 9,688,047	$ 9,688,047

PUBLIC COMMUNITY/JUNIOR COLLEGES
(Continued)

AK.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 5,421,992	$ 5,421,993
Total, Goal AK: SOUTH PLAINS COLLEGE	$ 15,110,039	$ 15,110,040
AL. Goal: SOUTH TEXAS COLLEGE		
AL.1.1. Strategy: BACHELOR OF APPLIED TECHNOLOGY	$ 331,297	$ 331,297
AL.2.1. Strategy: ACADEMIC EDUCATION	$ 20,224,996	$ 20,224,996
AL.2.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 10,012,398	$ 10,012,398
Total, Goal AL: SOUTH TEXAS COLLEGE	$ 30,568,691	$ 30,568,691
AM. Goal: SOUTHWEST TEXAS JUNIOR COLLEGE		
AM.1.1. Strategy: ACADEMIC EDUCATION	$ 5,408,251	$ 5,408,251
AM.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 1,988,988	$ 1,988,988
AM.1.3. Strategy: FORMULA HOLD HARMLESS	$ 307,293	$ 307,292
Total, Goal AM: SOUTHWEST TEXAS JUNIOR COLLEGE	$ 7,704,532	$ 7,704,531
AN. Goal: TARRANT COUNTY COLLEGE		
AN.1.1. Strategy: ACADEMIC EDUCATION	$ 42,376,890	$ 42,376,890
AN.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 10,593,480	$ 10,593,481
Total, Goal AN: TARRANT COUNTY COLLEGE	$ 52,970,370	$ 52,970,371
AO. Goal: TEMPLE COLLEGE		
AO.1.1. Strategy: ACADEMIC EDUCATION	$ 5,172,914	$ 5,172,914
AO.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 3,102,176	$ 3,102,175
Total, Goal AO: TEMPLE COLLEGE	$ 8,275,090	$ 8,275,089
AP. Goal: TEXARKANA COLLEGE		
AP.1.1. Strategy: ACADEMIC EDUCATION	$ 4,616,750	$ 4,616,750
AP.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 4,684,946	$ 4,684,945
Total, Goal AP: TEXARKANA COLLEGE	$ 9,301,696	$ 9,301,695
AQ. Goal: TEXAS SOUTHMOST COLLEGE		
AQ.1.1. Strategy: ACADEMIC EDUCATION	$ 8,459,303	$ 8,459,303
AQ.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 4,450,516	$ 4,450,516
AQ.1.3. Strategy: FORMULA HOLD HARMLESS	$ 1,073,002	$ 1,073,002
Total, Goal AQ: TEXAS SOUTHMOST COLLEGE	$ 13,982,821	$ 13,982,821
AR. Goal: TRINITY VALLEY COMMUNITY COLLEGE		
AR.1.1. Strategy: ACADEMIC EDUCATION	$ 6,604,853	$ 6,604,853
AR.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 5,332,987	$ 5,332,988
Total, Goal AR: TRINITY VALLEY COMMUNITY COLLEGE	$ 11,937,840	$ 11,937,841
AS. Goal: TYLER JUNIOR COLLEGE		
AS.1.1. Strategy: ACADEMIC EDUCATION	$ 12,016,398	$ 12,016,398
AS.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 6,141,192	$ 6,141,191
Total, Goal AS: TYLER JUNIOR COLLEGE	$ 18,157,590	$ 18,157,589
AT. Goal: VERNON COLLEGE		
AT.1.1. Strategy: ACADEMIC EDUCATION	$ 2,516,150	$ 2,516,150
AT.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 3,002,394	$ 3,002,393
AT.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 378,310	$ 378,310
Total, Goal AT: VERNON COLLEGE	$ 5,896,854	$ 5,896,853
AU. Goal: VICTORIA COLLEGE		
AU.1.1. Strategy: ACADEMIC EDUCATION	$ 3,516,155	$ 3,516,155
AU.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 3,043,114	$ 3,043,114
AU.1.3. Strategy: FORMULA HOLD HARMLESS	$ 256,818	$ 256,818
Total, Goal AU: VICTORIA COLLEGE	$ 6,816,087	$ 6,816,087
AV. Goal: WEATHERFORD COLLEGE		
AV.1.1. Strategy: ACADEMIC EDUCATION	$ 5,029,819	$ 5,029,819

AV.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 2,774,125	$ 2,774,124
AV.1.3. Strategy: FORMULA HOLD HARMLESS	$ 430,187	$ 430,186
Total, Goal AV: WEATHERFORD COLLEGE	$ 8,234,131	$ 8,234,129
AW. Goal: WESTERN TEXAS COLLEGE		
AW.1.1. Strategy: ACADEMIC EDUCATION	$ 2,637,753	$ 2,637,753
AW.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 1,337,027	$ 1,337,028
AW.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 36,966	$ 36,966
Total, Goal AW: WESTERN TEXAS COLLEGE	$ 4,011,746	$ 4,011,747
AX. Goal: WHARTON COUNTY JUNIOR COLLEGE		
AX.1.1. Strategy: ACADEMIC EDUCATION	$ 5,966,510	$ 5,966,510
AX.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 2,538,356	$ 2,538,357
Total, Goal AX: WHARTON COUNTY JUNIOR COLLEGE	$ 8,504,866	$ 8,504,867
Grand Total, PUBLIC COMMUNITY/JUNIOR COLLEGES	$ 929,621,578	$ 929,621,580
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 922,172,626	$ 922,172,631
Other Operating Expense	7,448,952	7,448,949
Total, Object-of-Expense Informational Listing	$ 929,621,578	$ 929,621,580
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 97,135,618	$ 102,511,864
Group Insurance	158,779,987	169,577,025
Subtotal, Employee Benefits	$ 255,915,605	$ 272,088,889
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 255,915,605	$ 272,088,889

2. **Administration of Appropriated Funds.** Funds appropriated above shall be administered by the Texas Higher Education Coordinating Board.

3. **Appropriation Eligibility.** To be eligible for and to receive an appropriation a public community/junior college must be certified as required by Education Code, Chapter 61, § 61.063, and comply with the following provisions:

   a. The Texas Higher Education Coordinating Board shall 1) determine whether each eligible public community/junior college has complied with all the provisions of this section; 2) determine each college's list of approved courses; and 3) certify its findings and such lists to the State Auditor not later than October 1 of each fiscal year. Each public community/junior college shall make such reports to the Texas Higher Education Coordinating Board as may be required, classified in accordance with the rules and regulations issued by the Board.

   b. On or before the dates for reporting official enrollments each semester to the Texas Higher Education Coordinating Board, each college will collect in full from each student that is to be counted for state aid purposes the amounts set as tuition by the respective governing boards. Valid contracts with the United States government for instruction of eligible military personnel, and valid contracts with private business and public service-type organizations or institutions such as hospitals, may be considered as collections thereunder, but subject to adjustments after final payment thereof. Financial aid awards processed by the financial aid office but not yet issued to the student shall be considered as collections thereunder but subject to adjustments after final payment thereof.

   c. Each community/junior college must use a registration and financial reporting system which is sufficient to satisfy the audit requirements of the State Auditor and furnish any reports and information as the auditor may require.

d. Each community/junior college must file by December 1 of each fiscal year directly with the Governor, Legislative Budget Board, the Legislative Reference Library, and the Texas Higher Education Coordinating Board, a copy of an annual operating budget, and subsequent amendments thereto, approved by the community/junior college governing board. The operating budget shall be in such form and manner as may be prescribed by the board and/or agency with the advice of the State Auditor providing, however, that each report include departmental operating budgets by function and salaries and emoluments for faculty and staff listed by position.

4. Approved Special Item Expenditures. The funds appropriated above for special items may be expended for salaries, wages, travel, capital outlay and other necessary operating expenses. It is specifically provided that funds appropriated above may not be used for the operation of intercollegiate athletics.

5. Audit of Compliance. The compliance of each public community/junior college with the requirements set forth in the paragraphs above shall be ascertained by the State Auditor who shall also audit the pertinent books and records of each college as necessary.

6. Vouchers for Disbursement of Appropriated Funds. Vouchers for disbursement of the sums appropriated hereinabove shall be prepared by the Texas Higher Education Coordinating Board on the basis of the provisions in the paragraphs above and the warrants issued in payment thereof shall be issued in compliance with Education Code, § 130.0031.

Funds appropriated above to Howard County College for the operation of the Southwest Collegiate Institute for the Deaf shall be distributed in accordance with the installment schedule for Category 1 junior colleges.

The total amount of funds appropriated above in each year of the biennium to Midland College in Strategy AB.1.1, American Airpower Heritage Museum, should be distributed on September 1 of the year funds are appropriated.

In submitting vouchers for disbursement of the funds herein appropriated, the Texas Higher Education Coordinating Board, shall certify to the State Comptroller of Public Accounts that each school listed has qualified and is entitled to receive such funds under the provisions set forth in this Act under the heading "Public Community/Junior Colleges."

7. Unobligated Balances. At the close of each fiscal year each community/junior college shall report to the Coordinating Board the amount of state allocations which have not been obligated within each line item and shall return that amount to the State Treasury for deposit in the General Revenue Fund.

8. Adjustment of Contact Hours. The hours used in the contact hour base period are subject to audit for accuracy by the State Auditor according to an audit plan developed in consultation with the Texas Higher Education Coordinating Board, the Legislative Budget Board and community, technical, and state colleges, and the dollar amounts adjusted accordingly by the Texas Higher Education Coordinating Board at the direction of the Legislative Budget Board. The amounts appropriated separately to each of the two-year institutions' contact hour formulas shall be redistributed using the formula amounts appropriated to community colleges, Texas State Technical Colleges and two-year Lamar institutions based on certified contact hours as calculated separately for community colleges, Texas State Technical Colleges and the two-year Lamar institutions. The calculation of revised appropriation amounts shall allow each institution an error rate of up to 2 percent of the total contact hour formula appropriations to that institution for the biennium. Adjustments shall be made to appropriated amounts in accordance with adjustments of estimated contact hours to actual contact hours, even if the total error rate is less than 2 percent of the total contact hour formula amount appropriated to that institution for the biennium. No college shall have its dollar allocation adjusted to a level below 100 percent of its 2010-11 formula base. Institutions where sampling errors are identified may request a comprehensive institutional audit at institutional expense.

9. Separation of Funds. The funds appropriated by the State shall be maintained separately by community/junior colleges from other sources of income.

10. Supplanting of Federal Funds Prohibited. State funds shall not be used to supplant federal funds for the Workforce Investment Act programs conducted by community/junior colleges.

11. **Residency of Texas Department of Criminal Justice Inmates.** All inmates of the Texas Department of Criminal Justice are, for educational funding purposes in this Act only, residents of the State of Texas.

12. **Regional Import/Export Training Center.** Appropriations of $43,750 each year made above are contingent upon certification by the Comptroller of Public Accounts that increased economic activity associated with the Regional Import/Export Training Center and the Laredo Community College will generate at least $87,500 for the biennium in additional revenue to the General Revenue Fund. It is the intent of the Legislature that state funds provided to the Regional Import/Export Training Center be used by the Center to attract federal funds on a dollar-for-dollar basis.

13. **Informational Listing of Other Appropriations.** In addition to the funds appropriated above, General Revenue is appropriated elsewhere in this Act for the use of the Public Community/Junior Colleges as follows:

    a. Out of the General Revenue Funds appropriated to the Higher Education Employees Group Insurance Contributions, $328,357,012 is intended for the use of public community colleges, subject to the provisions associated with that appropriation.

    b. Out of the General Revenue Funds appropriated to the Teacher's Retirement System, an estimated $127,417,684 is appropriated for the state matching contribution for public community college employees.

    c. Out of the General Revenue Funds appropriated to the Optional Retirement Program, an estimated $72,229,798 is appropriated for the state matching contribution for public community college employees.

14. **Reporting Requirement.** Public Community/Junior Colleges shall file with the Comptroller of Public Accounts and the State Auditor, a Benefits Proportional By Fund Report by January 1st for the preceding year ending August 31st. The report shall be in a format developed by the Comptroller in consultation with the Legislative Budget Board, the Texas Higher Education Coordinating Board and State Auditor's Office.

15. **Financial Information Reporting Requirement.** Each community college shall provide to the Texas Higher Education Coordinating Board financial data related to the operation of each community college using the specific content and format prescribed by the Coordinating Board. Each community college shall provide the report no later than January 1st of each year.

16. **Reporting Requirement for Ranger College.** Ranger College shall use the appropriations above to develop a plan to increase institution contact hours during the 2010-2011 biennium. Ranger College shall submit a report detailing the progress of this plan to the Coordinating Board and the Legislative Budget Board no later than December 15, 2009. Ranger College shall include in this report a detailed proposal describing the actions the district would take if state formula contributions were reduced in the event of further or continued decreases in the district's generation of contact hours.

17. **Limitations of Formula Funding Contact Hours.** To control costs and limit General Revenue formula appropriations contact hours related to a course for which a student is generating formula funding for the third time shall be excluded from being counted in the hours reported by the Higher Education Coordinating Board to the Legislative Budget Board for formula funding.

18. **Approved Elements of Expenditure.** The expenditures by a public community/junior college of any funds received by it under these provisions headed "Public Community/Junior Colleges" shall be limited to the payment of the following elements of cost: instruction, academic support, student services, institutional support, organized activities, and staff benefits associated with salaries paid from general revenue. It is specifically provided, however, that in addition to the purposes enumerated herein, the funds appropriated above for special items may be expended for salaries, wages, travel, capital outlay and other necessary operating expenses. It is specifically provided that funds appropriated above may not be used for the operation of intercollegiate athletics.

19. **Appropriations for the Bachelor's of Applied Technology Program.** The amounts appropriated above in Strategies G.1.1, AB.2.1, and AL.1.1. are exclusively for the purpose of providing state contributions to each affected district's Bachelor of Applied Technology program.

20. **Funding for StarLink at Dallas Community College.** Funds identified above in Strategy N.1.2, StarLink, are to be used for the sole purpose of supporting the StarLink program and are subject to the provisions of Rider 3 and Rider 4 in this bill pattern.

21. **Funding for the Virtual College of Texas at Austin Community College.** Funds identified above in Strategy E.1.1, Virtual College of Texas, are to be used for the sole purpose of supporting the Virtual College of Texas and are subject to the provisions of Rider 3 and Rider 4 in this bill pattern.

22. **Formula Funding Methodology for Public Community/Junior Colleges.** It is the intent of the Legislature that during fiscal years 2010 and 2011 the Legislative Budget Board use the funds appropriated by this Act to be in a position to implement a contact hour based formula allocation methodology for public community/junior colleges employing contact hours generated in the academic year prior to each fiscal year.

23. **Texas Revolution.** Out of the funds appropriated above for Strategy F.1.1, Star of the Republic Museum, $50,000 in General Revenue funds in each year of the 2010-11 biennium may be used for the purpose of supporting a web-based tool on the Texas Revolution.

24. **Funding for Non-Semester-Length Developmental Education.** Out of funds appropriated above, the Texas Higher Education Coordinating Board shall approve non-semester-length developmental education interventions (including course-based, non-course-based, alternative-entry/exit, and other intensive developmental education activities) in the Lower Division Academic Course Guide Manual before August 31, 2009. Approved non-semester-length developmental education interventions shall be eligible for formula funding beginning in fall 2010 and subject to limitations prescribed by law.

    Institutions shall analyze the fiscal and instructional impacts on student outcomes for both semester-length and non-semester-length developmental education interventions. The institutions shall prepare a report to the Board no later than June 1, 2010. The Board, in conjunction with the Legislative Budget Board and institutions of higher education, shall use existing performance measures and data to assist in the evaluation of student outcomes for these interventions, including but not limited to, student success in first-college-level-course by subject, persistence, transfer, and degree or certificate completion.

    The Board shall analyze and compare all institution reports to determine the most effective and efficient combination of developmental education interventions and make recommendations to the Legislative Budget Board and the Governor before January 1, 2011.

25. **Performance Reporting of Retention, Completion and Transferability.** In collaboration with the Texas Higher Education Coordinating Board, the Legislative Budget Board shall use the funds appropriated in this Act to be in a position to recommend to the 82nd Legislature a comprehensive performance reporting methodology that measures each community college district's progress in achieving state goals on retention, completion and transferability.

TEXAS STATE TECHNICAL COLLEGE SYSTEM ADMINISTRATION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1]	$ 13,531,909	$ 3,531,909
GR Dedicated - Estimated Other Educational and General Income Account No. 770	446,509	446,509
Total, Method of Financing	$ 13,978,418	$ 3,978,418

[1] Incorporates the passage of HB 4586, § 69, 81st Legislature, Regular Session, which includes $10,000,000 in General Revenue for the biennium contingent upon enactment of HB 2654 or similar legislation relating to imposition of the motor vehicle sales tax on motor vehicles transferred as the result of a gift, and also contingent on the comptroller certifying that the estimated amount of additional general revenue produced by the enactment of HB 2654 or similar legislation exceeds $10,000,000.

TEXAS STATE TECHNICAL COLLEGE SYSTEM ADMINISTRATION
(Continued)

Items of Appropriation:				
1. Educational and General State Support	$	13,978,418	$	3,978,418
Grand Total, TEXAS STATE TECHNICAL COLLEGE SYSTEM ADMINISTRATION	$	13,978,418	$	3,978,418
This bill pattern represents an estimated 99.4% of this agency's estimated total available funds for the biennium.				
Number of Full-Time-Equivalents (FTE)- Appropriated Funds		54.5		54.5

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS				
Provide Instructional and Operations Support.				
A.1.1. Strategy: FORECASTING & CURRICULUM DVLPMENT	$	250,000	$	250,000
Forecasting and Curriculum Development.				
A.1.2. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	54,075	$	54,075
A.1.3. Strategy: SYSTEM OFFICE OPERATIONS	$	3,236,718	$	3,236,718
A.1.4. Strategy: TECHNICAL TRAINING PARTNERSHIP	$	415,625	$	415,625
Technical Training Partnerships with Community Colleges.				
A.1.5. Strategy: WORKERS' COMPENSATION INSURANCE	$	22,000	$	22,000
A.1.6. Strategy: HB 2654 CONTINGENCY APPROP[2]	$	10,000,000	$	0
HB 2654 Contingency Appropriation.				
Total, Goal A: INSTRUCTION/OPERATIONS	$	13,978,418	$	3,978,418
Grand Total, TEXAS STATE TECHNICAL COLLEGE SYSTEM ADMINISTRATION	$	13,978,418	$	3,978,418
Object-of-Expense Informational Listing:				
Salaries and Wages	$	2,937,673	$	2,937,673
Other Personnel Costs		81,700		81,700
Faculty Salaries (Higher Education Only)		376,361		376,361
Professional Fees and Services		60,000		60,000
Fuels and Lubricants		1,560		1,560
Consumable Supplies		9,300		9,300
Utilities		37,000		37,000
Travel		59,482		59,482
Rent - Building		11,000		11,000
Other Operating Expense		10,398,262		398,262
Capital Expenditures		6,080		6,080
Total, Object-of-Expense Informational Listing	$	13,978,418	$	3,978,418
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	159,918	$	168,730
Group Insurance		2,975,795		3,178,149
Social Security		174,688		180,802
Subtotal, Employee Benefits	$	3,310,401	$	3,527,681
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	3,310,401	$	3,527,681

[2] Incorporates the passage of HB 4586, § 69, 81st Legislature, Regular Session, which includes $10,000,000 in General Revenue for the biennium contingent upon enactment of HB 2654 or similar legislation relating to imposition of the motor vehicle sales tax on motor vehicles transferred as the result of a gift, and also contingent on the comptroller certifying that the estimated amount of additional general revenue produced by the enactment of HB 2654 or similar legislation exceeds $10,000,000.

TEXAS STATE TECHNICAL COLLEGE SYSTEM ADMINISTRATION
(Continued)

2. **Coordination with Community/Junior Colleges.** In accordance with Education Code Chapter 135, prior to establishing a program in an area which is within a community/junior college district, the Texas State Technical College must receive authorization to offer such educational, technical or vocational programs from the Texas Higher Education Coordinating Board.

3. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $49,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

4. **Expenditure Reporting for System Administration and Extension Centers.** Prior to each legislative session the Texas State Technical College System Administration shall file with the House Appropriations Committee, the Senate Finance Committee, the Legislative Budget Board, and the Governor a report detailing expenditures for system administration and the extension centers at Abilene, Brownwood, and Breckenridge. The report shall compare actual expenditures to funds appropriated for those purposes and shall cover the current and previous two biennia.

TEXAS STATE TECHNICAL COLLEGE - HARLINGEN

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 19,541,383	$ 19,539,400
GR Dedicated - Estimated Other Educational and General Income Account No. 770	6,250,360	6,318,035
Total, Method of Financing	$ 25,791,743	$ 25,857,435
Items of Appropriation:		
1. Educational and General State Support	$ 25,791,743	$ 25,857,435
Grand Total, TEXAS STATE TECHNICAL COLLEGE - HARLINGEN	$ 25,791,743	$ 25,857,435
This bill pattern represents an estimated 65.7% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	439.5	439.5

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: ACADEMIC EDUCATION	$ 8,087,171	$ 8,095,860
A.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 11,657,545	$ 11,670,068
A.1.3. Strategy: FORMULA HOLD HARMLESS	$ 6,257	$ 6,257
A.1.4. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 501,155	$ 535,234
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 1,002,598	$ 1,012,624
A.1.6. Strategy: WORKERS' COMPENSATION INSURANCE	$ 80,586	$ 80,586
Total, Goal A: INSTRUCTION/OPERATIONS	$ 21,335,312	$ 21,400,629

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $850,530 and a Federal Funds increase of $850,530 in FY 2010 resulting in net General Revenue appropriations of $18,690,853 and a net All Funds appropriation of $25,791,743 in FY 2010.

B. Goal: INFRASTRUCTURE SUPPORT				
Provide Infrastructure Support.				
B.1.1. Strategy: E&G SPACE SUPPORT	$	2,613,331	$	2,613,331
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	256,396	$	256,771
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$	337,500	$	337,500
Total, Goal B: INFRASTRUCTURE SUPPORT	$	3,207,227	$	3,207,602
C. Goal: SPECIAL ITEM SUPPORT				
Provide Special Item Support.				
C.1.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	1,249,204	$	1,249,204
Grand Total, TEXAS STATE TECHNICAL COLLEGE - HARLINGEN	$	25,791,743	$	25,857,435
Object-of-Expense Informational Listing:				
Salaries and Wages	$	23,271,868	$	23,293,080
Other Personnel Costs		20,115		20,115
Faculty Salaries (Higher Education Only)		556,610		556,610
Professional Fees and Services		6,500		6,500
Fuels and Lubricants		3,680		3,680
Consumable Supplies		15,600		8,848
Travel		1,409		1,409
Rent - Machine and Other		1,626		1,625
Debt Service		256,396		256,771
Other Operating Expense		629,841		670,673
Client Services		1,022,598		1,032,624
Capital Expenditures		5,500		5,500
Total, Object-of-Expense Informational Listing	$	25,791,743	$	25,857,435
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	1,279,345	$	1,349,837
Group Insurance		1,885,398		2,013,605
Social Security		1,397,506		1,446,419
Subtotal, Employee Benefits	$	4,562,249	$	4,809,861
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	4,562,249	$	4,809,861

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas State Technical College - Harlingen. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas State Technical College - Harlingen. In order to achieve the objectives and service standards established by this Act, the Texas State Technical College - Harlingen shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree or Certificate-seeking Students Graduated within Three Years with Either an Associate of Applied Science Degree or a Certificate	30%	30%
Annual Headcount Enrollment	9,680	10,164
Number of Associate Degrees and Certificates Awarded Annually	550	550
Number of Minority Students Graduated Annually	495	500
A.1.1. Strategy: ACADEMIC EDUCATION		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	8.1%	8.1%

TEXAS STATE TECHNICAL COLLEGE - HARLINGEN
(Continued)

3. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.3, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Texas State Technical College - Harlingen.

TEXAS STATE TECHNICAL COLLEGE - WEST TEXAS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 12,453,609	$ 12,452,887
GR Dedicated - Estimated Other Educational and General Income Account No. 770	2,536,450	2,564,001
Total, Method of Financing	$ 14,990,059	$ 15,016,888
Items of Appropriation:		
1. Educational and General State Support	$ 14,990,059	$ 15,016,888
Grand Total, TEXAS STATE TECHNICAL COLLEGE - WEST TEXAS	$ 14,990,059	$ 15,016,888
This bill pattern represents an estimated 75.1% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	253.5	253.5

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: ACADEMIC EDUCATION	$ 761,244	$ 762,418
A.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 4,934,470	$ 4,942,082
A.1.3. Strategy: FORMULA HOLD HARMLESS	$ 1,748,849	$ 1,748,849
A.1.4. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 208,756	$ 222,951
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 359,316	$ 362,910
A.1.6. Strategy: ABILENE ACADEMIC/VOCATIONAL ED	$ 1,671,903	$ 1,671,903
Abilene Academic/Vocational Education.		
A.1.7. Strategy: BROWNWOOD ACADEMIC/VOCATIONAL ED	$ 1,283,461	$ 1,283,461
Brownwood Academic/Vocational Education.		
A.1.8. Strategy: RURAL TECH ACADEMIC/VOCATIONAL ED	$ 753,392	$ 753,392
Rural Tech Center Academic/Vocational Education.		
A.1.9. Strategy: WORKERS' COMPENSATION INSURANCE	$ 86,992	$ 86,992
Total, Goal A: INSTRUCTION/OPERATIONS	$ 11,808,383	$ 11,834,958
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 1,123,786	$ 1,123,786
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 173,068	$ 173,321
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 375,000	$ 375,000
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 1,671,854	$ 1,672,107

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $419,578 and a Federal Funds increase of $419,578 in FY 2010 resulting in net General Revenue appropriations of $12,034,031 and a net All Funds appropriation of $14,990,059 in FY 2010.

C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 1,509,822	$ 1,509,823
Grand Total, TEXAS STATE TECHNICAL COLLEGE - WEST TEXAS	$ 14,990,059	$ 15,016,888
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 12,510,261	$ 12,517,873
Other Personnel Costs	771,804	772,978
Faculty Salaries (Higher Education Only)	731,424	731,424
Consumable Supplies	1,006	1,006
Utilities	62,280	62,280
Travel	8,696	8,696
Rent - Machine and Other	1,450	1,450
Debt Service	173,068	173,321
Other Operating Expense	370,754	384,950
Client Services	359,316	362,910
Total, Object-of-Expense Informational Listing	$ 14,990,059	$ 15,016,888
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 735,624	$ 776,156
Group Insurance	1,177,972	1,258,074
Social Security	803,566	831,691
Subtotal, Employee Benefits	$ 2,717,162	$ 2,865,921
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 2,717,162	$ 2,865,921

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas State Technical College - West Texas. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas State Technical College - West Texas. In order to achieve the objectives and service standards established by this Act, the Texas State Technical College - West Texas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree or Certificate-seeking Students Graduated within Three Years with Either an Associate of Applied Science Degree or a Certificate	40%	40%
Annual Headcount Enrollment	10,000	10,000
Number of Associate Degrees and Certificates Awarded Annually	480	480
Number of Minority Students Graduated Annually	180	180
A.1.1. Strategy: ACADEMIC EDUCATION		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	8.5%	8.5%

3. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.3, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Texas State Technical College - West Texas.

TEXAS STATE TECHNICAL COLLEGE - MARSHALL

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 4,759,213	$ 4,758,562
GR Dedicated - Estimated Other Educational and General Income Account No. 770	948,563	964,012
Total, Method of Financing	$ 5,707,776	$ 5,722,574
Items of Appropriation:		
1. Educational and General State Support	$ 5,707,776	$ 5,722,574
Grand Total, TEXAS STATE TECHNICAL COLLEGE - MARSHALL	$ 5,707,776	$ 5,722,574
This bill pattern represents an estimated 70.8% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	93.3	93.3

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS		
Provide Instructional and Operations Support.		
A.1.1. Strategy: ACADEMIC EDUCATION	$ 582,047	$ 583,347
A.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$ 2,839,440	$ 2,845,784
A.1.3. Strategy: FORMULA HOLD HARMLESS	$ 100,938	$ 100,938
A.1.4. Strategy: STAFF GROUP INSURANCE PREMIUMS	$ 68,481	$ 73,138
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$ 153,334	$ 155,634
A.1.6. Strategy: WORKERS' COMPENSATION INSURANCE	$ 8,000	$ 8,000
Total, Goal A: INSTRUCTION/OPERATIONS	$ 3,752,240	$ 3,766,841
B. Goal: INFRASTRUCTURE SUPPORT		
Provide Infrastructure Support.		
B.1.1. Strategy: E&G SPACE SUPPORT	$ 351,469	$ 351,469
Educational and General Space Support.		
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$ 134,608	$ 134,805
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$ 375,000	$ 375,000
Total, Goal B: INFRASTRUCTURE SUPPORT	$ 861,077	$ 861,274
C. Goal: SPECIAL ITEM SUPPORT		
Provide Special Item Support.		
C.1.1. Strategy: INSTITUTIONAL ENHANCEMENT	$ 1,094,459	$ 1,094,459
Grand Total, TEXAS STATE TECHNICAL COLLEGE - MARSHALL	$ 5,707,776	$ 5,722,574
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 3,866,504	$ 3,872,848
Other Personnel Costs	589,637	590,937
Faculty Salaries (Higher Education Only)	857,076	857,076
Debt Service	134,608	134,805
Other Operating Expense	106,617	111,274
Client Services	153,334	155,634
Total, Object-of-Expense Informational Listing	$ 5,707,776	$ 5,722,574

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $152,123 and a Federal Funds increase of $152,123 in FY 2010 resulting in net General Revenue appropriations of $4,607,090 and a net All Funds appropriation of $5,707,776 in FY 2010.

TEXAS STATE TECHNICAL COLLEGE - MARSHALL
(Continued)

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 270,407	$ 285,306
Group Insurance	389,495	415,981
Social Security	295,382	305,720
Subtotal, Employee Benefits	$ 955,284	$ 1,007,007
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 955,284	$ 1,007,007

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas State Technical College - Marshall. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas State Technical College - Marshall. In order to achieve the objectives and service standards established by this Act, the Texas State Technical College - Marshall shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree or Certificate-seeking Students Graduated within Three Years with Either an Associate of Applied Science Degree or a Certificate	35%	35%
Annual Headcount Enrollment	1,945	1,945
Number of Associate Degrees and Certificates Awarded Annually	145	145
Number of Minority Students Graduated Annually	42	42
A.1.1. Strategy: ACADEMIC EDUCATION		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	12%	12%

3. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.3, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Texas State Technical College - Marshall.

TEXAS STATE TECHNICAL COLLEGE - WACO

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 26,397,717	$ 26,393,198
GR Dedicated - Estimated Other Educational and General Income Account No. 770	7,213,675	7,291,548
Total, Method of Financing	$ 33,611,392	$ 33,684,746
Items of Appropriation:		
1. Educational and General State Support	$ 33,611,392	$ 33,684,746
Grand Total, TEXAS STATE TECHNICAL COLLEGE - WACO	$ 33,611,392	$ 33,684,746

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a General Revenue reduction of $1,157,191 and a Federal Funds increase of $1,157,191 in FY 2010 resulting in net General Revenue appropriations of $25,240,526 and a net All Funds appropriation of $33,611,392 in FY 2010.

This bill pattern represents an estimated 72.1% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE)- Appropriated Funds	546.6	546.6

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: INSTRUCTION/OPERATIONS				
Provide Instructional and Operations Support.				
A.1.1. Strategy: ACADEMIC EDUCATION	$	3,581,996	$	3,585,578
A.1.2. Strategy: VOCATIONAL/TECHNICAL EDUCATION	$	22,467,366	$	22,489,833
A.1.3. Strategy: FORMULA HOLD HARMLESS	$	220,522	$	220,522
A.1.4. Strategy: STAFF GROUP INSURANCE PREMIUMS	$	557,342	$	595,241
A.1.5. Strategy: TEXAS PUBLIC EDUCATION GRANTS	$	1,103,171	$	1,114,202
A.1.6. Strategy: WORKERS' COMPENSATION INSURANCE	$	125,425	$	125,425
Total, Goal A: INSTRUCTION/OPERATIONS	$	28,055,822	$	28,130,801
B. Goal: PROVIDE INFRASTRUCTURE SUPPORT				
B.1.1. Strategy: E&G SPACE SUPPORT	$	3,290,496	$	3,290,496
Educational and General Space Support.				
B.1.2. Strategy: TUITION REVENUE BOND RETIREMENT	$	527,784	$	526,159
B.1.3. Strategy: SMALL INSTITUTION SUPPLEMENT	$	360,750	$	360,750
Total, Goal B: PROVIDE INFRASTRUCTURE SUPPORT	$	4,179,030	$	4,177,405
C. Goal: PROVIDE SPECIAL ITEM SUPPORT				
C.1.1. Strategy: INSTITUTIONAL ENHANCEMENT	$	1,376,540	$	1,376,540
Grand Total, TEXAS STATE TECHNICAL COLLEGE - WACO	$	33,611,392	$	33,684,746

Object-of-Expense Informational Listing:				
Salaries and Wages	$	30,650,051	$	30,676,100
Other Personnel Costs		49,255		49,255
Faculty Salaries (Higher Education Only)		92,000		92,000
Professional Fees and Services		5,225		5,225
Fuels and Lubricants		1,257		1,257
Consumable Supplies		22,500		22,500
Utilities		10,800		10,800
Travel		27,300		27,300
Rent - Machine and Other		12,000		12,000
Debt Service		527,784		526,159
Other Operating Expense		998,049		1,035,948
Client Services		1,135,171		1,146,202
Capital Expenditures		80,000		80,000
Total, Object-of-Expense Informational Listing	$	33,611,392	$	33,684,746

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits				
Retirement	$	1,590,459	$	1,678,093
Group Insurance		2,583,047		2,758,694
Social Security		1,737,354		1,798,161
Subtotal, Employee Benefits	$	5,910,860	$	6,234,948
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	5,910,860	$	6,234,948

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas State Technical College - Waco. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas State Technical College - Waco. In order to achieve the

objectives and service standards established by this Act, the Texas State Technical College - Waco shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: INSTRUCTION/OPERATIONS		
Outcome (Results/Impact):		
Percent of First-time, Full-time, Degree or Certificate-seeking Students Graduated within Three Years with Either an Associate of Applied Science Degree or a Certificate	35%	35%
Annual Headcount Enrollment	7,200	7,200
Number of Associate Degrees and Certificates Awarded Annually	1,080	1,080
Number of Minority Students Graduated Annually	246	246
A.1.1. Strategy: ACADEMIC EDUCATION		
Efficiencies:		
Administrative Cost as a Percent of Total Expenditures	6.5%	6.5%

3. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.3, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Texas State Technical College - Waco.

SPECIAL PROVISIONS RELATING ONLY TO COMPONENTS OF TEXAS STATE TECHNICAL COLLEGE

1. **Expenditure of Educational and General Funds.** Recognizing that Texas State Technical College may have the opportunity and should be encouraged to attract private contributions, grants, or contracts, and to enter into agreements with private businesses and other agencies of government for purposes not specifically contained in the strategy items above that might require matching funds from TSTC, the Board of Regents of Texas State Technical College is hereby authorized to expend its remaining educational and general funds to meet contribution, contract, or grant-matching requirements only for the following purposes:

   a. planning and implementing a large-scale job-training program in conjunction with private business and other state agencies;

   b. acquiring facilities and equipment to carry out a large-scale industrial training program in conjunction with a major employer; and

   c. additional space and mechanical systems or renovation of existing buildings in accordance with the Campus Master Plans and subject to approval by the Texas Higher Education Coordinating Board.

2. **Financial Records.** The financial records and reports of the Texas State Technical College shall classify accounts in accordance with the recommendation of the National Committee on the Preparation of a Manual on College and University Business Administration, as set forth in Volume I of "College and University Business Administration," published by the American Council on Education with a copyright date of 1952, and subsequent published revisions with such modifications as may be developed and provided by the Comptroller of Public Accounts, or as may be required to conform with specific provisions of the Appropriation Acts of the Legislature. The accounts of the Texas State Technical College shall be maintained and audited in accordance with the approved reporting system. The Texas State Technical College shall deliver to the Texas Higher Education Coordinating Board, any such program reports as it may deem necessary in accordance with its rules and regulations.

3. **Enrollment Records and Reports.** To be eligible to receive the appropriations herein above, the Texas State Technical College shall maintain separately for each campus and each extension center such enrollment records and report such enrollment data as required by the Texas Higher Education Coordinating Board. These enrollment reports shall be submitted in the form and on the date required.

The above reports shall be certified to the Comptroller of Public Accounts no later than the date required by the Coordinating Board, and each term copies of the above certified enrollment reports shall be sent to the Coordinating Board, Legislative Budget Board, Governor, State Auditor and Legislative Reference Library.

The State Auditor shall verify the certified enrollment data submitted to the agencies listed above as part of the audit of the Texas State Technical College.

The Texas State Technical College shall offer only such courses as are economically justified in the considered judgment of the Board of Regents. The Board of Regents shall adopt policies specifying the conditions under which classes of less than 10 students by headcount are to be considered necessary and justifiable. The Board of Regents shall direct the chancellor or other officials to review enrollment data prior to the designated Coordinating Board census date and take all necessary actions to ensure that the small classes offered on each campus are only those that conform with established policies on small classes. Each school term, each campus shall prepare for submission to the Board of Regents a small class report showing the department, course number, title of course and the name of the instructor. The Board of Regents shall review enrollment reports certified to the Comptroller of Public Accounts, the campus small class reports and other enrollment records as necessary to ensure that the classes offered are economically justified and are in compliance with Board of Regents' policy.

4. **Certification of Compliance.** Expenditure of the funds appropriated hereinabove is contingent upon annual certification by the chancellor of the Texas State Technical College to the Comptroller of Public Accounts that the Texas State Technical College is in compliance with these provisions regarding budgets, accounting procedures and enrollment.

5. **Approved Geographic Locations.** None of the funds appropriated above to the Texas State Technical College shall be expended in promoting, developing or creating a campus or extension center at any other location in the state except as specified in Education Code § 135.02.

6. **Temporary Special Courses.** Out of funds appropriated by contact hour generation hereinabove to the Texas State Technical College in pre-apprenticeship, related training for apprentices and specialized training for journeymen and compensatory training for pre-apprenticeship and apprenticeship enrollees, and plant expansion and new plant start-up training program no more than $50,000 per year may be spent wherever the need exists within the state in conjunction with curriculum approval by the Texas Higher Education Coordinating Board. Such expenditure of funds for these special courses are temporary in nature and outside the provision of Education Code § 135.04.

7. **Aircraft Pilot Training Programs.** Funds may be used for the operation, maintenance or lease of aircraft for use in the Aircraft Pilot Training programs subject to the requirement that excess costs of flight instruction be recovered by an assessment of charge to student pilots. This income shall be separately accounted for and credited as a reduction in expenditure in the Aircraft Pilot Training Program.

8. **Approval of Plans by Foundations.** Any use of the Texas State Technical College's assets or facilities including, but not limited to, buildings, equipment or employees by existing foundations or for the promotion of foundations shall require prior approval of the Board of Regents. Approval is contingent upon receipt by the Board of Regents of a satisfactory annual plan of operation. At a minimum, this plan must specify the proposed use of any Texas State Technical College facilities, equipment, and personnel; payments made directly to Texas State Technical College personnel for services provided or expenses incurred; and donations of funds to the Texas State Technical College for designated purposes. All funds donated by foundations to the Texas State Technical College shall be received and accounted for in the same manner as all other Texas State Technical College funds. After Board of Regents approval, the plan shall be filed with the Legislative Budget Board.

9. **Audit of Base Contact Hours.** The hours used in the contact hour base period to fund Texas State Technical College are subject to audit for accuracy by the State Auditor according to an audit plan developed in consultation with the Texas Higher Education Coordinating Board, the Legislative Budget Board, and community, technical, and state colleges and the appropriation amounts adjusted accordingly by the Comptroller of Public Accounts. The total amount appropriated to the two-year institutions' contact hour formula shall be redistributed to all

institutions funded by the formula based on certified contact hours. The calculation of revised appropriation amounts shall allow each institution an error rate of up to 2 percent of the total contact hour formula appropriations to that institution for the biennium. Adjustments shall be made to appropriated amounts in accordance with adjustments of estimated contact hours to actual certified contact hours, even if the total error rate is less than 2 percent of the total contact hour formula amount appropriated to that institution for the biennium.

10. Campus President Salaries. Out of the funds appropriated to each campus of Texas State Technical College, an amount not to exceed $63,654 in 2010 and $63,654 in 2011 may be expended for the salary of a president. All presidents may receive in addition to the above amounts a house, utilities, and/or supplement from private sources. If an institutionally owned house is not available an amount not to exceed $7,200 per year from the appropriations above, and additional funds from gifts and grants where required, may be provided in lieu of house and utilities.

11. Chancellor Salary. Out of the funds appropriated, transferred, or contracted to the system office, an amount not to exceed $70,231 in 2010 and $70,231 in 2011 may be expended for the salary of a chancellor. The chancellor may receive in addition to the above amount a house, utilities, and/or supplement from private sources. If a system owned house is not available an amount not to exceed $7,200 per year from the system office appropriation and additional funds from gifts and grants where required, may be provided in lieu of house and utilities.

TEXAS AGRILIFE RESEARCH

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 59,422,742	$ 59,422,742
GR Dedicated - Clean Air Account No. 151	500,000	500,000
Federal Funds	7,196,169	7,196,169
Other Funds		
Sales Funds - AgriLife Research, estimated	873,414	873,414
Fertilizer Control Fund, Locally Held, estimated	1,355,000	1,355,000
Indirect Cost Recovery, Locally Held, estimated	288,750	288,750
Feed Control Fund - Local No. 058	3,680,000	3,680,000
Subtotal, Other Funds	$ 6,197,164	$ 6,197,164
Total, Method of Financing	$ 73,316,075	$ 73,316,075
Items of Appropriation:		
1. Educational and General State Support	$ 73,316,075	$ 73,316,075
Grand Total, TEXAS AGRILIFE RESEARCH	$ 73,316,075	$ 73,316,075
This bill pattern represents an estimated 50.4% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)-Appropriated Funds	1,090.4	1,090.4

1. Informational Listing of Appropriated Funds. The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

TEXAS AGRILIFE RESEARCH
(Continued)

A. Goal: AGRICULTURAL/LIFE SCIENCES RESEARCH		
Agricultural and Life Sciences Research.		
A.1.1. Strategy: AGRICULTURAL/LIFE SCIENCES RESEARCH	$ 52,916,108	$ 52,916,108
Conduct Agricultural and Life Sciences Research.		
A.1.2. Strategy: FEEDYARD BEEF CATTLE PRODUCTION	$ 425,000	$ 425,000
Total, Goal A: AGRICULTURAL/LIFE SCIENCES RESEARCH	$ 53,341,108	$ 53,341,108
B. Goal: REGULATORY SERVICES		
Provide Regulatory Services.		
B.1.1. Strategy: HONEY BEE REGULATION	$ 288,896	$ 288,896
Control Diseases/Pest of EHB & Reduce Impact of AHB thru Regulation.		
B.2.1. Strategy: FEED AND FERTILIZER PROGRAM	$ 4,254,397	$ 4,254,397
Monitor and Evaluate Products Distributed in the State.		
Total, Goal B: REGULATORY SERVICES	$ 4,543,293	$ 4,543,293
C. Goal: STAFF BENEFITS		
Maintain Staff Benefits Program for Eligible Employees and Retirees.		
C.1.1. Strategy: STAFF GROUP INSURANCE	$ 742,438	$ 742,438
Provide Funding for Staff Group Insurance Premiums.		
C.1.2. Strategy: WORKERS' COMP INSURANCE	$ 210,982	$ 210,982
Provide Funding for Workers' Compensation Insurance.		
C.1.3. Strategy: UNEMPLOYMENT INSURANCE	$ 26,746	$ 26,746
Provide Funding for Unemployment Insurance.		
C.1.4. Strategy: OASI	$ 499,681	$ 499,681
Provide Funding for OASI.		
Total, Goal C: STAFF BENEFITS	$ 1,479,847	$ 1,479,847
D. Goal: INDIRECT ADMINISTRATION		
D.1.1. Strategy: INDIRECT ADMINISTRATION	$ 4,530,226	$ 4,530,226
D.1.2. Strategy: INFRASTRUCTURE SUPPORT IN BRAZOS CO	$ 5,777,200	$ 5,777,200
Infrastructure Support - In Brazos County.		
D.1.3. Strategy: INFRASTRUCT SUPP OUTSIDE BRAZOS CO	$ 3,644,401	$ 3,644,401
Infrastructure Support - Outside Brazos County.		
Total, Goal D: INDIRECT ADMINISTRATION	$ 13,951,827	$ 13,951,827
Grand Total, TEXAS AGRILIFE RESEARCH	$ 73,316,075	$ 73,316,075
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 30,045,014	$ 30,045,014
Other Personnel Costs	3,219,447	3,219,447
Professional Salaries - Faculty Equivalent (Higher Education Only)	18,587,945	18,587,945
Professional Fees and Services	141,500	148,325
Fuels and Lubricants	472,000	493,000
Consumable Supplies	964,750	1,002,813
Utilities	2,033,860	2,063,847
Travel	500,000	515,750
Rent - Building	7,931	8,325
Rent - Machine and Other	205,370	214,033
Other Operating Expense	14,487,018	14,265,024
Grants	1,365,000	1,433,250
Capital Expenditures	1,286,240	1,319,302
Total, Object-of-Expense Informational Listing	$ 73,316,075	$ 73,316,075

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 3,515,520	$ 3,707,346
Group Insurance	7,647,272	8,167,287
Social Security	2,941,175	3,044,116
Subtotal, Employee Benefits	$ 14,103,967	$ 14,918,749
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 14,103,967	$ 14,918,749

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas AgriLife Research. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas AgriLife Research. In order to achieve the objectives and service standards established by this Act, the Texas AgriLife Research shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: AGRICULTURAL/LIFE SCIENCES RESEARCH		
Outcome (Results/Impact):		
Percentage Change in Number of Patents, Disclosures, and Licenses	2%	2%
A.1.1. Strategy: AGRICULTURAL/LIFE SCIENCES RESEARCH		
Output (Volume):		
Number of Scientific Publications	2,047	2,047
Explanatory:		
Amount of External Sponsor Support	82,500,000	82,500,000
B. Goal: REGULATORY SERVICES		
B.1.1. Strategy: HONEY BEE REGULATION		
Output (Volume):		
Number of Bee Colonies Inspected	47,000	47,000
Number of Apiaries Inspected	250	250
B.2.1. Strategy: FEED AND FERTILIZER PROGRAM		
Output (Volume):		
Number of Feed and Fertilizer Samples Analyzed by the Agricultural Analytical Services Laboratory	7,500	7,500

3. **Buffalo Gnat.** Out of the funds appropriated above, up to $10,000 in General Revenue Funds in each year of the biennium shall be used for buffalo gnat eradication.

4. **Limited Waiver from Proportionality Provision.** Texas AgriLife Research is specifically exempt from implementation of proportionality for Higher Education Retirement Programs, but only in regard to the retirement match limit that is imposed under the federal Hatch Act and the McIntire-Stennis Act.

5. **Equine Research Account.** Included in the appropriations above are fees collected in each year of the biennium beginning September 1, 2009, pursuant to Revised Texas Civil Statutes Annotated, Art. 179e, § 6.08(h), for the Equine Research Account in support of the Equine Research Program.

6. **Agriculture Registration Fees.** Included in the appropriations above are fees collected in each year of the biennium beginning September 1, 2009, pursuant to § 131.046, Texas Agriculture Code, from the General Revenue Fund (Revenue Object Code 3410) to Texas AgriLife Research for the Honey Bee Disease Program.

7. **Honey Bees Research.** Out of the funds appropriated above in Strategy A.1.1, Agricultural/Life Sciences Research, $131,250 in fiscal year 2010 and $131,250 in fiscal year 2011 shall be used for research on the protection and management of honey bees.

8. **Cotton Germplasm Collections.** Out of the funds appropriated above in Strategy A.1.1, Agricultural/Life Sciences Research, $262,500 in fiscal year 2010 and $262,500 in fiscal year 2011 in General Revenue Funds shall be used for the evaluation of cotton germplasm collections.

9. **Environmental Quality Research.** Out of the funds appropriated above in Strategy A.1.1, Agricultural/Life Sciences Research, a biennial amount of $525,000 shall be used to fund air quality research related to livestock production conducted at Texas AgriLife Research in Amarillo, Texas.

10. **Contingent Appropriation - Enhancing Research Capacity.** Out of the funds appropriated above in Strategy A.1.1, Agricultural/Life Sciences Research, $1,500,000 in fiscal year 2010 and $1,500,000 in fiscal year 2011 shall be used to:

    a.) Obtain specialized instrumentation and equipment, specifically high throughput DNA sequencers, GC/mass spectrometers and ion detectors; and

    b.) Upgrade laboratory space around the state to biosafety level two.

    The Legislature determines that there is a demonstrated need to achieve biosafety level two lab upgrades for several labs around the state that will allow scientists to conduct experiments that require specific containment/controls (climate modifications, ventilation, etc.) such as experiments relating to molecular recombinant DNA.

    General Revenue appropriations of $1,500,000 in fiscal year 2010 and $1,500,000 in fiscal year 2011 for A.1.1, Agricultural/Life Sciences Research are contingent upon the Comptroller's certification of available General Revenue of $3 million above the Comptroller's January 2009 Biennial Revenue Estimate

TEXAS AGRILIFE EXTENSION SERVICE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 49,824,678	$ 49,824,676
General Revenue Fund - Dedicated		
Master Gardener License Plates Account No. 5131, estimated	37,000	6,000
Texas 4-H Plate Account No. 5132, estimated	7,000	1,000
Subtotal, General Revenue Fund - Dedicated	$ 44,000	$ 7,000
Federal Funds	11,305,591	11,305,591
Other Funds		
County Funds - Extension Programs Fund, Locally Held, estimated	8,370,960	8,370,960
Interagency Contracts	571,318	571,318
Subtotal, Other Funds	$ 8,942,278	$ 8,942,278
Total, Method of Financing	$ 70,116,547	$ 70,079,545
Items of Appropriation:		
1. Educational and General State Support	$ 70,116,547	$ 70,079,545
Grand Total, TEXAS AGRILIFE EXTENSION SERVICE	$ 70,116,547	$ 70,079,545
This bill pattern represents an estimated 67.6% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	1,137.0	1,137.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

TEXAS AGRILIFE EXTENSION SERVICE
(Continued)

A. Goal: HEALTH AND SAFETY EDUCATION Educate Texans for Improving Their Health, Safety, and Well-Being.				
A.1.1. Strategy: HEALTH AND SAFETY EDUCATION Conduct Education Programs: Nutrition, Safety and Dependent Care.	$	12,222,730	$	12,222,730
B. Goal: ENVIRONMENTAL EDUCATION Educate Texans on Environmental Stewardship and Natural Resources.				
B.1.1. Strategy: ENVIRONMENTAL EDUCATION Conduct Education Programs: Land and Water Ecosystems.	$	9,867,234	$	9,836,234
C. Goal: ECONOMIC COMPETITIVENESS Educate Texans on Their Economic Security & Texas Economic Prosperity.				
C.1.1. Strategy: ECONOMIC COMPETITIVENESS Conduct Education Programs: Economic Competitiveness/Rural Development.	$	26,391,944	$	26,391,944
D. Goal: LEADERSHIP DEVELOPMENT Foster Development of Responsible, Productive & Motivated Youth/Adults.				
D.1.1. Strategy: LEADERSHIP DEVELOPMENT Teach Leadership, Life, and Career Skills to Both Youth and Adults.	$	12,834,960	$	12,828,960
E. Goal: WILDLIFE MANAGEMENT Protect Resources and Property from Wildlife-related Damages.				
E.1.1. Strategy: WILDLIFE MANAGEMENT Provide Direct Control and Technical Assistance.	$	3,267,672	$	3,267,672
F. Goal: STAFF BENEFITS Maintain Staff Benefits Program for Eligible Employees and Retirees.				
F.1.1. Strategy: STAFF GROUP INSURANCE Staff Group Insurance Premiums.	$	939,443	$	939,443
F.1.2. Strategy: WORKERS' COMP INSURANCE Provide Funding for Workers' Compensation Insurance.	$	296,878	$	296,878
F.1.3. Strategy: UNEMPLOYMENT INSURANCE Provide Funding for Unemployment Insurance.	$	29,102	$	29,102
F.1.4. Strategy: OASI Provide Funding for OASI.	$	236,462	$	236,462
Total, Goal F: STAFF BENEFITS	$	1,501,885	$	1,501,885
G. Goal: INDIRECT ADMINISTRATION				
G.1.1. Strategy: INDIRECT ADMINISTRATION	$	2,447,624	$	2,447,624
G.1.2. Strategy: INFRASTRUCTURE SUPPORT IN BRAZOS CO Infrastructure Support - In Brazos County.	$	747,720	$	747,718
G.1.3. Strategy: INFRASTRUCT SUPP OUTSIDE BRAZOS CO Infrastructure Support - Outside Brazos County.	$	834,778	$	834,778
Total, Goal G: INDIRECT ADMINISTRATION	$	4,030,122	$	4,030,120
Grand Total, TEXAS AGRILIFE EXTENSION SERVICE	$	70,116,547	$	70,079,545

Object-of-Expense Informational Listing:

Salaries and Wages	$	18,216,237	$	18,216,237
Other Personnel Costs		3,530,071		3,530,071
Professional Salaries - Faculty Equivalent (Higher Education Only)		11,725,896		11,725,896
Professional Salaries - Extension (Texas AgriLife Extension Svc)		27,374,355		27,374,355
Professional Fees and Services		112,678		112,678
Fuels and Lubricants		649,272		649,272
Consumable Supplies		337,076		337,076
Utilities		888,881		888,881

Travel	894,826	894,826
Rent - Building	151,387	151,387
Rent - Machine and Other	500,698	500,698
Other Operating Expense	5,312,802	5,275,800
Capital Expenditures	422,368	422,368
Total, Object-of-Expense Informational Listing	$ 70,116,547	$ 70,079,545
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 3,943,770	$ 4,168,365
Group Insurance	11,353,007	12,125,012
Social Security	2,536,743	2,625,529
Subtotal, Employee Benefits	$ 17,833,520	$ 18,918,906
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 17,833,520	$ 18,918,906

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas AgriLife Extension Service. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas AgriLife Extension Service. In order to achieve the objectives and service standards established by this Act, the Texas AgriLife Extension Service shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: HEALTH AND SAFETY EDUCATION		
Outcome (Results/Impact):		
Educational Program Index Attainment	90	90
A.1.1. Strategy: HEALTH AND SAFETY EDUCATION		
Output (Volume):		
Direct Teaching Exposures	3,776,104	3,776,104
Efficiencies:		
Average Cost Per Educational Contact	3.65	3.65
Percentage of Direct Teaching Exposures Obtained through Distance Education	25%	25%
B. Goal: ENVIRONMENTAL EDUCATION		
Outcome (Results/Impact):		
Educational Program Index Attainment	90	90
B.1.1. Strategy: ENVIRONMENTAL EDUCATION		
Output (Volume):		
Direct Teaching Exposures	6,040,075	6,040,075
Efficiencies:		
Average Cost Per Educational Contact	2	2
Percentage of Direct Teaching Exposures Obtained through Distance Education	80%	80%
C. Goal: ECONOMIC COMPETITIVENESS		
Outcome (Results/Impact):		
Educational Program Index Attainment	90	90
C.1.1. Strategy: ECONOMIC COMPETITIVENESS		
Output (Volume):		
Direct Teaching Exposures	7,118,409	7,118,409
Efficiencies:		
Percentage of Direct Teaching Exposures Obtained through Distance Education	55%	55%
D. Goal: LEADERSHIP DEVELOPMENT		
Outcome (Results/Impact):		
Educational Program Index Attainment	90	90
D.1.1. Strategy: LEADERSHIP DEVELOPMENT		
Output (Volume):		
Direct Teaching Exposures	4,926,874	4,926,874
Efficiencies:		
Average Cost Per Educational Contact	2.44	2.44
Percentage of Direct Teaching Exposures Obtained through Distance Education	8%	8%

E. Goal: WILDLIFE MANAGEMENT		
Outcome (Results/Impact):		
Percent of Counties Receiving Direct Control Assistance	85%	85%
E.1.1. Strategy: WILDLIFE MANAGEMENT		
Output (Volume):		
Number of Properties Provided Wildlife Damage Management Assistance	5,122	5,122
Number of Technical Assistance Projects	10,037	10,037

3. **Integrated Pest Management.** Out of the funds appropriated above, $49,365 in each year of the biennium is for contracting with the Texas Pest Management Association for pest management. No more than 10 percent of these funds shall be used by the Texas AgriLife Extension Service for administering the program.

4. **Limited Waiver from Proportionality Provision.** For the purpose of determining proportional payments of retirement and group insurance benefits for the Texas AgriLife Extension Service, as required in this Act, County Funds paid directly by County Commissioners Courts shall be considered as General Revenue Funds. The Texas AgriLife Extension Service is specifically exempt from implementation of proportionality for Higher Education Retirement Programs, but only in regard to the retirement match limit that is imposed under the federal Smith-Lever Act and the Hatch Act.

5. **Increased Interagency Collaboration.** The Texas AgriLife Extension Service and the Texas Engineering Extension Service are directed to use the amounts appropriated above to meet annually to generate, implement and manage efforts designed to reinforce each agency's respective training mission and avoid potential duplication of training efforts. The agencies shall file a jointly produced report with the Legislative Budget Board and the Governor by October 1 of each year summarizing the actions taken to meet the above purposes.

6. **Quail Management.** Out of the funds appropriated above, $125,000 in fiscal year 2010 and $125,000 in fiscal year 2011 shall be used for education outreach programs, restoration of habitat and quail research for the purpose of promoting appropriate management practices.

7. **Youth Development Programs in Urban Areas.** The Texas AgriLife Extension Service, in addition to providing ongoing programs for rural residents, shall use the appropriations above to place greater emphasis on providing community leadership development education programming, targeting (but not limited to) youth residing in urban areas.

8. **Beaver Control-East Texas.** Out of the funds appropriated above in Strategy E.1.1, Wildlife Management, $160,160 in fiscal year 2010 and $160,160 in fiscal year 2011 shall be expended for the purpose of beaver control in East Texas.

9. **Feral Hog Control.** Out of the funds appropriated above in Strategy E.1.1, Wildlife Management, $40,040 in fiscal year 2010 and $40,040 in fiscal year 2011 shall be used for Feral Hog Control.

10. **Appropriation of License Plate Unexpended Balances and Receipts.** Included in the amounts appropriated above are all estimated unexpended balances collected prior to the effective date of this Act and all revenue collected on or after September 1, 2009, for the license plates contained herein.

    A. Texas Master Gardener License Plates - Included in Strategy B.1.1, Environmental Education, an estimated $31,000 in unexpended balances and $6,000 each fiscal year out of the General Revenue - Dedicated Master Gardener Plate Account No. 5131 in collected revenue to be spent in accordance with Transportation Code § 504.652.

    B. 4-H License Plates - Included in Strategy D.1.1, Leadership Development, an estimated $6,000 in unexpended balances and $1,000 each fiscal year out of the General Revenue Dedicated Texas 4-H Plates Account No. 5132 in collected revenue to be spent in accordance with Transportation Code § 504.645.

    In addition to amounts identified herein and included above, all unexpended balances remaining as of August 31, 2009, and all revenue generated on or after September 1, 2009 are hereby appropriated for the same purposes.

TEXAS AGRILIFE EXTENSION SERVICE
(Continued)

Any unexpended balances as of August 31, 2010, out of the appropriations made herein are hereby appropriated to the Texas AgriLife Extension Service for the fiscal year beginning September 1, 2010, for the same purposes.

TEXAS ENGINEERING EXPERIMENT STATION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 14,624,356	$ 14,624,357
GR Dedicated - Texas Emissions Reduction Plan Account No. 5071	952,019	952,019
Federal Funds	48,459,612	48,459,612
Other Funds		
Interagency Contracts	3,896,071	3,896,071
Industry, Municipal and/or Foundation Grants, estimated	25,421,832	25,421,832
Indirect Cost Recovery, Locally Held, estimated	4,653,853	4,653,853
Subtotal, Other Funds	$ 33,971,756	$ 33,971,756
Total, Method of Financing	$ 98,007,743	$ 98,007,744
Items of Appropriation:		
1. Educational and General State Support	$ 98,007,743	$ 98,007,744
Grand Total, TEXAS ENGINEERING EXPERIMENT STATION	$ 98,007,743	$ 98,007,744
This bill pattern represents an estimated 91.5% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	740.7	740.7

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: ENGINEERING RESEARCH Conduct engineering & related research to enhance higher ed & eco dev.		
A.1.1. Strategy: RESEARCH DIVISIONS Develop/support research programs, centers, institutes & initiatives.	$ 65,471,859	$ 65,471,859
A.1.2. Strategy: MULTI-INSTITUTIONAL OUTREACH Work with institutions in research & development and provide outreach.	$ 16,635,562	$ 16,635,562
A.2.1. Strategy: TECHNOLOGY TRANSFER	$ 638,309	$ 638,309
A.3.1. Strategy: EDUCATIONAL PROGRAMS Provide programs for student participation in eng research & education.	$ 2,069,288	$ 2,069,288
Total, Goal A: ENGINEERING RESEARCH	$ 84,815,018	$ 84,815,018

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a Federal Funds, § 25, appropriation of $4,000,000 in FY 2010 resulting in net All Funds appropriation of $102,007,743 in FY 2010.

B. Goal: STAFF BENEFITS Maintain staff benefits program for eligible employees and retirees.				
B.1.1. Strategy: STAFF GROUP INSURANCE Provide funding for staff group insurance premiums.	$	2,484,376	$	2,484,376
B.1.2. Strategy: WORKERS' COMP INSURANCE Provide funding for workers' compensation insurance.	$	72,154	$	72,154
B.1.3. Strategy: UNEMPLOYMENT INSURANCE Provide funding for unemployment insurance.	$	31,918	$	31,918
B.1.4. Strategy: OASI Provide funding for OASI.	$	1,216,800	$	1,216,800
B.1.5. Strategy: OPTIONAL RETIREMENT PROGRAM Optional Retirement Program Differential.	$	74,645	$	74,645
Total, Goal B: STAFF BENEFITS	$	3,879,893	$	3,879,893
C. Goal: INDIRECT ADMINISTRATION				
C.1.1. Strategy: INDIRECT ADMINISTRATION	$	4,583,296	$	4,583,296
C.1.2. Strategy: INFRASTRUCTURE SUPPORT	$	4,729,536	$	4,729,537
Total, Goal C: INDIRECT ADMINISTRATION	$	9,312,832	$	9,312,833
Grand Total, TEXAS ENGINEERING EXPERIMENT STATION	$	98,007,743	$	98,007,744
Object-of-Expense Informational Listing:				
Salaries and Wages	$	37,022,120	$	37,022,120
Other Personnel Costs		3,067,287		3,067,287
Professional Salaries - Faculty Equivalent (Higher Education Only)		11,399,274		11,399,274
Professional Fees and Services		12,129,737		12,129,737
Fuels and Lubricants		22,292		22,292
Consumable Supplies		512,271		512,271
Utilities		244,345		244,345
Travel		3,648,169		3,648,169
Rent - Building		836,399		836,399
Rent - Machine and Other		273,005		273,005
Other Operating Expense		24,518,925		24,518,926
Capital Expenditures		4,333,919		4,333,919
Total, Object-of-Expense Informational Listing	$	98,007,743	$	98,007,744
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	1,633,016	$	1,736,412
Group Insurance		1,844,812		1,970,259
Social Security		911,120		943,009
Subtotal, Employee Benefits	$	4,388,948	$	4,649,680
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	4,388,948	$	4,649,680

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Engineering Experiment Station. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Engineering Experiment Station. In order to achieve the objectives and service standards established by this Act, the Texas Engineering Experiment Station shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

TEXAS ENGINEERING EXPERIMENT STATION
(Continued)

	2010	2011
A. Goal: ENGINEERING RESEARCH		
Outcome (Results/Impact):		
Leverage Ratio of General Revenue Appropriations to Total Funds (Excluding Infrastructure Funds)	12.8	12.8
Total Dollar Volume of Research (Millions)	115.5	115.5
Number of Formal License Agreements	10	10
A.1.1. Strategy: RESEARCH DIVISIONS		
Output (Volume):		
Dollar Volume of Research (Millions)	99.2	99.2
Number of Research Projects	3,900	3,900
A.1.2. Strategy: MULTI-INSTITUTIONAL OUTREACH		
Output (Volume):		
Number of Collaborative Initiatives	815	815
Dollar Volume of Activities (Millions)	16.8	16.8
A.2.1. Strategy: TECHNOLOGY TRANSFER		
Output (Volume):		
Number of Patent Applications	33	33
A.3.1. Strategy: EDUCATIONAL PROGRAMS		
Output (Volume):		
Number of Students from Underrepresented Groups Participating in Agency Activities	11,150	11,150

3. **Offshore Technology Research Center.** Out of the funds appropriated above in Strategy A.1.1, Research Divisions, $203,861 in fiscal year 2010 and $203,861 in fiscal year 2011 is for the purpose of supporting the Offshore Technology Research Center.

TEXAS TRANSPORTATION INSTITUTE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1]	$ 1,150,000	$ 750,000
Federal Funds	5,894,042	5,894,042
Other Funds		
Appropriated Receipts	5,084,748	5,084,748
Interagency Contracts	22,442,200	22,442,200
Indirect Cost Recovery, Locally Held, estimated	6,174,860	6,174,860
State Highway Fund No. 006	6,612,105	6,612,104
Subtotal, Other Funds	$ 40,313,913	$ 40,313,912
Total, Method of Financing	$ 47,357,955	$ 46,957,954
Items of Appropriation:		
1. Educational and General State Support	$ 47,357,955	$ 46,957,954
Grand Total, TEXAS TRANSPORTATION INSTITUTE	$ 47,357,955	$ 46,957,954
This bill pattern represents an estimated 92.2% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)-Appropriated Funds	428.7	428.7

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

[1] Incorporates Article IX, § 17.14, of this Act, relating to funding for a school bus seat belt program study, in the amount of $400,000 in General Revenue Funds in FY 2010.

A. Goal: TRANSPORTATION RESEARCH Transportation Research, Dissemination & Transportation Education.		
A.1.1. Strategy: SPONSORED RESEARCH[2] Sponsored Transportation Research.	$ 35,523,054	$ 35,123,054
A.1.2. Strategy: NATIONAL CENTERS Research/Education within the National Centers.	$ 3,497,669	$ 3,497,669
Total, Goal A: TRANSPORTATION RESEARCH	$ 39,020,723	$ 38,620,723
B. Goal: STAFF BENEFITS Maintain Staff Benefits Program for Eligible Employees and Retirees.		
B.1.1. Strategy: STAFF GROUP INSURANCE Provide Funding for Staff Group Insurance Premiums.	$ 1,743,674	$ 1,743,674
B.1.2. Strategy: WORKERS' COMP INSURANCE Provide Funding for Workers' Compensation Insurance.	$ 41,439	$ 41,439
B.1.3. Strategy: UNEMPLOYMENT INSURANCE Provide Funding for Unemployment Insurance.	$ 24,594	$ 24,594
B.1.4. Strategy: OASI Provide Funding for OASI.	$ 1,550,870	$ 1,550,870
Total, Goal B: STAFF BENEFITS	$ 3,360,577	$ 3,360,577
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: INDIRECT ADMINISTRATION	$ 3,131,748	$ 3,131,748
C.1.2. Strategy: INFRASTRUCTURE SUPPORT	$ 1,844,907	$ 1,844,906
Total, Goal C: INDIRECT ADMINISTRATION	$ 4,976,655	$ 4,976,654
Grand Total, TEXAS TRANSPORTATION INSTITUTE	$ 47,357,955	$ 46,957,954
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 27,979,247	$ 27,979,247
Other Personnel Costs	3,467,468	3,467,468
Professional Fees and Services	64,910	64,910
Fuels and Lubricants	17,175	17,175
Consumable Supplies	652,678	652,678
Utilities	356,891	356,891
Travel	1,302,764	1,302,764
Rent - Building	911,662	911,662
Rent - Machine and Other	356,321	356,321
Other Operating Expense	11,484,285	11,084,284
Capital Expenditures	764,554	764,554
Total, Object-of-Expense Informational Listing	$ 47,357,955	$ 46,957,954
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 299,245	$ 316,484
Group Insurance	639,559	683,049
Social Security	192,113	198,837
Subtotal, Employee Benefits	$ 1,130,917	$ 1,198,370
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 1,130,917	$ 1,198,370

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Transportation Institute. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Transportation Institute. In order to achieve the objectives and service

[2] Incorporates Article IX, § 17.14, of this Act, relating to funding for a school bus seat belt program study, in the amount of $400,000 in General Revenue Funds in FY 2010.

standards established by this Act, the Texas Transportation Institute shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: TRANSPORTATION RESEARCH		
Outcome (Results/Impact):		
Total Dollar Volume of Research	44,888,762	44,888,762
Leverage Ratio of Direct State Funding to Total Funds (Excluding Infrastructure Funds)	12.62	12.62
A.1.1. Strategy: SPONSORED RESEARCH		
Output (Volume):		
Number of TTI Patented Safety Devices Installed	545,000	550,000
Number of Students Involved in TTI Education and Research Activities	187	187
Dollar Volume of Research	40,494,900	40,494,900
A.1.2. Strategy: NATIONAL CENTERS		
Output (Volume):		
Number of Students Involved in TTI Education and Research Activities	41	41
Dollar Volume of Research	4,393,862	4,393,862

3. **Transportation Safety Center.** Out of funds appropriated above, $500,000 in fiscal year 2010 and $500,000 in fiscal year 2011 out of State Highway Fund No. 006 and $500,000 in fiscal year 2010 and $500,000 in fiscal year 2011 out of General Revenue shall be used to fund the Transportation Safety Center to conduct research, education, and technology transfer to improve the safety of Texas' roads and highways.

4. **Center for International Intelligent Transportation.** Out of State Highway Fund No. 006, $850,000 in fiscal year 2010 and $850,000 in fiscal year 2011 shall be used to fund the Center for International Intelligent Transportation in El Paso to conduct research, education, and technology transfer to improve the safety of Texas' roads and highways for secure international transportation and other issues specific to the El Paso region, international and border settings.

5. **Study of a Vehicle Miles Traveled Tax.** Upon receipt of a federal grant for the purpose of studying a Vehicle Miles Traveled Tax and out of funds appropriated in this Act, the Texas Transportation Institute shall conduct a study of the feasibility of a Vehicle Miles Traveled Tax in Texas. This study shall:

    1. Consider the impact of a Vehicle Miles Traveled Tax on commerical trucks traveling in Texas; and

    2. Include input from the Comptroller of Public Accounts regarding the way in which the state's tax collection system would be impacted by a possible transition to and future implementation of a Vehicle Miles Traveled Tax.

TEXAS ENGINEERING EXTENSION SERVICE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 7,159,184	$ 7,159,185
Federal Funds	24,014,599	24,014,599
Other Funds		
Appropriated Receipts	35,577,495	35,577,495
Interagency Contracts	3,396,584	3,396,584
Indirect Cost Recovery, Locally Held, estimated	9,138,374	9,138,374
Subtotal, Other Funds	$ 48,112,453	$ 48,112,453
Total, Method of Financing	$ 79,286,236	$ 79,286,237

Items of Appropriation:				
1. Educational and General State Support	$	79,286,236	$	79,286,237
Grand Total, TEXAS ENGINEERING EXTENSION SERVICE	$	79,286,236	$	79,286,237

This bill pattern represents an estimated 98.1% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE)- Appropriated Funds		609.0		609.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: PROVIDE TRAINING Provide Training and Technical Assistance.				
A.1.1. Strategy: PUBLIC SECTOR TRAINING Provide Public Sector Training.	$	38,581,419	$	38,581,419
A.1.2. Strategy: PRIVATE SECTOR TRAINING Provide Private Sector Training.	$	13,572,267	$	13,572,267
Total, Goal A: PROVIDE TRAINING	$	52,153,686	$	52,153,686
B. Goal: PROVIDE TECHNICAL ASSISTANCE				
B.1.1. Strategy: PROVIDE TECHNICAL ASSISTANCE	$	6,422,030	$	6,422,030
C. Goal: PROVIDE EMERGENCY RESPONSE				
C.1.1. Strategy: PROVIDE TX TASK FORCE 1 CAPABILITY Provide Texas Task Force One Capabilities.	$	3,235,461	$	3,235,461
D. Goal: STAFF BENEFITS Maintain Staff Benefits Program for Eligible Employees and Retirees.				
D.1.1. Strategy: STAFF GROUP INSURANCE Provide Funding for Staff Group Insurance Premiums.	$	2,514,472	$	2,514,472
D.1.2. Strategy: WORKERS' COMPENSATION INSURANCE Provide Funding for Workers' Compensation Insurance.	$	135,604	$	135,604
D.1.3. Strategy: UNEMPLOYMENT INSURANCE Provide Funding for Unemployment Insurance.	$	71,880	$	71,880
D.1.4. Strategy: OASI Provide funding for OASI.	$	2,580,991	$	2,580,991
Total, Goal D: STAFF BENEFITS	$	5,302,947	$	5,302,947
E. Goal: INDIRECT ADMINISTRATION				
E.1.1. Strategy: INDIRECT ADMINISTRATION	$	9,942,609	$	9,942,609
E.1.2. Strategy: INFRASTRUCTURE SUPPORT	$	2,229,503	$	2,229,504
Total, Goal E: INDIRECT ADMINISTRATION	$	12,172,112	$	12,172,113
Grand Total, TEXAS ENGINEERING EXTENSION SERVICE	$	79,286,236	$	79,286,237

Object-of-Expense Informational Listing:				
Salaries and Wages	$	36,814,029	$	36,814,029
Other Personnel Costs		4,625,626		4,625,626
Professional Fees and Services		1,075,165		1,075,165
Fuels and Lubricants		29,954		29,954
Consumable Supplies		382,875		382,875
Utilities		776,337		776,337
Travel		7,910,123		7,910,123
Rent - Building		982,146		982,146
Rent - Machine and Other		509,963		509,963
Other Operating Expense		25,714,940		25,714,941

Capital Expenditures	465,078	465,078
Total, Object-of-Expense Informational Listing	$ 79,286,236	$ 79,286,237
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,245,498	$ 1,331,858
Group Insurance	317,691	339,294
Social Security	269,890	279,337
Subtotal, Employee Benefits	$ 1,833,079	$ 1,950,489
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 1,833,079	$ 1,950,489

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Engineering Extension Service. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Engineering Extension Service. In order to achieve the objectives and service standards established by this Act, the Texas Engineering Extension Service shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: PROVIDE TRAINING		
Outcome (Results/Impact):		
Leverage Ratio of General Revenue Appropriations to Total Funds (Excluding Infrastructure Funds)	0.07	0.07
A.1.1. Strategy: PUBLIC SECTOR TRAINING		
Output (Volume):		
Number of Student Contact Hours	1,457,560	1,359,904
B. Goal: PROVIDE TECHNICAL ASSISTANCE		
B.1.1. Strategy: PROVIDE TECHNICAL ASSISTANCE		
Output (Volume):		
Number of Service Contact Hours	156,035	156,035
C. Goal: PROVIDE EMERGENCY RESPONSE		
C.1.1. Strategy: PROVIDE TX TASK FORCE 1 CAPABILITY		
Output (Volume):		
Number of Emergency Response Teams Operationally Ready	27	27
Number of Hours Spent on Emergency Response	38,880	38,880
Number of Jurisdictions Assisted	30	30

3. **Increased Interagency Collaboration.** The Texas AgriLife Extension Service and the Texas Engineering Extension Service are directed to use the appropriations above to meet annually to generate, implement, and manage efforts designed to reinforce each agency's respective training mission and avoid potential duplication of training efforts. The agencies shall file a jointly produced report with the Legislative Budget Board and the Governor by October 1 of each year summarizing the actions taken to meet the above purposes.

4. **Pay for Regular Compensatory Time.** The Texas Engineering Extension Service may use the appropriations above to pay its Fair Labor Standards Act exempt employees on a straight-time basis for work on a holiday or for regular compensatory time hours when such time is worked in connection with a state or federal activation and when the taking of regular compensatory time off would be disruptive to normal business functions.

TEXAS FOREST SERVICE[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund		
General Revenue Fund	$ 12,450,282	$ 12,450,281
Insurance Companies Maintenance Tax and Insurance Department Fees	6,825,000	6,825,000
Subtotal, General Revenue Fund	$ 19,275,282	$ 19,275,281
General Revenue Fund - Dedicated		
Volunteer Fire Department Assistance Account No. 5064	30,000,000	30,000,000
Rural Volunteer Fire Department Insurance Account No. 5066, estimated	1,000,000	1,000,000
Urban Forestry Plates, Account No. 5133, estimated	17,000	4,000
Subtotal, General Revenue Fund - Dedicated	$ 31,017,000	$ 31,004,000
Federal Funds	3,452,633	3,452,633
Appropriated Receipts	841,731	841,731
Total, Method of Financing	$ 54,586,646	$ 54,573,645
Items of Appropriation:		
1. Educational and General State Support	$ 54,586,646	$ 54,573,645
Grand Total, TEXAS FOREST SERVICE	$ 54,586,646	$ 54,573,645
This bill pattern represents an estimated 91.2% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)- Appropriated Funds	378.2	378.2

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: DEVELOP FOREST RESOURCES Develop Forest/Tree Resources to Protect Life, Environment & Property.		
A.1.1. Strategy: WILDFIRE AND EMERGENCY PROGRAM Wildfire Prevention, Detection, and Suppression and Emergency Response.	$ 42,918,910	$ 42,918,910
A.1.2. Strategy: FOREST INSECTS AND DISEASES Provide Detection/Notification/Control of Forest/Tree Insect & Disease.	$ 893,307	$ 893,307
A.2.1. Strategy: FORESTRY LEADERSHIP Provide Professional Forestry Leadership & Resource Marketing.	$ 5,211,184	$ 5,211,184
A.2.2. Strategy: ENVIRONMENTAL ENHANCEMENT Provide Leadership in Enhancement of Tree and Forest Resources.	$ 1,529,767	$ 1,516,767
Total, Goal A: DEVELOP FOREST RESOURCES	$ 50,553,168	$ 50,540,168
B. Goal: STAFF BENEFITS Maintain Staff Benefits Program for Eligible Employees and Retirees.		
B.1.1. Strategy: STAFF GROUP INSURANCE Provide Funding for Staff Group Insurance Premiums.	$ 1,161,215	$ 1,161,215
B.1.2. Strategy: WORKERS' COMP INSURANCE Provide Funding for Workers' Compensation Insurance.	$ 127,850	$ 127,850

[1] The passage of SB 1011, 80th Legislature, Regular Session, abolishes the fire department emergency program at the Commission on Fire Protection on January 1, 2010. Any unexpended and unobligated balance of funds appropriated for the fire department emergency program will be transferred to the Texas Forest Service.

B.1.3. Strategy: UNEMPLOYMENT INSURANCE Provide Funding for Unemployment Insurance.	$ 4,531	$ 4,531
B.1.4. Strategy: OASI Provide Funding for OASI.	$ 204,306	$ 204,306
B.1.5. Strategy: HAZARDOUS DUTY PAY Provide Funding for Hazardous Duty Pay.	$ 10,810	$ 10,810
Total, Goal B: STAFF BENEFITS	$ 1,508,712	$ 1,508,712
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: INDIRECT ADMINISTRATION	$ 1,720,882	$ 1,720,882
C.1.2. Strategy: INFRASTRUCTURE SUPPORT IN BRAZOS CO Infrastructure Support - In Brazos County.	$ 127,285	$ 127,284
C.1.3. Strategy: INFRASTRUCT SUPP OUTSIDE BRAZOS CO Infrastructure Support - Outside Brazos County.	$ 676,599	$ 676,599
Total, Goal C: INDIRECT ADMINISTRATION	$ 2,524,766	$ 2,524,765
Grand Total, TEXAS FOREST SERVICE	$ 54,586,646	$ 54,573,645
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 16,989,332	$ 16,989,332
Other Personnel Costs	715,369	715,369
Professional Fees and Services	39,621	39,621
Fuels and Lubricants	629,025	629,025
Consumable Supplies	789,683	789,683
Utilities	648,286	648,286
Travel	313,000	313,000
Rent - Building	250,753	250,753
Rent - Machine and Other	468,105	468,105
Other Operating Expense	2,888,273	2,888,272
Grants	30,257,699	30,244,699
Capital Expenditures	597,500	597,500
Total, Object-of-Expense Informational Listing	$ 54,586,646	$ 54,573,645
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,085,993	$ 1,155,914
Group Insurance	2,638,718	2,818,150
Social Security	1,067,850	1,105,225
Subtotal, Employee Benefits	$ 4,792,561	$ 5,079,289
Debt Service		
Lease Payments	$ 7,699	$ 7,722
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 4,800,260	$ 5,087,011

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Forest Service. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Forest Service. In order to achieve the objectives and service standards established by this Act, the Texas Forest Service shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: DEVELOP FOREST RESOURCES		
Outcome (Results/Impact):		
Saved-to-lost Ratio of Resource and Property Values from Wildfire	5.1	5.1
Number of Trees Saved from Spread of Oak Wilt Disease	33,500	33,500
Number of Acres Impacted through Windbreak and Wildlife Habitat Seedlings Sold	20,000	20,000

A.1.1. Strategy: WILDFIRE AND EMERGENCY PROGRAM		
Output (Volume):		
Number of Community Assists	3,576	3,576
Number of Contact Hours of Firefighter and Emergency Responder Training	60,909	60,909
Number of Hours Spent for Emergency Response	58,242	58,242
A.1.2. Strategy: FOREST INSECTS AND DISEASES		
Output (Volume):		
Number of Property Owners Provided with Oak Wilt Information	25,000	25,000
A.2.1. Strategy: FORESTRY LEADERSHIP		
Output (Volume):		
Number of Acres of Reforestation on Nonindustrial Private Forestland in East Texas	44,000	44,000
Number of Resource Development Assists	19,000	19,000
A.2.2. Strategy: ENVIRONMENTAL ENHANCEMENT		
Output (Volume):		
Number of Community Assists	550	550
Number of Windbreak and Wildlife Habitat Seedlings Sold	220,000	220,000

3. **Overtime Payments, Contingency.** Included in the appropriation above, $335,223 for each year of the biennium is for the sole purpose of paying mandatory overtime expenses of non-exempt employees of the Texas Forest Service when such overtime is incurred in emergency response activities. It is further provided that payments from this appropriation shall be made only upon overtime payroll vouchers submitted to the State Comptroller. Any balances remaining as of August 31, 2009 are hereby appropriated for the same purpose for the biennium beginning September 1, 2009, and balances remaining as of August 31, 2010 are hereby appropriated for fiscal year 2011.

4. **Texas Wildfire Protection Plan.** Out of the funds appropriated above, $6,825,000 from the Insurance Companies Maintenance Tax in each year of the biennium shall be used for the Texas Wildfire Protection Plan.

5. **Pay for Regular Compensatory Time.** The Texas Forest Service may use the appropriations above to pay its Fair Labor Standards Act exempt employees on a straight-time basis for work on a holiday or for regular compensatory time hours when such time is worked in connection with an emergency and when the taking of regular compensatory time off would be disruptive to normal business functions.

6. **Urban Forestry License Plate Fund. Appropriation of License Plate Unexpended Balances and Receipts.** Included in the amounts appropriated above are all estimated unexpended balances collected prior to the effective date of this Act and all revenue collected on or after September 1, 2009, for the license plates contained herein.

   Urban Forestry License Plates - Included in Strategy A.2.2, Environmental Education, an estimated $13,000 in unexpended balances and $4,000 each fiscal year out of the General Revenue Dedicated Urban Forestry License Plate Account No. 5133 in collected revenue to be spent in accordance with Transportation Code § 504.632.

   In addition to amounts identified herein and included above, all unexpended balances remaining as of August 31, 2009, and all revenue generated on or after September 1, 2009 are hereby appropriated for the same purposes.

   Any unexpended balances as of August 31, 2010, out of the appropriations made herein are hereby appropriated to the Texas Forest Service for the fiscal year beginning September 1, 2010, for the same purposes.

TEXAS VETERINARY MEDICAL DIAGNOSTIC LABORATORY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 6,574,353	$ 6,574,354
Federal Funds	300,000	300,000

Other Funds		
Drug Testing Laboratory Fee Revenue, estimated	1,072,424	1,072,424
Veterinary Medical Diagnostic Laboratory Fee Revenue, estimated	8,012,576	8,012,576
Subtotal, Other Funds	$ 9,085,000	$ 9,085,000
Total, Method of Financing	$ 15,959,353	$ 15,959,354
Items of Appropriation:		
1. Educational and General State Support	$ 15,959,353	$ 15,959,354
Grand Total, TEXAS VETERINARY MEDICAL DIAGNOSTIC LABORATORY	$ 15,959,353	$ 15,959,354
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE)-Appropriated Funds	149.0	149.0

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

A. Goal: DIAGNOSTIC AND DRUG TESTING Provide Diagnostic Services Drug/Export Tests, & Disease Surveillance.		
A.1.1. Strategy: DIAGNOSTIC SERVICES Provide Diagnostic Service and Disease Surveillance.	$ 11,412,652	$ 11,412,653
A.2.1. Strategy: DRUG TESTING SERVICE Provide Drug Testing Service.	$ 794,826	$ 794,826
Total, Goal A: DIAGNOSTIC AND DRUG TESTING	$ 12,207,478	$ 12,207,479
B. Goal: STAFF BENEFITS Maintain Staff Benefits Program for Eligible Employees and Retirees.		
B.1.1. Strategy: STAFF GROUP INSURANCE Provide Funding for Staff Group Insurance Premiums.	$ 813,822	$ 813,822
B.1.2. Strategy: WORKERS' COMP INSURANCE Provide Funding for Workers' Compensation Insurance.	$ 18,180	$ 18,180
B.1.3. Strategy: UNEMPLOYMENT INSURANCE Provide Funding for Unemployment Insurance.	$ 4,045	$ 4,045
B.1.4. Strategy: OASI Provide Funding for OASI.	$ 293,015	$ 293,015
B.1.5. Strategy: OPTIONAL RETIREMENT PROGRAM Optional Retirement Program Differential.	$ 24,941	$ 24,941
Total, Goal B: STAFF BENEFITS	$ 1,154,003	$ 1,154,003
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: INDIRECT ADMINISTRATION	$ 1,399,992	$ 1,399,992
C.1.2. Strategy: INFRASTRUCTURE SUPPORT IN BRAZOS CO Infrastructure Support - In Brazos Country.	$ 992,882	$ 992,882
C.1.3. Strategy: INFRASTRUCT SUPP OUTSIDE BRAZOS CO Infrastructure Support - Outside Brazos County.	$ 204,998	$ 204,998
Total, Goal C: INDIRECT ADMINISTRATION	$ 2,597,872	$ 2,597,872
Grand Total, TEXAS VETERINARY MEDICAL DIAGNOSTIC LABORATORY	$ 15,959,353	$ 15,959,354

TEXAS VETERINARY MEDICAL DIAGNOSTIC LABORATORY
(Continued)

Object-of-Expense Informational Listing:		
Salaries and Wages	$ 9,264,909	$ 9,264,909
Other Personnel Costs	772,386	772,386
Professional Fees and Services	40,000	40,000
Fuels and Lubricants	30,000	30,000
Consumable Supplies	1,979,075	1,979,075
Utilities	1,082,518	1,082,518
Travel	76,000	76,000
Rent - Building	6,000	6,000
Rent - Machine and Other	105,000	105,000
Other Operating Expense	2,278,465	2,278,466
Capital Expenditures	325,000	325,000
Total, Object-of-Expense Informational Listing	$ 15,959,353	$ 15,959,354
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 51,358	$ 52,898
Group Insurance	516,981	552,135
Social Security	243,721	252,251
Subtotal, Employee Benefits	$ 812,060	$ 857,284
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 812,060	$ 857,284

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Veterinary Medical Diagnostic Laboratory. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Veterinary Medical Diagnostic Laboratory. In order to achieve the objectives and service standards established by this Act, the Texas Veterinary Medical Diagnostic Laboratory shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: DIAGNOSTIC AND DRUG TESTING		
Outcome (Results/Impact):		
Number of Diagnostic Services Rendered	1,050,000	1,050,000
Percent of Animals Testing Drug Free	99.7%	99.7%
A.1.1. Strategy: DIAGNOSTIC SERVICES		
Output (Volume):		
Number of Cases Submitted and Examined	210,000	210,000
Number of Surveillance Tests Performed for Agents of Bio- or Eco-terrorism	140,000	140,000
A.2.1. Strategy: DRUG TESTING SERVICE		
Output (Volume):		
Number of Animals Tested	21,000	21,000

RETIREMENT AND GROUP INSURANCE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund, estimated	$ 23,167,605	$ 24,942,357
General Revenue Dedicated Accounts, estimated	5,080	5,697
Federal Funds, estimated	4,294,642	4,542,363
Other Special State Funds, estimated	700,828	741,086
Total, Method of Financing	$ 28,168,155	$ 30,231,503

RETIREMENT AND GROUP INSURANCE
(Continued)

Items of Appropriation:		
A. Goal: EMPLOYEES RETIREMENT SYSTEM		
A.1.1. Strategy: RETIREMENT - PUBLIC EDUCATION Retirement - Public Education. Estimated.	$ 5,507,372	$ 5,589,983
A.1.2. Strategy: RETIREMENT- HIGHER EDUCATION Retirement - Higher Education. Estimated.	$ 1,871,925	$ 1,900,003
A.1.3. Strategy: GROUP INSURANCE - PUBLIC EDUCATION Group Insurance - Public Education. Estimated.	$ 14,941,024	$ 16,259,786
A.1.4. Strategy: GROUP INSURANCE - HIGHER EDUCATION Group Insurance - Higher Education. Estimated.	$ 5,847,834	$ 6,481,731
Total, Goal A: EMPLOYEES RETIREMENT SYSTEM	$ 28,168,155	$ 30,231,503
Grand Total, RETIREMENT AND GROUP INSURANCE	$ 28,168,155	$ 30,231,503

SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund, estimated	$ 220,918,333	$ 228,518,759
General Revenue Dedicated Accounts, estimated	41,663,302	43,121,517
Federal Funds, estimated	1,747,995	1,756,893
Other Funds		
Other Special State Funds, estimated	8,265,646	8,497,318
State Highway Fund No. 006, estimated	192,113	198,837
Subtotal, Other Funds	$ 8,457,759	$ 8,696,155
Total, Method of Financing	$ 272,787,389	$ 282,093,324
Items of Appropriation:		
A. Goal: SOCIAL SECURITY/BENEFIT REPLACEMENT Comptroller - Social Security.		
A.1.1. Strategy: STATE MATCH - EMPLOYER - PUBLIC ED State Match — Employer — Public Education. Estimated.	$ 8,979,999	$ 9,114,700
A.1.2. Strategy: STATE MATCH-EMPLOYER-HIGHER ED State Match — Employer — Higher Education. Estimated.	$ 263,077,700	$ 272,285,419
A.1.3. Strategy: BRP -- PUBLIC EDUCATION Benefit Replacement Pay — Public Education. Estimated.	$ 630,287	$ 598,772
A.1.4. Strategy: BRP - HIGHER EDUCATION Benefit Replacement Pay — Higher Education. Estimated.	$ 99,403	$ 94,433
Total, Goal A: SOCIAL SECURITY/BENEFIT REPLACEMENT	$ 272,787,389	$ 282,093,324
Grand Total, SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY	$ 272,787,389	$ 282,093,324

BOND DEBT SERVICE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 5,926,610	$ 7,704,490
Total, Method of Financing	$ 5,926,610	$ 7,704,490
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: BOND DEBT SERVICE	$ 5,926,610	$ 7,704,490 & UB
To Texas Public Finance Authority for Payment of Bond Debt Service.		
Grand Total, BOND DEBT SERVICE PAYMENTS	$ 5,926,610	$ 7,704,490

LEASE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 3,381,260	$ 2,522,774
Total, Method of Financing	$ 3,381,260	$ 2,522,774
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: LEASE PAYMENTS - PUBLIC EDUCATION	$ 3,185,737	$ 2,348,011 & UB
To TFC for Payment to TPFA - Public Education.		
A.1.2. Strategy: LEASE PAYMENTS - HIGHER EDUCATION	$ 195,523	$ 174,763 & UB
To TFC for Payment to TPFA - Higher Education.		
Total, Goal A: FINANCE CAPITAL PROJECTS	$ 3,381,260	$ 2,522,774
Grand Total, LEASE PAYMENTS	$ 3,381,260	$ 2,522,774

SPECIAL PROVISIONS RELATING ONLY TO STATE AGENCIES OF HIGHER EDUCATION

Sec. 2. Local Funds Appropriated. All balances of local funds except for any identifiable general revenue in the local funds of the state institutions of higher education named in this Article, as those funds are defined in Education Code § 51.009(a) at the close of the fiscal year ending August 31, 2009, including balances in their local revolving funds at that time, and the income to said funds during the fiscal years beginning September 1, 2009 and 2010, are hereby appropriated for the operation, maintenance, and improvement of the respective state institutions. Institutional funds, as those funds are defined in Education Code § 51.009(b), shall be expended as authorized by the laws governing the use of the funds, and unless specifically included or identified, are exempt from the Article III and IX Special Provisions of this Act.

All local funds shall be subject to the special and general provisions of Articles III and IX except where certain local funds are specifically exempted from these provisions by a provision herein or by specific statutory authority.

Sec. 3. Definition of Terms.

1. As used in this Act, the term "general academic institutions" shall mean only the following institutions:

The University of Texas at Arlington
The University of Texas at Austin
The University of Texas at Dallas
The University of Texas at El Paso
The University of Texas - Pan American
The University of Texas at Brownsville
The University of Texas of the Permian Basin
The University of Texas at San Antonio
The University of Texas at Tyler
Texas A&M University
Texas A&M University at Galveston
Prairie View A&M University
Tarleton State University
Texas A&M University - Corpus Christi
Texas A&M University - Kingsville
Texas A&M International University
West Texas A&M University
Texas A&M University - Commerce
Texas A&M University - Texarkana
University of Houston
University of Houston - Clear Lake
University of Houston - Downtown
University of Houston - Victoria
Midwestern State University
University of North Texas
Stephen F. Austin State University
Texas Southern University
Texas Tech University
Texas Woman's University
Angelo State University
Lamar University
Lamar Institute of Technology
Lamar State College - Orange
Lamar State College - Port Arthur
Sam Houston State University
Texas State University - San Marcos
Sul Ross State University, including:
Sul Ross State University Rio Grande College

2. "Educational and General Funds" are those funds defined in Education Code § 51.009(c) and General Revenue Fund appropriations.

Sec. 4. Transfer Provisions.

1. **Intercomponent Transfers.** With the approval of the respective governing board, appropriation transfers may be made among medically-related components and their associated system administration, among academic component institutions and their associated system administration, and among component technical colleges controlled by the board, and within each institution, transfers may be made between informational items of appropriation for the general academic institutions, health centers, health science centers, medical education programs, and technical colleges regardless of whether the informational items are general revenue or local funds in character. Transfers may not be made from medically-related components to academic components or from academic components to medically-related components except that transfers may be made from schools of nursing, pharmacy, and allied health in academic components to medically-related components and from medically-related components into the health-related programs listed above in academic components. Transfers may not be made into the informational items setting the salary rate for the president, chancellor, or for any other line-item salary shown. Nothing in this section shall authorize the transfer of appropriations from Texas A&M University System Agencies to Texas A&M University.

2. **Health to Academic Intercomponent Transfers with LBB Prior Approval.** As an exception to the provisions in Subsection 1, transfers may be made with prior approval of the Governor and Legislative Budget Board from medically-related components to general academic institutions if

it does not diminish the academic programs of the medically-related component or result in increased fees to patients at the component. The systems shall furnish whatever documentation may be required by the Governor and Legislative Budget Board to assure these conditions are met.

3. **Revenue Enhancement and Transfer Notification.** The University of Texas System shall enhance local funds revenue to reduce the need for general revenue funds. The University of Texas System shall give 30 days notice to the Legislative Budget Board and Governor prior to transferring local funds from any System hospital. Furthermore, notwithstanding the provisions of subsections 1 and 2 above, The University of Texas System Board of Regents shall not transfer funds from health institutions delivering patient care if such a transfer would result in a decrease in the quality or amount of indigent patient care offered by the affected institution.

4. **Reporting of Transfers.** Any transfers made pursuant to Subsections 1, 2, and 3, whether general revenue or local funds in nature, shall be reported in the Legislative Appropriations Request for the biennium beginning September 1, 2011.

5. **Tuition Revenue Bond and Revenue Bond Transfers.** Notwithstanding the other provisions of this act, transfers are not prohibited to the extent they are required to comply with proceedings authorizing bonds or other obligations now outstanding or hereafter issued pursuant to law.

Sec. 5. Salary and Benefit Provisions.

1. **Prorated Salaries Authorized.** Any employees who distribute their time and duties between general administration, instruction, organized activities related to instruction, and the management of auxiliary enterprises may receive their total salary payments in proportionate parts from such activities and from the appropriated or available funds therefore.

2. **President Salaries.** Out of the educational and general funds appropriated to the general academic institutions, community colleges, health centers, health science centers, and medical education programs, an amount not to exceed $65,945 in 2010 and $65,945 in 2011 may be expended for the salary of a president. All presidents may receive in addition to the above amounts a house, utilities, and/or supplement from institutional funds. If a house owned by the institution, center, or program is not available, an amount not to exceed $7,200 per year from the appropriation to the institution, center, or program, and additional amounts from institutional funds where required, may be provided in lieu of house and utilities.

3. **Chancellor Salaries.** Out of the funds appropriated, transferred, or contracted to the system offices and community colleges, an amount not to exceed $70,231 in 2010 and $70,231 in 2011 may be expended for the salary for a chancellor. All chancellors may receive in addition to the above amounts a house, utilities, and/or supplement from institutional funds. If a system owned house is not available, an amount not to exceed $7,200 per year from the system office appropriation and additional amounts from private and institutional funds where required may be provided in lieu of house and utilities.

4. **Merit Authorization.** It is expressly provided that institutional administrators may grant merit salary increases to employees whose job performance and productivity is consistently above that normally expected or required.

5. **Merit Requirement for Faculty and Faculty Equivalent Employees of Institutions and Agencies of Higher Education.** Notwithstanding any other provisions of this Act, salary increases for faculty or faculty equivalent employees of institutions of higher education shall be awarded on the basis of merit and performance in accepted activities. This shall not be interpreted so as to preclude salary adjustment designed to avoid salary inequities.

6. **Group Insurance Premiums.** For the biennium ending August 31, 2011, there is hereby appropriated such amounts, from local funds or educational and general income available to institutions of higher education, as may be necessary to pay the proportional share of the State's contributions for Staff Group Health Insurance Premiums. Funds appropriated by this subsection may be transferred by those institutions not retaining separate insurance programs to the Employees Retirement System at appropriate intervals to pay the proportional share of the group insurance premiums.

7. **Higher Education Institutions Participating in the Employees Retirement System Group Benefit Program.** General Revenue funds appropriated herein shall be supplemented by funds appropriated elsewhere in this Act for employees enrolled in the State Kids Insurance Program (SKIP) to provide for a premium-sharing structure comparable to the Children's Health Insurance Program (CHIP). Institutions of higher education participating in the Employees Retirement System Group Benefit Program paying for health insurance costs from non-General Revenue Funds shall provide the same levels of premium-sharing for SKIP enrollees as provided for those higher education employees with health insurance paid from General Revenue Funds.

8. **Administrative Accountability**

   a. In each state fiscal year of the biennium, an institution of higher education, including a system office, may not spend funds appropriated to the institution by this Act unless, not later than December 1, the institution submits to the Legislative Budget Board, the chair of the House Appropriations Committee, and the chair of the Senate Finance Committee a report that includes the total number of persons holding high-ranking administrative positions at the institution.

   b. For purposes of subsection (a), "high-ranking administrative position" includes the following positions:

      (1) chancellor;
      (2) vice chancellor;
      (3) associate chancellor;
      (4) assistant chancellor;
      (5) president;
      (6) vice president;
      (7) associate vice president;
      (8) assistant vice president;
      (9) dean;
      (10) associate dean;
      (11) assistant dean; and
      (12) any other administrative position having similar responsibilities to the other positions listed in this subsection.

   c. A report submitted under subsection (a) must:

      (1) be in a form prescribed by the Legislative Budget Board;

      (2) include the name, salary, and total value of nonsalary benefits for each person holding a high administrative position at the institution; and

      (3) include the percentage salary increase for each person holding a high-ranking administrative position at the institution who occupies the same position during the current fiscal year as during the preceding fiscal year.

   d. Not later than the seventh day after the date an institution of higher education submits the report required by subsection (a), the institution shall make a copy of the report available for public inspection in the library of the institution.

Sec. 6. Expenditure Provisions. The expenditure of the appropriations made in this Article or authorized in law for institutions of higher education, except bequests and gifts specifically designated to be in some manner handled otherwise, shall be subject to the provisions of this section which follow and with exceptions only as specifically noted:

1. **Annual Operating Budgets Required.** It is expressly provided that the governing board of each of the institutions of higher education named herein shall approve on or before September 1, 2009 and 2010, an itemized budget covering the operation of the ensuing fiscal year, which budget shall be prepared within the limits of the revenue available. Each institution's operating budget shall contain a section(s) which provides budget amounts and the method of finance for each listed informational item of appropriated funds contained in this Act. A copy of each budget, and any subsequent amendments thereto, shall be filed with the Legislative Reference Library and the institution's general library to be available for public inspection. Copies of each budget shall also be filed with the Legislative Budget Board, the Governor, and the Texas Higher Education Coordinating Board by December 1 of each fiscal year.

2. **Clearing Accounts.** At their option, the institutions may use their local depository bank account in lieu of the special clearing account, authorized by Education Code, § 51.008(b), provided that the general requirements set out in therein, for deposits and transfers to the state treasury, are complied with.

3. **Revolving Funds.**

   a. Each institution affected by this section, at its option, is hereby authorized to maintain a revolving fund to facilitate the payment of nominal expenses and to pay bills within cash discount periods. The institutions may use the revolving fund for regular monthly payrolls as well as for weekly and special payrolls. Disbursements from the revolving funds are to be reimbursed from respective items of educational and general appropriation made herein, the Comptroller of Public Accounts being hereby authorized to make such reimbursements on claims filed with her by the institutions under her regularly prescribed procedures except that one voucher and one warrant may cover any number of claims for this purpose. These reimbursement claims shall meet the same requirements as other claims against state appropriations, and each institution shall prepare such a reimbursement claim as at the close of business on the last day of each month and as many times during the month as may be expedient in order to make unnecessary the maintaining of an unreasonably large revolving fund.

   b. The respective governing board shall determine the amounts of the revolving funds to be set up for each institution, and may increase or decrease the amounts if necessary. Such governing board shall designate a depository bank for each revolving fund, and shall specify the officers and/or employees to sign checks drawn on each such fund. The depository bank for each revolving fund shall be required to secure the deposit as provided by law.

   c. Appropriations to all institutions of higher education and systems, except funds identified exclusively for salaries, may be used to reimburse any revolving fund operated for the benefit of one or more parts or component units of an institution or system, such as a motor pool for managing automotive vehicles authorized by this Act, a feed supply center, an office supply or laboratory supply center, a computer center, or any other operations of a similar nature established by authority of the governing board of said institution or system.

4. **Local Depositories.** The governing boards of the respective institutions for which appropriations are made in this Article are hereby authorized to select depository banks for the safekeeping of funds which are authorized, by statute, to be maintained outside the state treasury. The boards shall require depository banks to furnish adequate surety bonds or securities to be posted for the assurance of safety of such deposits. The depository bank or banks so selected are hereby authorized to pledge their securities for assurance of safety for such funds. All such local funds shall be deposited in these depositories within seven (7) days from date of collection. The governing boards may require the depository so designated and selected to pay interest on deposits at a rate to be agreed upon by said depositories and said boards.

5. **Investment Reports.**

   a. The governing board of each of the educational institutions named in this Article shall file with the State Auditor, Comptroller of Public Accounts, Legislative Budget Board, and the Governor an annual report of all investment transactions involving endowment funds, short-term and long-term investment funds, and all other securities transactions, in a method prescribed by the State Auditor's Office. Copies of such reports shall be available for public inspection. In addition to the annual report, each institution shall publish on its website quarterly investment reports in any format it deems appropriate.

   b. The governing boards of each educational institution named in this Article must adopt formal investment policies. Each governing board shall submit to the Legislative Budget Board and State Auditor's Office a copy of their investment policy by December 31 of each year.

6. **Central Services Accounts.**

   a. Out of funds appropriated in this Article, the governing boards of the university systems and their component units, and institutions of higher education may employ persons to serve two or more parts or component units of the system or institution and may pay their salaries

in whole or in part from the informational items of appropriation made herein to any component unit. The governing boards are authorized to establish accounts from which salaries and expenses for the administration and supervision of the units of the system or institution may be paid and to require the units, including any other agency the administration of which it may be charged with by law, to pay into this account from any general revenue, local, or institutional funds their proportionate share as determined by the board for the expense of such administration and supervision. The Comptroller of Public Accounts is authorized to set up an account for each of the systems or institutions and to deposit in the account funds to the amount authorized by the governing boards and executive heads of the respective units, from funds appropriated by the Legislature to the units for noninstructional salaries and general operating expenses. The Comptroller is authorized to draw warrants against such accounts based on vouchers submitted by the systems or institutions in payment of salaries, maintenance, equipment, or travel incidental to the administration and supervision of the respective units.

b. The systems and institutions whose governing boards and component units are subject to the above are authorized to establish the following accounts:

Texas A&M University System Central Services Account
The University of Texas System Central Services Account
University of Houston System Central Services Account
Texas Tech University System Central Services Account
University of North Texas System Central Services Account
Texas State University System Central Services Account

c. Travel expense incurred by a person employed by one unit of an above system or institution in connection with service to the other units may be reimbursed by the unit for which such services are performed or proportionately if more than one such unit is involved.

7. **Utility Revolving Funds.** The governing boards of Texas Woman's University, West Texas A&M University, all components of the University of Houston System, Texas State University System, Texas Tech University System, University of North Texas System, and The University of Texas System are authorized to use appropriated funds, except funds expressly identified for salaries, to make payments of debt service and other payments in connection with utility plant revenue bonds and utility plant operation and maintenance expenses, and/or to reimburse any revolving fund now or hereafter established in connection with providing utility services to any building or facility of the college or university, in accordance with the general principles established in Education Code, § 55.11, and the creation and maintenance of any such revolving fund is hereby authorized.

8. **Appropriation Expenditure Authorization.**

a. The educational and general appropriations made in this Act to the general academic teaching institutions, health related institutions, and Texas State Technical College may be expended for the following purposes, including, but not limited to: Instruction; Research; Public Service; Academic Support; Student Services; Institutional Support; Operation and Maintenance of Plant; Scholarships; Staff Benefits; Organized Activities; and Patient Care. Major repairs and rehabilitation of buildings and facilities may be purchased from appropriated funds, but may not be purchased from general revenue funds that are not expressly identified or allocated for such purposes.

b. No educational and general funds appropriated to any institution or agency named in this article may be expended on auxiliary enterprises, unless specifically authorized in this Act.

9. **Tuition Revenue Bonds and Revenue Bonds.** Funds clearly identified in separate informational strategies to the general academic teaching institutions and health sciences centers for revenue or tuition revenue bond retirement may be expended only to reimburse institutions or centers for debt retirement authorized by Education Code § 55.17 through § 55.17592 and § 55.19 and any additional authorization enacted by the Eighty-first Legislature. Any funds in excess of the amount expended for debt retirement shall be reverted to the General Revenue Fund at the end of each fiscal year.

Sec. 7. Recruitment of Students. No funds appropriated by this Act may be expended for travel expenses incurred outside the boundaries of the State of Texas for the purpose of direct recruitment of students.

Sec. 8. Television Stations Prohibited. None of the educational and general funds appropriated in this Article may be expended for the acquisition, construction, or operation of television transmitter stations; provided, however, this prohibition shall not be construed so as to prevent the institutions of higher education named in this Article from using closed-circuit television for purely instructional purposes, or to prevent institutions with existing public broadcasting or transmitter stations to use them for educational purposes, or to prevent the continuance of operating arrangements with existing transmitter stations for purely educational purposes; or to prevent cooperative arrangements with public broadcast stations.

Sec. 9. Intercollegiate Athletics. The special and general provisions of Articles III and IX of this Act shall not apply to intercollegiate athletics. The governing boards of the respective institutions of higher education shall use the appropriations in this Act to make such necessary rules and adjustments as may be deemed advisable for the management and operation of such activities; however, no funds under control of intercollegiate athletics may be used to purchase alcoholic beverages; no educational and general funds appropriated may be used for the operation of intercollegiate athletics; such rules and adjustments shall be designed to complement the rules applicable to other departments of the respective institution; and finally, such rules and adjustments shall specifically prohibit violation of National Collegiate Athletic Association (NCAA) or other governing body rules with respect to recruitment of athletes.

Sec. 10. Prohibition Against Additional Museums. None of the educational and general funds appropriated in this Article shall be used for establishing additional museums or for the maintenance and operation of museums unless the language of this Act or of other acts and resolutions of the Legislature specifically authorizes such use of educational and general funds. As an exception to this provision, in order to encourage and promote gifts, grants, or donations to institutions of higher education, it is specifically provided that an institution which receives such gifts, grants, or donations for the construction or establishment of a museum, which is added to an institution's building inventory after September 1, 1997, may use educational and general funds appropriated by this Article for the maintenance and operation of such a museum. This exception applies only to the authority to spend appropriated funds for these purposes; such museum space shall not be included in formula calculations for purposes of determining the amounts of appropriations due for maintenance or operations of institutional facilities.

Sec. 11. Method of Financing Scholarships.

1. Out of the funds identified by this Article in the informational items described as "Other Educational and General Income," the respective governing boards of the general academic teaching institutions and of the health centers, health science centers, or technical colleges may allocate and expend the actual receipts in such informational item for student scholarships pursuant to the provisions of Education Code § 56.031 to § 56.039, cited as the Texas Public Educational Grants Program.

2. Copies of such approved allocations together with copies of rules and regulations adopted by the respective governing boards concerning the award of such scholarships shall be filed with the Coordinating Board and with the Comptroller prior to the disbursement of any moneys for scholarships. Copies of any subsequent changes in such allocations or rules shall be similarly filed with the Coordinating Board and with the Comptroller.

3. No educational and general funds appropriated in this Act for scholarships to institutions of higher education may be used to provide athletic scholarships.

4. Out of the additional funds appropriated for the 2010-11 biennium for the informational strategy described as "Scholarships," the respective governing boards shall allocate and expend such funds for need-based student scholarships regardless of the race, sex, color, or ethnicity of the student recipient.

Sec. 12. Use of Educational and General Funds for Alumni Activities Prohibited. None of the educational and general funds appropriated by this Article may be expended by institutions of higher education for the support or maintenance of alumni organizations or activities.

Sec. 13. Limitation of Nonresident Enrollment in Certain State-supported Professional Schools.

1. None of the funds appropriated by this Act may be expended for the establishment, operation, or maintenance, or for the payment of any salaries to the employees in, any wholly or partially state-

supported medical, dental, or law school which: (a) imposes a limitation on the number of students that it admits, (b) in an academic semester denies admission to one or more Texas residents who apply for admission and who reasonably demonstrate that they are probably capable of doing the quality of work that is necessary to obtain the usual degree awarded by such school, and (c) in the same academic semester admits, as either class, nonresidents of the State of Texas in a number greater than 10 percent of the class of which such nonresidents are a part. Limitation of nonresident enrollment at The University of Texas Law School, Texas Tech University School of Law, and the University of Houston Law Center may be increased to 35 percent of the class of which nonresidents are a part provided that the admission of such nonresident students is on the basis of academic merit alone. By the provisions of this paragraph it is intended to withhold funds appropriated by this Act from state-supported medical, dental, and law schools which limit their enrollments and which fill more than 10 percent of their classes with non-resident students in the case of medical and dental schools, and 35 percent in the case of The University of Texas Law School, Texas Tech University Law School, and the University of Houston Law Center, when the result of admitting a nonresident denies admission to a qualified Texas applicant. This provision shall not apply to the funds appropriated to the Coordinating Board for the funding of Baylor College of Medicine or to funds appropriated for tuition equalization grants for students attending private colleges.

2. In addition, The University of Texas Southwestern Medical Center at Dallas may admit up to 25 competitively recruited medical students in each entering class for a specialized six-year program of clinical and research training designed to lead to the MD and PhD degrees irrespective of whether those students are Texas residents.

3. Texas medical schools may enroll up to 6 competitively recruited medical students, who already possess the DDS degree, in each second year medical school class for a specialized six year program in oral and maxillofacial surgery comprised of the last three years of medical school and a three year residency program irrespective of whether those students are Texas residents.

Sec. 14. Off-campus Instruction. General academic institutions may use the funds appropriated in this Act to teach courses off campus with the following restrictions:

1. At the conclusion of each fiscal year, the Coordinating Board shall file a report with the Governor and the Legislative Budget Board on all general academic institutions concerning off-campus semester credit hours for that fiscal year.

2. Semester credit hours generated at upper level centers authorized by the Legislature or by the Coordinating Board, as well as at Prairie View A&M University's Houston nursing program and Texas Woman's University nursing programs in Dallas and Houston, are not considered to be off-campus.

3. All courses taught off campus must be taught by a regular faculty member or administrator who is employed at least half-time on the main campus of the institution. The Commissioner of Higher Education may waive this requirement in special cases where institutions can justify the use of a uniquely qualified individual. Allied health and vocational instructors are exempted from this requirement.

Sec. 15. Medical School Enrollment. None of the funds appropriated above to The University of Texas System medical colleges, the University of North Texas Health Science Center at Fort Worth, or the Texas Tech University Health Sciences Center College of Medicine may be used for the education of first year medical students unless the first year class enrollment of undergraduate medical students in the fiscal years ending August 31, 2010, and August 31, 2011, is no less than 200 students at The University of Texas System medical colleges and 100 students at the University of North Texas Health Science Center at Fort Worth and the Texas Tech University Health Sciences Center College of Medicine. This provision shall not be construed as requiring any school of medicine to accept an unqualified applicant. In the event that a school of medicine falls below the required first year class enrollment of undergraduate medical students by more than 5 percent for fiscal years 2010 and 2011, the school shall report to the Legislative Budget Board the reasons for failing to meet the required enrollment. This information should be taken into account when preparing the appropriation recommendations for the Eighty-second Legislature.

Sec. 16. Tuition and Other Educational and General Local Fee Collection. No institution of higher education shall receive appropriations through formula funding in this Act unless it collects from each student whose semester credit hours are to be included in formula funding calculations all tuition and all fees in accordance with the installment tuition and fee payment plan provided for by the Education Code, (Chapter 54, as amended) on or before the end of the 20th class day for each regular semester and the 15th class day for each summer session. Valid contracts with the United States Government for instruction of eligible military personnel and valid contracts with private business and public service-type organizations or institutions such as hospitals may be considered as collections thereunder but subject to adjustments after final payment thereof. Financial aid awards processed by the financial aid office but not yet issued to the student may be considered as collections thereunder but subject to adjustments after final payment thereof.

Sec. 17. Compliance with Uniform Recruitment and Retention Strategy. Institutions of higher education shall use the appropriations in this Act to give top priority and consideration to compliance with the spirit and mandates of the Uniform Recruitment and Retention Strategy.

Sec. 18. Formula Variable and Educational and General Income Audits. The Texas Higher Education Coordinating Board in consultation with the State Auditor's Office and the Legislative Budget Board shall clearly define all variables used by the Eighty-first Legislature in arriving at formula appropriations for fiscal years 2010 and 2011. According to an audit plan developed in consultation with the Coordinating Board and Legislative Budget Board, all variables of selected formulas used in making fiscal years 2010 and 2011 formula appropriations are subject to audit by the State Auditor. The State Auditor shall report any differences from data submitted by the institutions to the Coordinating Board, the Legislative Budget Board, and the Governor. The Coordinating Board shall then calculate a new appropriations amount for each institution that reported data in conflict with that verified by the Auditor. These calculations shall then be reported to the Legislative Budget Board, Governor, and the Comptroller of Public Accounts and may be used to revise appropriation authority accordingly. The calculation of revised appropriation amounts shall allow each institution an error rate of up to 2 percent of the biennial appropriations related to the variables audited at that institution.

In addition, components of educational and general income reported in the institutional requests for legislative appropriations for fiscal years 2010 and 2011 are subject to audit by the State Auditor.

The State Auditor may request the assistance of an institution's internal auditor in performing the audits described in this section.

Sec. 19. System Offices Funding Authorized. Educational and general funds appropriated to components of The University of Texas, Texas A&M University, University of Houston, Texas Tech University, University of North Texas, Texas State University System, and Texas State Technical College Systems may be transferred or contracted to system offices to provide support for coordination, administration, and other related services.

Sec. 20. Annual Reports of Health Related Institutions Practice Plans. As a limitation and restriction upon appropriations made by this Act, all agencies that have a public health related institution covered under Article III shall not expend funds after a period of 120 days following the close of the fiscal year, unless there has been filed with the Governor, the State Auditor, the Legislative Budget Board, the Legislative Reference Library, and the Comptroller of Public Accounts an annual report as of August 31 of the preceding fiscal year showing the use of practice plan funds. The annual report shall conform to a uniform reporting system developed by the State Auditor's Office for all financial data concerning the health related institutions practice plans.

Sec. 21. Self-insurance Funds. Any funds of an institution of higher education used for or allocated to a self-insurance fund authorized by Government Code § 2259.001 for a risk otherwise insurable by the institution of higher education shall be treated by the Comptroller of Public Accounts as an expenditure of the respective funds. The self-insurance funds so created shall be considered designated funds as that term is used in § 51.008(b) of the Education Code. Any self-insurance fund reserves so created shall not exceed in amount the maximum value determined to be actuarially sound for each such self-insurance program.

Sec. 22. Uncompensated Care Reporting Requirement. The public health-related institutions shall use the appropriations in this Act to include in their biennial legislative appropriations request information including the actual amount of uncompensated care provided through each institution's respective physician practice plan, and if applicable, hospital or clinic using the uncompensated care reporting requirement established by the Health and Human Services Commission.

Uncompensated care includes the unreimbursed costs for the uninsured (those with no source of third party insurance) and the underinsured (those with insurance who after contractual adjustment and third party payments have a responsibility to pay for an amount they are unable to pay). Uncompensated care also includes the unreimbursed cost from governmental sponsored health programs. To calculate uncompensated care, charges will be converted to costs by application of a standard, auditable ratio of cost to charge and providers will recognize appropriate patient specific funding and lump sum funding available to offset costs. Any amounts received by the Physician Practice Plan from Upper Payment Limit shall be counted as payments received for uncompensated care.

Sec. 23. County Indigent Care Contracts.

1. **Contracts Required.** It is the intent of the Legislature that all institutions of higher education providing indigent health care contract with relevant counties in their service area to recover the costs associated with treating those counties' indigent patients.

2. **County Indigent Care Contracts Reporting.** The University of Texas Medical Branch at Galveston, The University of Texas M.D. Anderson Cancer Center, and The University of Texas Health Science Center at Tyler shall submit to the Legislative Budget Board and the Governor at the end of each fiscal year a list of counties whose indigent residents have been served by each institution; the total amount of reimbursement received by each institution from each county pursuant to the Indigent Health Care and Treatment Act; and the total cost, by county, of services provided by each institution for which counties are liable pursuant to the Indigent Health Care and Treatment Act. In addition, each institution shall report annually (no later than December 1st) to the Legislative Budget Board and Governor on the status of contract agreements or negotiations with each county whose indigent residents have been served by the institution.

Sec. 24. Ethics Policy.

1. None of the funds appropriated by this Act may be expended by an institution of higher education until its governing board has filed with the Texas Higher Education Coordinating Board an ethics policy which has been adopted by the board of regents. The ethics policy shall apply to the board of regents and its staff, the administration, staff, and faculty of the institutions under the board's governance.

2. The ethics policy adopted by each board of regents shall include specific provisions regarding sexual harassment.

Sec. 25. Driscoll Children's Hospital. No funds appropriated to a health-related institution of higher education shall be used to replace or duplicate the Driscoll Children's Hospital in caring for children with special health-care needs, including pediatric cardiovascular diseases, or in assuming the direct care of those children. This rider language shall not restrict the traditional referral patterns utilized by physicians to refer patients to health-related institutions.

Sec. 26. Participation in Drug Development Research Projects. A public university may not expend funds appropriated by this Act, including appropriations of grants or gifts, to conduct a drug development research protocol involving a person who is receiving mental health services under a protective custody order, pursuant to Chapter 574, Health and Safety Code. This rider is not intended to limit or prohibit provisions for treatment established under § 576.022, Health and Safety Code.

Sec. 27. Post Tenure Review. None of the funds appropriated by this Act may be expended by an institution of higher education until its governing board has filed with the Texas Higher Education Coordinating Board policies and procedures regarding post tenure review which have been adopted by the board of regents. Post tenure policies shall include review procedures to determine that a tenured faculty member is performing consistently at an acceptable, professional level and a mechanism whereby a faculty member is informed of any deficiencies and provided opportunities to effectively improve his or her performance.

Sec. 28. General Academic Funding. Appropriations made in this Act for formula funding for general academic institutions will consist of four formulas and supplemental items.

1. **Instruction and Operations Formula.** The Instruction and Operations Formula shall provide funding for faculty salaries, including nursing, departmental operating expense, library,

instructional administration, research enhancement, student services, and institutional support. These funds are distributed on a weighted semester credit hour basis. The rate per weighted semester credit hour for the 2010-11 biennium is $62.19.

Weighting is determined by the following matrix:

	Lower Div.	Upper Div.	Masters	Doctoral	Special Professional
Liberal Arts	1.00	1.72	4.18	9.29	
Science	1.71	2.97	8.09	20.52	
Fine Arts	1.39	2.32	5.43	7.19	
Teacher Ed	1.42	1.74	2.48	7.64	
Agriculture	1.87	2.52	7.07	9.91	
Engineering	2.41	3.87	7.63	15.96	
Home Economics	1.06	1.70	2.86	6.62	
Law					3.86
Social Services	1.94	2.05	2.97	13.84	
Library Science	1.14	1.09	2.63	6.65	
Vocational Training	1.66	1.97			
Physical Training	1.29	1.28			
Health Services	1.24	1.98	3.21	8.49	8.49
Pharmacy	0.71	4.24	19.87	29.55	3.79
Business Admin	1.11	1.73	3.42	24.27	
Optometry			5.46	19.12	7.00
Teacher Ed Practice	1.30	1.78			
Technology	1.90	2.38	4.41	3.37	
Nursing	1.94	2.45	4.73	10.64	
Developmental Ed	1.00				
Veterinary Medicine					16.53

2. **Teaching Experience Supplement.** For the 2010-11 biennium, an additional weight of 10 percent is added to lower division and upper division semester credit hours taught by tenured and tenure-track faculty. Furthermore, it is the intent of the Legislature that the weight shall increase by 10 percent per biennium, up to 50 percent.

3. **Infrastructure Support.** Funding associated with plant-related formulas and utilities shall be distributed by the infrastructure support formula which is driven by the predicted square feet for universities' educational and general activities produced by the Space Projection Model developed by the Coordinating Board. The portion of the formula related to utilities is adjusted to reflect differences in unit costs for purchased utilities, including electricity, natural gas, water and wastewater, and thermal energy. The average rate per square foot is $6.21.

4. **Supplemental Non-formula Items.** Institutions shall receive a direct reimbursement as applicable for staff group insurance (other educational and general income portion), workers' compensation insurance, unemployment compensation insurance, public education grants, organized activities, scholarships, tuition revenue bond payments, Skiles Act bond payments, and facility lease charges. Institutions may receive an appropriation for special items. Revenue derived from board authorized tuition would still be appropriated to the institutions levying the additional charges.

5. The General Academic Instruction and Operations and Infrastructure formulas shall incorporate the Higher Education Coordinating Board's October 2006 recommendations for mission-specific formula funding for Texas A&M University at Galveston.

These formulas and supplemental items shall be reviewed and updated by study committees appointed by the Higher Education Coordinating Board and recommended changes forwarded to the Legislature, Legislative Budget Board, and Governor by June 1, 2010.

Sec. 29. Health Related Institutions Funding. Appropriations made in this Act for formula funding for health related institutions shall consist of three formulas plus supplemental non-formula items.

1. **Instruction and Operations Support Formula.** The Instruction and Operations Support Formula shall provide funding on a per student or full time equivalent basis. Funding for each instructional program is based on the following funding weights per student, with a base value per weighted student of $11,129:

Program	Weight Per Student
Allied Health	1.000
Biomedical Science	1.018
Nursing	1.138
Pharmacy	1.670
Public Health	1.721
Dental	4.601
Medical	4.753

Instructional programs with enrollments of less than 200 students at individual campuses shall receive additional funding to compensate for the diseconomies of scale. The minimum formula shall generate additional funding per student, on a sliding scale, with programs with small enrollments receiving more additional funding per student.

2. **Infrastructure Support Formula.** Funding to the health-related institutions for plant support and utilities shall be distributed by the infrastructure support formula which is driven by the predicted square feet for the health related institutions produced by the Space Projection Model developed by the Texas Higher Education Coordinating Board. The rate per square foot is $7.96 for all health related institutions, excluding The University of Texas M.D. Anderson Cancer Center and The University of Texas Health Science Center at Tyler. For these two institutions, the per square foot rate is $7.19.

   Because the Space Projection Model does not account for hospital space, separate infrastructure funding for hospital space at The University of Texas Medical Branch at Galveston, The University of Texas M.D. Anderson Cancer Center, and The University of Texas Health Science Center at Tyler shall be included in the total funding for hospital and patient care activities.

3. **Research Funding.** The health-related institutions shall retain 100 percent of indirect research costs recovered on grants. Each institution also receives research enhancement funding of $1,412,500 plus 1.48 percent of its research expenditures as reported to the Texas Higher Education Coordinating Board.

4. **Graduate Medical Education Formula.** The Graduate Medical Education Formulas shall provide funding on a per medical resident basis. Funding is based on a base value of $13,306 per medical resident in an accredited program. Appropriations for Graduate Medical Education for fiscal year 2010 are $6,653 per resident and appropriations for fiscal year 2011 are $6,653 per resident.

5. **Health Related Institution Graduate Medical Education.** The funds appropriated above in each of the health-related institutions bill pattern titled Graduate Medical Education (GME) shall be spent to increase the number of resident slots in the State of Texas as well as faculty costs relating to GME. In addition, each health-related institution shall work with the Higher Education Coordinating Board to develop new performance measures relating to increasing the number of resident slots in the State of Texas.

6. **Supplemental Non-formula Items.** Institutions shall receive a direct reimbursement as applicable for staff group insurance, workers' compensation insurance, unemployment insurance, public education grants, medical loans, tuition revenue bond payments, and facility lease charges. Institutions may receive an appropriation for special items. Hospital and clinic operations shall be funded through a combination of hospital and clinic revenue and general revenue.

7. **Formula Study Committees.** These formulas shall be reviewed and updated by study committees appointed by the Texas Higher Education Coordinating Board and recommended changes forwarded to the Legislature, Legislative Budget Board, and Governor by June 1, 2010.

8. **Mission Specific Support.** The University of Texas M.D. Anderson Cancer Center and The University of Texas Health Science Center at Tyler do not provide formal medical education which qualifies for instruction support under subsection 1 above. Therefore, funding allocated to these institutions shall be based on the following criteria:

   a. The General Revenue Operations formula funding provided to The University of Texas M.D. Anderson Cancer Center in Strategy A.4.1, Cancer Center Operations, shall be based on the total number of Texas cancer patients served at The University of Texas M. D.

Anderson Cancer Center. General Revenue appropriations for fiscal years 2010 and 2011 shall be based on the number of total Texas cancer patients served in 2006. The rate per patient shall be $2,773 in fiscal year 2010 and $2,774 in fiscal year 2011 for Strategy A.4.1, Cancer Center Operations. For formula funding purposes, the amount of growth in total funding from one biennium to another may not exceed the average growth in funding for Health Related Institutions in the Instruction and Operations formula for the current biennium.

b. The University of Texas Health Science Center at Tyler has a statutory mission to conduct research, develop diagnostic and treatment techniques, provide training and teaching programs, and provide diagnosis and treatment of inpatients and outpatients with pulmonary, respiratory and other diseases of the chest. General Revenue funds appropriated to The University of Texas Health Science Center at Tyler in Strategy A.1.2, Chest Disease Center Operations, shall be based on the number of cases in which disease diagnoses are treated by The University of Texas Health Science Center at Tyler. General Revenue appropriations for fiscal years 2010 and 2011 shall be based on the number of such cases treated in fiscal year 2006. The rate per case for fiscal years 2010 and 2011 shall be $389.

c. The University of Texas M.D. Anderson Cancer Center and The University of Texas Health Science Center at Tyler shall submit to the Legislative Budget Board, Governor, and Texas Higher Education Coordinating Board a copy of the appropriate reports discussed above and supporting documentation which provides the necessary information to calculate the formula allocations in subsections (a) and (b) above.

Sec. 30. Optional Retirement Program Differential. Included in the appropriation to institutions of higher education in this act are general revenue amounts to offset local funds used for the optional retirement program employer contributions between 6.4 percent and 7.31 percent of salaries for employees who were on the state payroll or who were employed by a Public Community or Junior College as of August 31, 1995. These general revenue amounts are included in the funding formulas for general academic institutions and two-year institutions and in the base funding for other institutions of higher education.

Sec. 31. Indirect Cost Recovery Earned by Texas A&M System Agencies. The Texas A&M University System agencies shall report to the Legislative Budget Board in their Legislative Appropriations Requests for the 2012-13 biennium all indirect cost recovery revenue earned on research grants and contracts including amounts collected by the Research Foundation.

Sec. 32. Fire Safety Projects at Institutions of Higher Education. Because of the urgent nature of these projects, it is the intent of the Legislature that institutions of higher education that have major fire safety projects, identified by the State Fire Marshal's Office as not meeting the requirements of the National Fire Protection Association, *Life Safety Code 101,* 2009 Edition, remedy the fire safety issues and complete any related construction and renovation projects as soon as practical. Institutions shall consult with the State Fire Marshal's Office and develop a time line for completion of the projects. Institutions shall implement the interim safety precautions recommended by the State Fire Marshal's Office. The State Fire Marshal shall submit periodic reports to the House Appropriations Committee and Senate Finance Committee on the progress of institutions in remedying the fire safety issues.

Institutions of higher education shall notify parents of students living in dormitories identified by the State Fire Marshal's Office. The notice shall contain information about the actions needed to rectify noncompliance and the time frame in which the institution plans to make improvements in order to comply.

Sec. 33. Funding for Physical Education Courses. No funds appropriated under this act shall be used for contact hours or semester credit hours for students who are registered solely for physical education, weight lifting, group exercises, aerobics, or related courses; have registered for the same such course more than once; and are not seeking a degree plan or certificate of completion of a course of study.

Sec. 34. Faculty Salary Increase Report. The Texas Higher Education Coordinating Board shall report the average salary increase provided to faculty at each general academic institution to the Legislative Budget Board and Governor by January 31 of each fiscal year on a form prescribed by the Texas Higher Education Coordinating Board.

Sec. 35. Endowed Chairs. Out of funds appropriated to the Texas Higher Education Coordinating Board for Baylor College of Medicine, Houston; University of Texas Health Science Center at

Houston; and University of Texas Medical Branch at Galveston, each may expend up to $1,000,000 out of funds appropriated in this Act to fund one endowed chair or professorship for spinal cord injury research.

Sec. 36. Nursing School Enrollment. The Legislature encourages institutions of higher education who receive state appropriations not to reduce the number of student full-time equivalents enrolled in programs preparing students for licensure as registered nurses in state fiscal years ending August 31, 2010, and August 31, 2011, below the number of student full-time equivalents enrolled for the state fiscal year ending August 31, 2009. This provision shall not be construed as requiring any school to accept an unqualified applicant to its professional nursing program. In the event that a school falls below the required number of students enrolled in professional nursing program by more than 5 percent for the state fiscal year ending August 31, 2010, and the state fiscal year ending August 31, 2011, the school shall report to the Legislative Budget Board and the Texas Higher Education Coordinating Board the reasons for failing to meet the required enrollment.

Sec. 37. Endowed Programs. A state university that, within five years of receiving a donation, diminishes its financial support from local funds for a program created or endowed by the donor shall notify the donor in accordance with the donor agreement. If the agreement so provides, then upon application by the donor, the university shall return the donation or endowment.

Sec. 38. Student Travel Policy. Each governing board of an institution of higher education shall use the appropriations above to adopt a policy regulating travel that is undertaken by one or more students presently enrolled at the institution to reach an activity or event that is located more than 25 miles from the institution that is organized and sponsored by the institution and that is funded by the institution, and the travel is undertaken using a vehicle owned or leased by the institution or required by a student organization registered at the institution.

Sec. 39. Special Item Support. Any appropriations made to special item support strategies throughout this article are intended to supplement existing programs and may not be used to supplant funds.

Sec. 40. Informational Listing - Permanent Funds and Endowments. The following is an informational list of the amounts used to capitalize Permanent Funds and Endowments created by House Bills 1676 and 1945, Seventy-sixth Legislature, and does not make appropriations.

Permanent Health Fund for Higher Education, Fund No. 810	$ 350,000,000
The University of Texas Health Science Center at San Antonio Endowment, Fund No. 811	$ 200,000,000
The University of Texas M.D. Anderson Cancer Center Endowment, Fund No. 812	$ 100,000,000
Texas Tech University Health Sciences Center Endowment (El Paso), Fund No. 820	$ 25,000,000
The University of Texas Southwestern Medical Center at Dallas Endowment, Fund No. 813	$ 50,000,000
Texas Tech University Health Sciences Center Endowment (Other Than El Paso), Fund No. 821	$ 25,000,000
The University of Texas Medical Branch at Galveston Endowment, Fund No. 814	$ 25,000,000
The University of Texas Health Science Center at Houston Endowment, Fund No. 815	$ 25,000,000
The University of Texas Health Science Center at Tyler Endowment, Fund No. 816	$ 25,000,000
Texas A&M University System Health Science Center Endowment, Fund No. 818	$ 25,000,000

University of North Texas Health Science Center at Fort Worth Endowment, Fund No. 819	$	25,000,000
Permanent Endowment Fund for The University of Texas Regional Academic Health Center, Fund No. 822	$	20,000,000
The University of Texas at El Paso Endowment, Fund No. 817	$	25,000,000
Permanent Endowment Fund for the Baylor College of Medicine, Fund No. 823	$	25,000,000
Permanent Fund For Higher Education Nursing, Allied Health and Other Health Related Programs, Fund No. 824	$	45,000,000
Permanent Fund for Minority Health Research and Education, Fund No. 825	$	25,000,000

Sec. 41. Appropriation of Funds from the Permanent Health Fund for Higher Education. Included in the amounts appropriated to health related institutions of higher education is an estimated appropriation based on the institution's allocation of the estimated earnings out of the Permanent Health Fund for Higher Education for each fiscal year of the biennium. Amounts available for distribution from this fund are estimated to be $15,750,000 each fiscal year of the biennium. The funds appropriated out of the Permanent Health Fund for Higher Education shall be distributed to the institutions of higher education in accordance with Education Code § 63.003 for the purpose of medical research, health education, or treatment programs.

Sec. 42. Limitation on Formula Funding Contact and Semester Credit Hours. In order to control costs and limit General Revenue formula appropriations, contact hours or semester credit hours related to a course for which a student is generating formula funding for the third time shall be excluded from being counted in the hours reported by the Higher Education Coordinating Board to the Legislative Budget Board for formula funding.

Sec. 43. Report on Real Property. Institutions of higher education shall use the appropriations above to submit to the Asset Management Division in the General Land Office the following information, as the General Land Office may require, in accordance with general law:

1. a description of each item of property by reference to a volume number and page or image number or numbers of the official public records of real property in a particular county, or if not applicable, by a legal description;
2. the date of purchase of the property, if applicable;
3. the purchase price of the property, if applicable;
4. the name of the institution holding title to the property for the state;
5. a description of the current uses of the property and of the projected future uses of the property during the next 15 years; and
6. a description of each building or other improvement located on the property.
7. If the description of real property required by this section is excessively voluminous, as in the case of parkland, the division may direct the institution in possession of the real property to furnish the description only in summary form, as agreed to by the division and the institution involved.
8. In addition, if the institution of higher education has done an appraisal on the property, the date of the appraisal and the value broken out by land and improvements should be submitted.

Sec. 44. Limitation on Use of Funds.

1. State agencies and institutions of higher education that are appropriated funds from the receipts collected pursuant to the Comprehensive Tobacco Settlement Agreement and Release in this Article shall submit a budget by November 1 of each year of the biennium to the Legislative

Budget Board and the Governor. This budget shall describe the purposes and amounts for which such funds will be expended by the state agency or institution of higher education. No funds described in this budget may be expended by the state agency or institution of higher education until the Legislative Budget Board and the Governor receive the budget.

2. Authorized managers of permanent funds and endowments whose earnings are appropriated in this article shall provide a copy of year end financial reports to the Legislative Budget Board and the Governor by November 1 of each year of the biennium. These reports should include, at a minimum, an income statement and balance sheet for each fund, and a summary of the investment return of the fund during the preceding fiscal year.

Sec. 45. Financial Information Reporting Requirement. In addition to the financial information required to be reported in accordance with § 2101.011, Government Code, each university system, general academic institution, and health-related institution receiving appropriations in this Act shall continue to provide to the Higher Education Coordinating Board financial data related to the operation of each system office and institution as was reported in the 2001 annual financial report. Each system office and institution of higher education shall provide the report no later than January 1st of each year using the specific content and format prescribed by the Coordinating Board.

Sec. 46. Program to Encourage Certification to Teach Bilingual Education, English as a Second Language, or Spanish. Of the funds appropriated by this Act to the Texas Higher Education Coordinating Board, the Coordinating Board may use an amount that is not less than $150,000 for each year of the 2010-11 biennium to develop and operate a program at the University of North Texas System Center at Dallas, in consultation with the university, to provide financial incentives, such as tuition assistance and loan forgiveness, to encourage students who enroll in an educator preparation program at the university to become certified to teach bilingual education, English as a Second Language, or Spanish.

Sec. 47. Texas A&M University System Cost Efficiencies. The Texas A&M University System research and service agencies including Texas AgriLife Research,Texas AgriLife Extension Service, Engineering Experiment Station, Transportation Institute, Engineering Extension Service, Forest Service, and Veterinary Medical Diagnostic Laboratory shall use the appropriations in this Act to contract or out-source administrative functions within the research and service agencies, Texas A&M

University, and/or the Texas A&M University System to use the appropriations in this Act in the most cost-effective extent with the goals of reducing administrative costs, increasing efficiencies, and capitalizing on economies of scale.

Sec. 48. Contingent Appropriations for Small Business Development Centers. Of the appropriations identified elsewhere in this Article for individual institutions' Small Business Development Center(s), the amounts listed below are contingent upon certification by the Comptroller of Public Accounts that the activities of each network of Small Business Development Centers will generate additional revenue of at least the listed amount for the network to the general revenue fund. If the amount that can be certified is less than the maximum amount appropriated, the amounts appropriated shall be reduced to be within the amounts certified.

a. An amount not to exceed $1,651,904 in each year of the biennium is appropriated to the network of Small Business Development Centers affiliated with the lead center hosted by the Dallas County Community College.

	2010	2011
Dallas County Community College	$1,651,904	$1,651,904

b. An amount not to exceed $1,800,511 in each year of the biennium is appropriated to the network of Small Business Development Centers affiliated with the lead center hosted by Texas Tech University in the amounts listed below.

Lead Center:	2010	2011
Texas Tech University	$1,227,706	$1,227,706
Affiliated Institutions		
Midwestern University	$135,739	$135,739
West Texas A&M University	$187,109	$187,109
The University of Texas of the Permian Basin	$139,957	$139,957
Tarleton State University	$110,000	$110,000

c. An amount not to exceed $3,617,853 in each year of the biennium is appropriated to the network of Small Business Development Centers affiliated with the lead center hosted by the University of Houston in the amounts listed below.

Lead Center:	2010	2011
University of Houston	$3,070,697	$3,070,697
Affiliated Institutions		
Lamar University	$119,918	$119,918
Lamar State College - Port Arthur	$210,000	$210,000
Sam Houston State University	$217,238	$217,238

d. An amount not to exceed $5,040,746 in each year of the biennium is appropriated to the network of Small Business Development Centers affiliated with the lead center hosted by The University of Texas at San Antonio in the amounts listed below.

Lead Center:	2010	2011
University of Texas - San Antonio	$3,791,138	$3,791,138
Affiliated Institutions		
Angelo State University	$134,270	$134,270
Sul Ross State University	$133,866	$133,866
Sul Ross State University - Rio Grande College	$167,838	$167,838
Texas State University - San Marcos	$188,607	$188,607
The University of Texas - Pan American	$244,977	$244,977
University of Houston - Victoria	$215,050	$215,050
Texas A&M International University	$165,000	$165,000

Sec. 49. Display and Availability of Health Information. The Legislature intends that an institution of higher education, as defined by § 61.003, Education Code, that spends appropriated money to support a student health center or similar facility that displays or makes available to students pamphlets, brochures, or similar printed material relating to health issues will make available to female students copies of the current edition of the brochure published by the Department of State Health Services entitled "A Woman's Right to Know."

Sec. 50. Report Concerning Designated Tuition.

(a) Not later than January 1, 2010, the governing board of each public institution of higher education that charges students designated tuition under § 54.0513, Education Code, shall use the appropriations in the Act to report to the legislature, for the 2008-2009 and 2009-2010 academic years:

(1) the amount the institution has collected in designated tuition;

(2) the purposes for which the institution spent the money derived from designated tuition and the amount of that money spent for each of those purposes; and

(3) the amount set aside from designated tuition for resident undergraduate and graduate student assistance under §§ 56.011 and 56.012, Education Code and how these amounts are allocated under the following categories.
(a) grants
(b) scholarships,
(c) work-study programs,
(d) students loans,
(e) and student loan repayment assistance.

(b) In addition to the information reported under Subsection (a), not later than January 1, 2010, the governing board of each institution of higher education shall report to the legislature the total academic cost for resident undergraduates enrolled for 15 semester credit hours. The information reported shall be derived from actual fee bills for the 2008 fall semester and the 2007 spring and fall semesters and must reflect the actual charges, before any adjustments or discounts are applied for waivers, exemptions, or other discounts, in the following categories:

(1) statutory tuition;
(2) designated tuition;

(3) mandatory fees; and
(4) average college and course fees, which must include all academic related fees and charges not reported under (1), (2), or (3), such as fees for laboratories, field trips, multimedia, equipment replacement, and instructional technology, but should not include charges for voluntary services ("optional fees").

(c) Reports required by this section shall be delivered to the Lieutenant Governor, the Speaker of the House, the chair of the Senate Finance Committee, the chair of the House Appropriations Committee, and the members of the Legislative Oversight Committee on Higher Education.

Sec. 51. Texas A&M System Agencies' Infrastructure Support Inside Brazos County. General Revenue funding associated with infrastructure expenses and utilities for the Texas A&M System Agencies inside Brazos County shall be determined by the infrastructure support formula as outlined in Section 28 (3). Infrastructure support for the A&M System Agencies shall be determined by multiplying the Texas A&M University rate as determined under Section 28 (3) (estimated to be $6.21) times the square footage provided by the Space Projection Model developed by the Coordinating Board.

Sec. 52. Appropriations for the Research Development Fund. The amounts listed below for informational purposes are appropriated in each affected institution's "Research Development Fund" strategy and shall be expended only for the purpose defined in Education Code 62.091. Any unexpended balances as of August 31, 2010, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

	2010	2011
UT Arlington	$3,452,814	$3,452,814
UT Dallas	5,627,594	5,627,594
UT El Paso	4,263,330	4,263,330
UT Pan American	740,210	740,210
UT Brownsville	668,711	668,711
UT Permian Basin	250,623	250,623
UT San Antonio	3,402,524	3,402,524
UT Tyler	228,118	228,118
Texas A&M Univ. at Galveston	407,402	407,402
Tarleton State University	1,115,775	1,115,775
Texas A&M University - Corpus Christi	1,495,540	1,495,540
Texas A&M University - Kingsville	1,267,265	1,267,265
Texas A&M International University	34,904	34,904
West Texas A&M University	527,219	527,219
Texas A&M - Commerce	218,046	218,046
University of Houston	6,380,651	6,380,651
UH-Clear Lake	74,975	74,975
UH-Downtown	56,984	56,984
Midwestern State University	8,286	8,286
University of North Texas	1,602,313	1,602,313
Stephen F. Austin State University	634,501	634,501
Texas Southern University	430,341	430,341
Texas Tech University	4,868,296	4,868,296
Texas Woman's University	171,113	171,113
Angelo State University	41,632	41,632
Lamar University	437,890	437,890
Sam Houston State University	381,074	381,074
Texas State University - San Marcos	1,352,702	1,352,702
Sul Ross State University	290,581	290,581
	$40,431,414	$40,431,414

Sec. 53. Appropriations for the Texas Competitive Knowledge Fund. The amounts listed below for informational purposes are appropriated out of the General Revenue fund elsewhere in this Act in each affected institution's "Texas Competitive Knowledge" strategy and shall be expended to support faculty for the purpose of instructional excellence and research. Any unexpended balances as of August 31, 2010 elsewhere in this Act, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

	2010	2011
The University of Texas at Austin	$27,534,452	$27,534,452
Texas A&M University	$28,068,280	$28,068,280
University of Houston	$4,535,210	$4,535,210
Texas Tech University	$2,965,865	$2,965,865
Total	$63,103,807	$63,103,807

Sec. 54. Special Item Study. The Higher Education Coordinating Board and the Legislative Budget Board shall use the appropriations in this Act to study each item under the Special Item Support Goal in preparation for the 82nd Legislative session. The study shall include but not be limited to determining:

a.) if the special item is for "start up funding" and if so, for how long should it be continued,

b.) does the institution get formula funding for the item and should the item be reduced by an equal amount and,

c.) does the item still serve its original purpose and if so, how long should it continue.

It is the intent of the Legislature that items identified as "start up funding" only be funded for six years after the inception of the program.

Sec. 55. Community College Transfer Student Reporting Requirement. All General Academic Institutions shall use their respective Education and General funds appropriated in this Act to develop and submit an annual report to the Texas Higher Education Coordinating Board (THECB) that details the institution's goals to increase the number, success, and persistence of community college transfer students as measured by THECB. The report shall assess each institution's existing academic and technical transfer pathways, identify each institution's barriers to transfer, and define emerging issues. The report shall detail institution actions to serve current and future transfer students through local and regional articulation agreements with faculty collaboration, community college program enhancements, student outreach and advising, website information development, targeted financial aid, university student success programs, and degree program alignment.

The THECB shall provide performance data by institution (application rates, admission rates, financial aid awarded, time-to-degree, and baccalaureate graduation rates) of transfer and native students by program completion at community colleges and universities during the preceding fiscal year. The THECB shall conduct a comparative analysis of the institutional reports and the performance data. The THECB shall submit an annual report to the Legislature that evaluates actions to increase the number, success, and persistence of community college transfer students and make recommendations to meet state goals.

The report shall be delivered to the House Appropriations Committee, the Senate Finance Committee, the Legislative Budget Board and the Governor by November 1 of each year.

Sec. 56. Academic Reporting Requirement for Museums. Each institution that receives General Revenue appropriations in this Act for a museum shall use the appropriations elsewhere in this Act to provide the House Appropriations Committee, the Senate Finance Committee, the Legislative Budget Board and the Governor a report outlining the museum's relevance to the academic program at the institution. It is the intent of the Legislature that General Revenue funding for museums that are not relevant to the academic program at the institution be discontinued after the 2010-11 biennium.

Sec. 57. Mexican American Studies Program or Other Course Work. It is the intent of the Legislature that the governing board of each general academic institution located in one or more counties with a substantial and growing Mexican American population may establish a Mexican American studies program or other course work in Mexican American studies at the institution. For that purpose, the governing board of an institution described by this section may use a portion of the available General Revenue funds otherwise appropriated to the institution by this Act for the purpose of evaluating the demand for and feasibility of establishing a Mexican American studies program or other course work in Mexican American studies in connection with establishing and operating such a program of other course work at the institution.

RECAPITULATION - ARTICLE III
AGENCIES OF EDUCATION
(General Revenue)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Texas Education Agency	$ 14,903,702,117	$ 16,848,620,602
School for the Blind and Visually Impaired	15,342,714	15,339,936
School for the Deaf	20,250,368	17,902,189
Contingency Appropriations	500,000	0
Total	20,750,368	17,902,189
Teacher Retirement System	1,806,672,541	1,881,335,168
Optional Retirement Program	123,831,106	127,546,040
Higher Education Employees Group Insurance Contributions	543,088,839	579,977,488
Higher Education Coordinating Board	736,678,922	687,268,795
Higher Education Fund	262,500,000	262,500,000
The University of Texas System Administration	8,536,650	8,540,600
The University of Texas at Arlington	94,838,190	95,021,912
The University of Texas at Austin	285,736,523	285,924,494
The University of Texas at Dallas	77,523,583	77,622,572
The University of Texas at El Paso	79,590,041	79,654,203
The University of Texas - Pan American	64,432,057	64,574,841
The University of Texas at Brownsville	27,444,907	27,477,950
The University of Texas of the Permian Basin	28,188,927	28,205,266
The University of Texas at San Antonio	101,797,243	102,019,824
The University of Texas at Tyler	30,652,405	30,701,606
Texas A&M University System Administrative and General Offices	4,328,125	7,666,996
Texas A&M University	264,875,965	265,178,712
Texas A&M University at Galveston	16,773,167	16,787,710
Prairie View A&M University	54,769,814	54,811,695
Tarleton State University	47,894,299	45,413,033
Texas A&M University - Corpus Christi	50,170,221	50,193,293
Texas A&M University - Kingsville	43,918,435	44,327,278
Texas A&M International University	36,572,872	34,932,557
West Texas A&M University	30,918,287	30,945,544
Texas A&M University - Commerce	36,617,532	36,716,863
Texas A&M University - Texarkana	16,193,428	16,209,526
University of Houston System Administration	2,840,617	2,840,617
University of Houston	167,082,499	167,341,715
University of Houston - Clear Lake	31,913,168	31,949,128
University of Houston - Downtown	30,287,365	30,340,156
University of Houston - Victoria	17,262,673	17,260,285
Midwestern State University	19,906,413	19,955,008
University of North Texas System Administration	14,003,007	15,505,467
University of North Texas	108,426,143	109,445,135
Stephen F. Austin State University	45,614,221	45,746,714
Texas Southern University	61,057,239	61,120,386
Texas Tech University System Administration	2,000,000	2,000,000
Texas Tech University	140,881,792	141,120,198
Angelo State University	25,838,163	25,925,023
Texas Woman's University	55,264,268	55,373,677
Texas State University System	1,133,248	1,133,248
Lamar University	43,370,588	43,318,247
Lamar Institute of Technology	10,011,227	10,010,328
Lamar State College - Orange	6,959,683	6,953,879
Lamar State College - Port Arthur	9,231,490	9,682,172
Sam Houston State University	46,336,872	46,461,324
Texas State University - San Marcos	91,468,157	91,713,986
Sul Ross State University	15,348,957	15,374,551
Sul Ross State University Rio Grande College	5,739,800	5,742,343
The University of Texas Southwestern Medical Center at Dallas	152,214,669	152,125,964
The University of Texas Medical Branch at Galveston	331,854,314	234,678,383
The University of Texas Health Science Center at Houston	155,412,196	155,282,670

RECAPITULATION - ARTICLE III
AGENCIES OF EDUCATION
(General Revenue)
(Continued)

The University of Texas Health Science Center at San Antonio	154,454,884	154,369,619
The University of Texas M.D. Anderson Cancer Center	164,926,404	164,903,651
The University of Texas Health Science Center at Tyler	37,362,761	37,359,661
Texas A&M University System Health Science Center	110,347,936	105,335,067
University of North Texas Health Science Center at Fort Worth	62,540,846	62,564,129
Texas Tech University Health Sciences Center	160,940,004	164,806,157
Public Community/Junior Colleges	929,621,578	929,621,580
Texas State Technical College System Administration	13,531,909	3,531,909
Texas State Technical College - Harlingen	19,541,383	19,539,400
Texas State Technical College - West Texas	12,453,609	12,452,887
Texas State Technical College - Marshall	4,759,213	4,758,562
Texas State Technical College - Waco	26,397,717	26,393,198
Texas AgriLife Research	59,422,742	59,422,742
Texas AgriLife Extension Service	49,824,678	49,824,676
Texas Engineering Experiment Station	14,624,356	14,624,357
Texas Transportation Institute	1,150,000	750,000
Texas Engineering Extension Service	7,159,184	7,159,185
Texas Forest Service	19,275,282	19,275,281
Texas Veterinary Medical Diagnostic Laboratory	6,574,353	6,574,354
Subtotal, Agencies of Education	$ 23,260,706,886	$ 25,165,083,712
Retirement and Group Insurance	23,167,605	24,942,357
Social Security and Benefit Replacement Pay	220,918,333	228,518,759
Subtotal, Employee Benefits	$ 244,085,938	$ 253,461,116
Bond Debt Service Payments	5,926,610	7,704,490
Lease Payments	3,381,260	2,522,774
Subtotal, Debt Service	$ 9,307,870	$ 10,227,264
TOTAL, ARTICLE III - AGENCIES OF EDUCATION	$ 23,514,100,694	$ 25,428,772,092

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE III
AGENCIES OF EDUCATION
(General Revenue - Dedicated)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Texas Education Agency	$ 136,173	$ 98,173
Teacher Retirement System	94,784,704	101,419,633
Optional Retirement Program	21,318,010	21,957,550
Higher Education Coordinating Board	71,654,000	46,812,000
The University of Texas at Arlington	40,928,631	40,982,912
The University of Texas at Austin	102,892,338	103,286,249
The University of Texas at Dallas	32,174,768	32,277,783
The University of Texas at El Paso	24,379,076	24,487,898
The University of Texas - Pan American	21,831,503	21,833,490
The University of Texas at Brownsville	4,378,615	4,383,887
The University of Texas of the Permian Basin	4,067,464	4,071,272
The University of Texas at San Antonio	38,559,330	38,596,036
The University of Texas at Tyler	6,806,427	6,811,600
Texas A&M University System Administrative and General Offices	4,857,444	4,819,444
Texas A&M University	93,163,102	93,469,677
Texas A&M University at Galveston	3,275,256	3,282,717
Prairie View A&M University	16,324,696	16,362,361
Tarleton State University	11,859,824	11,885,756
Texas A&M University - Corpus Christi	11,526,013	11,536,140
Texas A&M University - Kingsville	11,263,132	11,282,914
Texas A&M International University	6,902,737	6,923,617
West Texas A&M University	9,544,493	9,585,833
Texas A&M University - Commerce	10,134,643	10,150,133
Texas A&M University - Texarkana	1,967,091	1,970,254
University of Houston	62,488,168	62,626,087
University of Houston - Clear Lake	10,399,590	10,420,597
University of Houston - Downtown	14,168,863	14,193,024
University of Houston - Victoria	4,349,594	4,353,190
Midwestern State University	6,927,398	6,935,325
University of North Texas	51,563,377	51,703,069
Stephen F. Austin State University	16,375,798	16,383,960
Texas Southern University	15,323,612	15,358,720
Texas Tech University	47,271,505	47,360,140
Angelo State University	8,081,843	8,083,510
Texas Woman's University	19,992,786	20,023,124
Texas State University System	7,000	5,000
Lamar University	15,913,732	15,950,947
Lamar Institute of Technology	2,850,344	2,848,932
Lamar State College - Orange	2,283,800	2,293,478
Lamar State College - Port Arthur	2,026,528	2,025,670
Sam Houston State University	36,145,568	33,602,143
Texas State University - San Marcos	40,475,724	40,503,643
Sul Ross State University	2,264,245	2,266,207
Sul Ross State University Rio Grande College	981,351	981,432
The University of Texas Southwestern Medical Center at Dallas	10,429,239	10,972,084
The University of Texas Medical Branch at Galveston	12,485,449	12,845,643
The University of Texas Health Science Center at Houston	15,581,924	15,875,433
The University of Texas Health Science Center at San Antonio	8,297,685	8,438,540
The University of Texas M.D. Anderson Cancer Center	31,741,762	32,334,909
The University of Texas Health Science Center at Tyler	255,702	253,525
Texas A&M University System Health Science Center	7,587,945	7,648,062
University of North Texas Health Science Center at Fort Worth	4,896,384	4,899,898
Texas Tech University Health Sciences Center	10,732,225	11,303,110
Texas State Technical College System Administration	446,509	446,509

RECAPITULATION - ARTICLE III
AGENCIES OF EDUCATION
(General Revenue - Dedicated)
(Continued)

Texas State Technical College - Harlingen	6,250,360	6,318,035
Texas State Technical College - West Texas	2,536,450	2,564,001
Texas State Technical College - Marshall	948,563	964,012
Texas State Technical College - Waco	7,213,675	7,291,548
Texas AgriLife Research	500,000	500,000
Texas AgriLife Extension Service	44,000	7,000
Texas Engineering Experiment Station	952,019	952,019
Texas Forest Service	31,017,000	31,004,000
Subtotal, Agencies of Education	$ 1,156,537,187	$ 1,140,823,855
Retirement and Group Insurance	5,080	5,697
Social Security and Benefit Replacement Pay	41,663,302	43,121,517
Subtotal, Employee Benefits	$ 41,668,382	$ 43,127,214
TOTAL, ARTICLE III - AGENCIES OF EDUCATION	$ 1,198,205,569	$ 1,183,951,069

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE III
AGENCIES OF EDUCATION
(Federal Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Texas Education Agency	$ 4,497,482,376	$ 4,560,174,728
School for the Blind and Visually Impaired	2,348,940	2,348,940
School for the Deaf	1,143,452	1,143,452
Higher Education Coordinating Board	54,272,480	48,539,393
Texas AgriLife Research	7,196,169	7,196,169
Texas AgriLife Extension Service	11,305,591	11,305,591
Texas Engineering Experiment Station	48,459,612	48,459,612
Texas Transportation Institute	5,894,042	5,894,042
Texas Engineering Extension Service	24,014,599	24,014,599
Texas Forest Service	3,452,633	3,452,633
Texas Veterinary Medical Diagnostic Laboratory	300,000	300,000
Subtotal, Agencies of Education	$ 4,655,869,894	$ 4,712,829,159
Retirement and Group Insurance	4,294,642	4,542,363
Social Security and Benefit Replacement Pay	1,747,995	1,756,893
Subtotal, Employee Benefits	$ 6,042,637	$ 6,299,256
TOTAL, ARTICLE III - AGENCIES OF EDUCATION	$ 4,661,912,531	$ 4,719,128,415

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE III
AGENCIES OF EDUCATION
(Other Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Texas Education Agency	$ 4,118,063,952	$ 4,161,463,952
School for the Blind and Visually Impaired	37,957,402	2,765,066
School for the Deaf	4,655,387	4,765,241
Teacher Retirement System	61,667,547	59,170,399
Higher Education Employees Group Insurance Contributions	639,559	683,049
Higher Education Coordinating Board	44,770,724	44,770,724
The University of Texas System Administration	1,102,000	1,102,000
Available University Fund	540,906,439	529,330,302
The University of Texas at El Paso	1,320,000	1,320,000
The University of Texas - Pan American	321,001	321,001
Texas A&M University	3,296,652	3,375,206
Texas A&M International University	193,525	193,525
The University of Texas Southwestern Medical Center at Dallas	4,329,000	4,329,000
The University of Texas Medical Branch at Galveston	229,655,492	241,836,217
The University of Texas Health Science Center at Houston	7,745,099	7,811,466
The University of Texas Health Science Center at San Antonio	12,104,405	12,101,070
The University of Texas M.D. Anderson Cancer Center	2,044,742,342	2,262,009,160
The University of Texas Health Science Center at Tyler	49,560,506	49,982,812
Texas A&M University System Health Science Center	8,949,193	8,913,710
University of North Texas Health Science Center at Fort Worth	2,280,420	2,280,420
Texas Tech University Health Sciences Center	3,648,600	3,648,600
Texas AgriLife Research	6,197,164	6,197,164
Texas AgriLife Extension Service	8,942,278	8,942,278
Texas Engineering Experiment Station	33,971,756	33,971,756
Texas Transportation Institute	40,313,913	40,313,912
Texas Engineering Extension Service	48,112,453	48,112,453
Texas Forest Service	841,731	841,731
Texas Veterinary Medical Diagnostic Laboratory	9,085,000	9,085,000
Subtotal, Agencies of Education	$ 7,325,373,540	$ 7,549,637,214
Retirement and Group Insurance	700,828	741,086
Social Security and Benefit Replacement Pay	8,457,759	8,696,155
Subtotal, Employee Benefits	$ 9,158,587	$ 9,437,241
Less Interagency Contracts	$ 73,968,114	$ 73,968,114
TOTAL, ARTICLE III - AGENCIES OF EDUCATION	$ 7,260,564,013	$ 7,485,106,341

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE III
AGENCIES OF EDUCATION
(All Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Texas Education Agency	$ 23,519,384,618	$ 25,570,357,455
School for the Blind and Visually Impaired	55,649,056	20,453,942
School for the Deaf	26,049,207	23,810,882
Contingency Appropriations	500,000	0
Total	26,549,207	23,810,882
Teacher Retirement System	1,963,124,792	2,041,925,200
Optional Retirement Program	145,149,116	149,503,590
Higher Education Employees Group Insurance Contributions	543,728,398	580,660,537
Higher Education Coordinating Board	907,376,126	827,390,912
Higher Education Fund	262,500,000	262,500,000
The University of Texas System Administration	9,638,650	9,642,600
Available University Fund	540,906,439	529,330,302
The University of Texas at Arlington	135,766,821	136,004,824
The University of Texas at Austin	388,628,861	389,210,743
The University of Texas at Dallas	109,698,351	109,900,355
The University of Texas at El Paso	105,289,117	105,462,101
The University of Texas - Pan American	86,584,561	86,729,332
The University of Texas at Brownsville	31,823,522	31,861,837
The University of Texas of the Permian Basin	32,256,391	32,276,538
The University of Texas at San Antonio	140,356,573	140,615,860
The University of Texas at Tyler	37,458,832	37,513,206
Texas A&M University System Administrative and General Offices	9,185,569	12,486,440
Texas A&M University	361,335,719	362,023,595
Texas A&M University at Galveston	20,048,423	20,070,427
Prairie View A&M University	71,094,510	71,174,056
Tarleton State University	59,754,123	57,298,789
Texas A&M University - Corpus Christi	61,696,234	61,729,433
Texas A&M University - Kingsville	55,181,567	55,610,192
Texas A&M International University	43,669,134	42,049,699
West Texas A&M University	40,462,780	40,531,377
Texas A&M University - Commerce	46,752,175	46,866,996
Texas A&M University - Texarkana	18,160,519	18,179,780
University of Houston System Administration	2,840,617	2,840,617
University of Houston	229,570,667	229,967,802
University of Houston - Clear Lake	42,312,758	42,369,725
University of Houston - Downtown	44,456,228	44,533,180
University of Houston - Victoria	21,612,267	21,613,475
Midwestern State University	26,833,811	26,890,333
University of North Texas System Administration	14,003,007	15,505,467
University of North Texas	159,989,520	161,148,204
Stephen F. Austin State University	61,990,019	62,130,674
Texas Southern University	76,380,851	76,479,106
Texas Tech University System Administration	2,000,000	2,000,000
Texas Tech University	188,153,297	188,480,338
Angelo State University	33,920,006	34,008,533
Texas Woman's University	75,257,054	75,396,801
Texas State University System	1,140,248	1,138,248
Lamar University	59,284,320	59,269,194
Lamar Institute of Technology	12,861,571	12,859,260
Lamar State College - Orange	9,243,483	9,247,357
Lamar State College - Port Arthur	11,258,018	11,707,842
Sam Houston State University	82,482,440	80,063,467
Texas State University - San Marcos	131,943,881	132,217,629
Sul Ross State University	17,613,202	17,640,758
Sul Ross State University Rio Grande College	6,721,151	6,723,775
The University of Texas Southwestern Medical Center at Dallas	166,972,908	167,427,048
The University of Texas Medical Branch at Galveston	573,995,255	489,360,243

RECAPITULATION - ARTICLE III
AGENCIES OF EDUCATION
(All Funds)
(Continued)

The University of Texas Health Science Center at Houston	178,739,219	178,969,569
The University of Texas Health Science Center at San Antonio	174,856,974	174,909,229
The University of Texas M.D. Anderson Cancer Center	2,241,410,508	2,459,247,720
The University of Texas Health Science Center at Tyler	87,178,969	87,595,998
Texas A&M University System Health Science Center	126,885,074	121,896,839
University of North Texas Health Science Center at Fort Worth	69,717,650	69,744,447
Texas Tech University Health Sciences Center	175,320,829	179,757,867
Public Community/Junior Colleges	929,621,578	929,621,580
Texas State Technical College System Administration	13,978,418	3,978,418
Texas State Technical College - Harlingen	25,791,743	25,857,435
Texas State Technical College - West Texas	14,990,059	15,016,888
Texas State Technical College - Marshall	5,707,776	5,722,574
Texas State Technical College - Waco	33,611,392	33,684,746
Texas AgriLife Research	73,316,075	73,316,075
Texas AgriLife Extension Service	70,116,547	70,079,545
Texas Engineering Experiment Station	98,007,743	98,007,744
Texas Transportation Institute	47,357,955	46,957,954
Texas Engineering Extension Service	79,286,236	79,286,237
Texas Forest Service	54,586,646	54,573,645
Texas Veterinary Medical Diagnostic Laboratory	15,959,353	15,959,354
Subtotal, Agencies of Education	$ 36,398,487,507	$ 38,568,373,940
Retirement and Group Insurance	28,168,155	30,231,503
Social Security and Benefit Replacement Pay	272,787,389	282,093,324
Subtotal, Employee Benefits	$ 300,955,544	$ 312,324,827
Bond Debt Service Payments	5,926,610	7,704,490
Lease Payments	3,381,260	2,522,774
Subtotal, Debt Service	$ 9,307,870	$ 10,227,264
Less Interagency Contracts	$ 73,968,114	$ 73,968,114
TOTAL, ARTICLE III - AGENCIES OF EDUCATION	$ 36,634,782,807	$ 38,816,957,917
Number of Full-Time-Equivalents (FTE)-Appropriated Funds	85,653.6	85,680.1

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

ARTICLE IV

THE JUDICIARY

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the judiciary and other judicial service units of the state.

SUPREME COURT OF TEXAS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 16,800,014	$ 16,719,574
GR Dedicated - Sexual Assault Program Account No. 5010	750,000	1,250,000
Federal Funds	3,077,132	1,913,566
Other Funds		
Judicial Fund No. 573	7,692,716	7,691,716
Appropriated Receipts	25,000	25,000
Interagency Contracts	2,500,000	2,500,000
Subtotal, Other Funds	$ 10,217,716	$ 10,216,716
Total, Method of Financing	$ 30,844,862	$ 30,099,856
This bill pattern represents an estimated 80.3% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	72.5	72.5
Schedule of Exempt Positions:		
Chief Justice	$152,500	$152,500
Justice	(8) 150,000	(8) 150,000
Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 5,585,230	$ 5,504,790 & UB
B. Goal: COURT PROGRAMS		
B.1.1. Strategy: BASIC CIVIL LEGAL SERVICES	$ 21,971,000	$ 22,470,000 & UB
B.1.2. Strategy: COURT IMPROVEMENT PROJECTS	$ 3,077,132	$ 1,913,566
B.1.3. Strategy: MULTI-DISTRICT LITIGATION	$ 211,500	$ 211,500
Total, Goal B: COURT PROGRAMS	$ 25,259,632	$ 24,595,066
Grand Total, SUPREME COURT OF TEXAS	$ 30,844,862	$ 30,099,856
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 5,050,200	$ 5,098,550
Other Personnel Costs	161,420	169,590
Consumable Supplies	53,000	49,000
Utilities	11,200	11,600
Travel	175,000	180,000
Rent - Machine and Other	62,000	62,000
Other Operating Expense	439,850	309,150
Grants	24,892,192	24,219,966
Total, Object-of-Expense Informational Listing	$ 30,844,862	$ 30,099,856

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 172,742	$ 175,333
Group Insurance	500,504	543,033
Social Security	331,075	336,041
Benefits Replacement	11,883	11,289
Subtotal, Employee Benefits	$ 1,016,204	$ 1,065,696
Debt Service		
Lease Payments	$ 764,616	$ 766,328
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 1,780,820	$ 1,832,024

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Supreme Court of Texas. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Supreme Court of Texas. In order to achieve the objectives and service standards established by this Act, the Supreme Court of Texas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Disposition Rate	105%	105%
Average Number of Days since Filing of All Matters Pending in the Supreme Court	100	100

2. **Appropriation: Basic Civil Legal Services.** All fees deposited into the Basic Civil Legal Services Account of the Judicial Fund are appropriated above in Strategy B.1.1, Basic Civil Legal Services. Any fees deposited in excess of $7,221,000 in fiscal year 2010 and $7,220,000 in fiscal year 2011 are hereby appropriated to the Supreme Court for the same purpose (estimated to be $0). Any unexpended balances in the Basic Civil Legal Services Account at the end of fiscal year 2009 are hereby appropriated to the Supreme Court in fiscal year 2010 for the same purpose (estimated to be $0 and included in amounts appropriated above).

   The Supreme Court of Texas shall file a report with the Legislative Budget Board and the Governor within 90 days following February 28 and August 31 of each fiscal year showing disbursements from all funding sources for Basic Civil Legal Services, the purpose for each disbursement, and compliance with grant conditions.

3. **Equalization.** It is the intent of the Legislature that the Supreme Court use funds appropriated above to equalize the dockets of the 14 Courts of Appeals. For the purposes of this rider equalization shall be considered achieved if the new cases filed each year per justice are equalized by 10 percent or less among all the courts of appeals. Multi-district litigation cases are exempted from this provision.

4. **Special Masters: State Commission on Judicial Conduct.** The appropriations to the State Commission on Judicial Conduct reflect the intent of the Legislature to encourage the Supreme Court of Texas to appoint active judges rather than retired judges as special masters in formal proceedings initiated by the State Commission on Judicial Conduct under Rule 10 of the Procedural Rules for the Removal or Retirement of Judges.

5. **Court Improvement Projects.** Included in amounts appropriated above are federal funds awarded to the State of Texas, State Court Improvement Program (CFDA 93.586) of $3,077,132 in fiscal year 2010 and $1,993,566 in fiscal year 2011. Out of these funds, the Supreme Court is allocated an amount estimated to be $362,000 in fiscal year 2010 and $370,000 in fiscal year 2011 to administer the grant. Additionally, the Supreme Court shall file a report with the Legislative Budget Board and the Governor within 90 days following August 31 of each fiscal year showing disbursements, the purpose of each disbursement, and compliance with grant conditions.

6. **Texas Young Lawyers License Plate Receipts.** Included in amounts appropriated above in Strategy B.1.1, Basic Civil Legal Services, are all estimated balances collected prior to the

effective date of this Act (estimated to be $0) and revenue collected on or after September 1, 2009 (estimated to be $15,000 in fiscal year 2010 and $14,000 in fiscal year 2011), from the sale of license plates as provided by Transportation Code § 504.604 and deposited to the credit of the Judicial Fund No. 573. In addition to amounts identified herein and included above, all unexpended balances remaining as of August 31, 2009, and all revenue collected on or after September 1, 2009, are hereby appropriated for the same purpose.

Any unexpended balances as of August 31, 2010, out of the appropriations made herein are hereby appropriated to the Supreme Court for the fiscal year beginning September 1, 2010.

7. **Supreme Court Advisory Committees.** Included in the amounts appropriated above in Strategy A.1.1, Appellate Court Operations, and Strategy B.1.2, Court Improvement Projects, is funding in the following estimated amounts to provide travel reimbursement for the following Supreme Court advisory committees:

a) Rules Advisory Committee, $19,000 per fiscal year;
b) Task Force on Judicial Readiness in Time of Emergency, $26,000 per fiscal year;
c) Commission on Children, Youth and Families, $14,000 per fiscal year;
d) Ancillary Proceeding Task Force, $9,000 per fiscal year; and,
e) Task Force on Judicial Foreclosure, $500 per fiscal year.

8. **One-time Funding for Basic Civil Legal Services.** Included in the amounts appropriated above in Strategy B.1.1, Basic Civil Legal Services, is $10,000,000 in fiscal year 2010 and $10,000,000 in fiscal year 2011 in one-time funding from the General Revenue Fund (for the 2010-11 Biennium only), and $750,000 in fiscal year 2010 and $1,250,000 from General Revenue-Dedicated Sexual Assault Program Account No. 5010 to offset the reduction in funding provided by the Interest on Lawyers Trust Accounts Program for Basic Civil Legal Services.

Funds appropriated from General Revenue-Dedicated Sexual Assault Program Account No. 5010 ($750,000 in fiscal year 2010 and $1,250,000 in fiscal year 2011) are contingent upon the litigation which prohibits the Comptroller of Public Accounts from releasing the receipts from admission fees to certain sexually-oriented businesses established in House Bill 1751, Eightieth Legislature, 2007, being resolved in favor of the State of Texas. This appropriation is also contingent on the receipts from admission fees to certain sexually-oriented businesses, during the 2010-11 biennium, exceeding the $8,000,000 per fiscal year (Object Code 3175) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate by $750,000 in fiscal year 2010 and by $1,250,000 in fiscal year 2011. Any unexpended balances in appropriations made for this purpose for fiscal year 2010 are appropriated to the Supreme Court in fiscal year 2011 for the same purposes.

9. **Supreme Court Performance Measures.** The Chief Justice of the Supreme Court of Texas shall file a report with the Legislative Budget Board and the Governor compiling data on each Justice's compliance with the Court's internal deadlines. The report shall be due no later than December 1 of each year and compile data from the prior fiscal year. The first report must be filed no later than August 31, 2011.

COURT OF CRIMINAL APPEALS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 4,891,167	$ 4,856,357
Other Funds		
Judicial and Court Personnel Training Fund No. 540	9,539,795	9,989,795
Judicial Fund No. 573	333,251	333,251
Appropriated Receipts	4,500	454,500
Interagency Contracts	30,000	30,000
Subtotal, Other Funds	$ 9,907,546	$ 10,807,546
Total, Method of Financing	$ 14,798,713	$ 15,663,903

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE):	72.0	72.0
Schedule of Exempt Positions:		
Presiding Judge	$152,500	$152,500
Judge	(8) 150,000	(8) 150,000
Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 5,258,918	$ 5,224,108 & UB
B. Goal: JUDICIAL EDUCATION		
B.1.1. Strategy: JUDICIAL EDUCATION	$ 9,539,795	$ 10,439,795
Grand Total, COURT OF CRIMINAL APPEALS	$ 14,798,713	$ 15,663,903
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 5,156,611	$ 5,156,611
Other Personnel Costs	87,360	91,200
Professional Fees and Services	1,904	1,904
Consumable Supplies	28,960	28,960
Travel	62,695	62,695
Rent - Building	11,576	11,576
Rent - Machine and Other	29,924	29,924
Other Operating Expense	161,636	122,986
Grants	9,258,047	10,158,047
Total, Object-of-Expense Informational Listing	$ 14,798,713	$ 15,663,903
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 205,878	$ 208,966
Group Insurance	497,263	539,137
Social Security	338,574	343,653
Benefits Replacement	18,479	17,555
Subtotal, Employee Benefits	$ 1,060,194	$ 1,109,311
Debt Service		
Lease Payments	$ 528,210	$ 529,386
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 1,588,404	$ 1,638,697

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Court of Criminal Appeals. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Court of Criminal Appeals. In order to achieve the objectives and service standards established by this Act, the Court of Criminal Appeals shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Disposition Rate for Petitions for Discretionary Review Which Are Granted	100%	100%
Disposition Rate for Death Penalty Cases	100%	100%
Average Time (in Days) from the Time Petitions for Discretionary Review Are Granted until Disposition	282	282
Average Time from Time Filed to Disposition in Death Penalty Cases	638	638

2. Judicial Education.

a. The Court of Criminal Appeals may assign to the Office of Court Administration or to any other agency of the Judicial Branch the necessary administrative and accounting functions for the Judicial and Court Personnel Training Fund appropriation included in this Act to be performed under the direction of the Court of Criminal Appeals in compliance with Government Code, Chapter 56. To implement this provision, the Comptroller is authorized to transfer the appropriation from the Court of Criminal Appeals to the Office of Court Administration, or to any other agency of the Judicial Branch, as directed by order of the Court of Criminal Appeals. Of the amount appropriated for Strategy B.1.1, Judicial Education, $475,000 in fiscal year 2010 and $475,000 in fiscal year 2011 shall be expended for the continuing legal education of judges of county courts performing judicial functions.

b. None of the funds appropriated above in Strategy B.1.1, Judicial Education, in excess of 3 percent of the appropriated amount and any additional amounts appropriated for the purposes of this provision in any fiscal year shall be expended for the administration of the judicial education function. The 3 percent administrative allocation is estimated to be $383,194 in fiscal year 2010 and $313,194 in fiscal year 2011, subject to amounts of refunds of unexpended balances from training entities or other funds that may be provided for judicial and court personnel training. For the purposes of this provision, the term administration shall include, but not be limited to, administrative oversight functions, accounting and auditing functions, management studies, performance audits, and other studies initiated by the Court of Criminal Appeals or the Office of Court Administration.

c. Funds expended by either the Court of Criminal Appeals or the Office of Court Administration, out of the appropriation made above out of the Judicial and Court Personnel Training Fund, for the purpose of conducting management studies, performance audits, or other studies, shall be expended only in accordance with a competitive bidding process.

3. Continuing Education and Technical Assistance for Prosecutors and Criminal Defense Attorneys.

a. The Court of Criminal Appeals is appropriated above in Strategy B.1.1, Judicial Education an amount not to exceed $1,400,000 in fiscal year 2010 and $1,550,000 in fiscal year 2011 to contract with a statewide professional association of prosecuting attorneys and other entities to provide continuing legal education courses, programs, and technical assistance projects for prosecutors and prosecutor office personnel.

b. The Court of Criminal Appeals is appropriated above in Strategy B.1.1, Judicial Education an amount not to exceed $1,250,000 in fiscal year 2010 and $1,350,000 in fiscal year 2011 to contract with a statewide professional association of criminal defense attorneys and other entities to provide continuing legal education courses, programs and technical assistance projects for criminal defense attorneys who regularly represent indigent defendants in criminal matters.

c. Funds may be expended pursuant to this provision only out of the appropriation made above out of the Judicial and Court Personnel Training Fund No. 540.

4. Judicial Education: Reimbursement for Travel Expenses. Funds appropriated above in Strategy B.1.1, Judicial Education, for the purposes established in § 56.003(b) of the Government Code, may be granted only pursuant to a grant contract which provides for the reimbursement of expenses of judges pursuant to the provisions of § 74.062 of the Government Code. This provision shall not apply to funds granted for the purpose of providing continuing legal education for judges of county courts performing judicial functions.

5. Judicial and Court Personnel Training Report. The Court of Criminal Appeals shall file a report with the Legislative Budget Board and the Governor within 90 days following February 28 and August 31 of each fiscal year showing the allocation of grants and expenditures from Judicial and Court Personnel Training Fund No. 540, and the results of grant audits.

6. Appropriation: Refunds of Unexpended Balances from Training Entities. The Court of Criminal Appeals shall maintain procedures to ensure that the state is refunded all unexpended and unencumbered state funds held at the close of fiscal year 2009 and fiscal year 2010 by training entities receiving grants to conduct judicial and court personnel training. Refunds received by the Court of Criminal Appeals in fiscal year 2010 from training entities are appropriated above in

Strategy B.1.1, Judicial Education (not to exceed $450,000 in fiscal year 2010 out of Judicial and Court Personnel Training Account No. 540.) In addition, under Article IX, § 8.03 of this Act, the Court of Criminal Appeals is authorized to spend an amount not to exceed $450,000 from refunds received from training entities in fiscal year 2011 for grants awarded in fiscal year 2010.

7. **Judicial and Court Personnel Training.** Out of funds appropriated above in Strategy B.1.1, Judicial Education, a minimum of $1,000,000 per fiscal year is designated for the Court of Criminal Appeals to contract with training entities providing for the training and continuing legal education of the clerks and other court personnel of the appellate courts, district courts, county courts at law, county courts, justice courts, and municipal courts of this State in accordance with Government Code § 74.025.

8. **Actual Innocence Training.** Out of funds appropriated above in Strategy B.1.1, Judicial Education, an amount not to exceed $150,000 in fiscal year 2010 and an amount not to exceed $250,000 in fiscal year 2011 shall be used by the Court of Criminal Appeals to contract with statewide professional associations and other entities whose purposes include providing continuing legal education courses, programs, and technical assistance projects on actual innocence for criminal defense attorneys, prosecuting attorneys, judges, bailiffs, constables, warrant officers, or other persons as provided by statute. Any unexpended balances of these funds remaining as of August 31, 2010 are hereby appropriated to the Court of Criminal Appeals for the fiscal year beginning September 1, 2010 for the same purpose.

9. **Appropriation: Unexpended Balance Authority Between Biennia and Within the Biennium for Judicial Education, Administrative Allocation.** All unexpended balances of funds appropriated to Strategy B.1.1, Judicial Education, at the end of fiscal year 2009 are appropriated to Strategy B.1.1, Judicial Education in fiscal year 2010 (not to exceed $100,000 in Judicial and Court Personnel Training Fund No. 540, and included in amounts appropriated above). Further, all unexpended balances of funds appropriated to Strategy B.1.1, Judicial Education, at the end of fiscal year 2010 are appropriated to Strategy B.1.1, Judicial Education in fiscal year 2011 (not to exceed $100,000 in Judicial and Court Personnel Training Fund No. 540).

10. **Court of Criminal Appeals Advisory Committees.** Included in the amounts appropriated above in Strategy A.1.1, Appellate Court Operations, is funding in the following estimated amounts to provide travel reimbursement for the following Court of Criminal Appeals advisory committees:

    a) Rules Advisory Committee, $4,000 per fiscal year;
    b) Mental Health Task Force, $5,000 per fiscal year; and
    c) Criminal Justice Integrity Unit, $13,250 per fiscal year.

11. **Public Defender Training.** Out of funds appropriated above in Strategy B.1.1, Judicial Education, an amount not to exceed $0 in fiscal year 2010 and an amount not to exceed $100,000 in fiscal year 2011 shall be used by the Court of Criminal Appeals to contract with statewide professional associations and other entities whose purposes include providing continuing legal education, courses, and programs for public defenders.

12. **Implementation of State Auditor's Office (SAO) Recommendations.**

    (a) It is the intent of the Legislature that the Court of Criminal Appeals (court) use funds appropriated above in Strategy B.1.1, Judicial Education, to implement the recommendations contained in SAO Report No. 09-028, *The Court of Criminal Appeals' Administration of Grant Funds from the Judicial and Court Personnel Training Fund* Report No. 09-028.

    (b) Additionally, the court shall use funds appropriated above:

        1. To prepare a comprehensive implementation plan to carry out the recommendations set out in SAO Report No. 09-028, and submit the plan to the Legislative Budget Board no later than January 31, 2010. The plan shall include the timelines the court stated in its management response to the audit report and address the following elements:

            A. grantees administrative expenditures;
            B. grantee financial performance;
            C. performance targets;
            D. written policies and procedures for program monitoring;

E. written policies and procedures for awarding of grant funds; and
F. annual recommendations for judicial training needs.

2. To report to the State Auditor's Office on the status of the implementation of the recommendations, pursuant to Section 321.014(f) of the Texas Government Code.

(c) Out of funds appropriated above in Strategy B.1.1, Judicial Education, the Comptroller may not release $1,000,000 from Judicial and Court Personnel Training Fund No. 540 for the 2010-11 biennium ($1,000,000 in fiscal year 2011) without prior written notification from the Legislative Budget Board that the court has satisfactorily adhered to the implementation plan required above. The court shall report its progress in implementing the recommendations to the Legislative Budget Board and the State Auditor no later than July 1, 2010, before appropriations may be released and available by September 1, 2010.

FIRST COURT OF APPEALS DISTRICT, HOUSTON

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 3,404,463	$ 3,670,002
Other Funds		
Judicial Fund No. 573	273,350	273,350
Appropriated Receipts	8,700	8,700
Interagency Contracts	42,500	42,500
Subtotal, Other Funds	$ 324,550	$ 324,550
Total, Method of Financing	$ 3,729,013	$ 3,994,552
This bill pattern represents an estimated 92.6% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	48.0	49.0
Schedule of Exempt Positions:		
Chief Justice	$140,000	$140,000
Justice	(8) 137,500	(8) 137,500
Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 3,729,013	$ 3,994,552 & UB
Grand Total, FIRST COURT OF APPEALS DISTRICT, HOUSTON	$ 3,729,013	$ 3,994,552
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 3,462,135	$ 3,727,674
Other Personnel Costs	32,700	32,700
Consumable Supplies	4,838	4,838
Travel	7,500	7,500
Rent - Building	14,000	14,000
Rent - Machine and Other	11,964	11,964
Other Operating Expense	195,876	195,876
Total, Object-of-Expense Informational Listing	$ 3,729,013	$ 3,994,552
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 129,257	$ 131,196
Group Insurance	292,990	315,477
Social Security	237,001	240,556

FIRST COURT OF APPEALS DISTRICT, HOUSTON
(Continued)

Benefits Replacement	6,487	6,163
Subtotal, Employee Benefits	$ 665,735	$ 693,392
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 665,735	$ 693,392

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the First Court of Appeals District, Houston. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the First Court of Appeals District, Houston. In order to achieve the objectives and service standards established by this Act, the First Court of Appeals District, Houston shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	100%	100%
Percentage of Cases Under Submission for Less Than One Year	100%	100%
Percentage of Cases Pending for Less Than Two Years	100%	100%

SECOND COURT OF APPEALS DISTRICT, FORT WORTH

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 2,528,882	$ 2,778,416
Other Funds		
Judicial Fund No. 573	213,050	213,050
Appropriated Receipts	20,000	20,000
Interagency Contracts	54,000	54,000
Subtotal, Other Funds	$ 287,050	$ 287,050
Total, Method of Financing	$ 2,815,932	$ 3,065,466
This bill pattern represents an estimated 91.2% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	38.0	39.0
Schedule of Exempt Positions:		
Chief Justice	$140,000	$140,000
Justice	(6) 137,500	(6) 137,500
Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 2,815,932	$ 3,065,466 & UB
Grand Total, SECOND COURT OF APPEALS DISTRICT, FORT WORTH	$ 2,815,932	$ 3,065,466
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 2,660,915	$ 2,910,448
Other Personnel Costs	29,400	34,520
Consumable Supplies	30,000	30,000
Utilities	1,200	1,200
Travel	21,000	21,000
Rent - Building	127	127
Rent - Machine and Other	828	828

SECOND COURT OF APPEALS DISTRICT, FORT WORTH
(Continued)

Other Operating Expense	72,462	67,343
Total, Object-of-Expense Informational Listing	$ 2,815,932	$ 3,065,466
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 92,376	$ 93,761
Group Insurance	249,541	269,110
Social Security	177,996	180,666
Benefits Replacement	9,584	9,105
Subtotal, Employee Benefits	$ 529,497	$ 552,642
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 529,497	$ 552,642

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Second Court of Appeals District, Fort Worth. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Second Court of Appeals District, Fort Worth. In order to achieve the objectives and service standards established by this Act, the Second Court of Appeals District, Fort Worth shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	100%	100%
Percentage of Cases Under Submission for Less Than One Year	100%	100%
Percentage of Cases Pending for Less Than Two Years	100%	100%

THIRD COURT OF APPEALS DISTRICT, AUSTIN

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 2,207,019	$ 2,445,386
Other Funds		
Judicial Fund No. 573	182,900	182,900
Appropriated Receipts	16,000	16,000
Interagency Contracts	36,000	36,000
Subtotal, Other Funds	$ 234,900	$ 234,900
Total, Method of Financing	$ 2,441,919	$ 2,680,286
This bill pattern represents an estimated 91.9% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	33.0	34.0
Schedule of Exempt Positions:		
Chief Justice	$140,000	$140,000
Justice	(5) 137,500	(5) 137,500
Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 2,441,919	$ 2,680,286 & UB
Grand Total, THIRD COURT OF APPEALS DISTRICT, AUSTIN	$ 2,441,919	$ 2,680,286

THIRD COURT OF APPEALS DISTRICT, AUSTIN
(Continued)

Object-of-Expense Informational Listing:		
Salaries and Wages	$ 2,337,558	$ 2,575,924
Other Personnel Costs	23,611	23,212
Consumable Supplies	20,000	20,000
Travel	1,000	1,000
Rent - Building	7,000	7,000
Other Operating Expense	52,750	53,150
Total, Object-of-Expense Informational Listing	$ 2,441,919	$ 2,680,286
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 92,413	$ 93,799
Group Insurance	242,202	262,537
Social Security	169,089	171,626
Benefits Replacement	6,431	6,110
Subtotal, Employee Benefits	$ 510,135	$ 534,072
Debt Service		
Lease Payments	$ 484,367	$ 485,426
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 994,502	$ 1,019,498

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Third Court of Appeals District, Austin. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Third Court of Appeals District, Austin. In order to achieve the objectives and service standards established by this Act, the Third Court of Appeals District, Austin shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	100%	100%
Percentage of Cases Under Submission for Less Than One Year	100%	100%
Percentage of Cases Pending for Less Than Two Years	100%	100%

FOURTH COURT OF APPEALS DISTRICT, SAN ANTONIO

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 2,619,314	$ 2,774,736
Other Funds		
Judicial Fund No. 573	213,050	213,050
Appropriated Receipts	9,000	9,000
Interagency Contracts	42,000	42,000
Subtotal, Other Funds	$ 264,050	$ 264,050
Total, Method of Financing	$ 2,883,364	$ 3,038,786
This bill pattern represents an estimated 87.6% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	38.0	39.0

FOURTH COURT OF APPEALS DISTRICT, SAN ANTONIO
(Continued)

Schedule of Exempt Positions:		
Chief Justice	$140,000	$140,000
Justice	(6) 137,500	(6) 137,500
Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 2,883,364	$ 3,038,786 & UB
Grand Total, FOURTH COURT OF APPEALS DISTRICT, SAN ANTONIO	$ 2,883,364	$ 3,038,786
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 2,722,840	$ 2,878,262
Other Personnel Costs	52,320	56,952
Professional Fees and Services	6,563	6,281
Consumable Supplies	5,587	5,348
Utilities	2,686	2,571
Travel	1,117	1,069
Rent - Building	5,889	5,637
Rent - Machine and Other	1,240	1,187
Other Operating Expense	85,122	81,479
Total, Object-of-Expense Informational Listing	$ 2,883,364	$ 3,038,786
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 105,438	$ 107,019
Group Insurance	227,935	245,593
Social Security	189,329	192,169
Benefits Replacement	5,560	5,282
Subtotal, Employee Benefits	$ 528,262	$ 550,063
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 528,262	$ 550,063

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Fourth Court of Appeals District, San Antonio. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Fourth Court of Appeals District, San Antonio. In order to achieve the objectives and service standards established by this Act, the Fourth Court of Appeals District, San Antonio shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	100%	100%
Percentage of Cases Under Submission for Less Than One Year	100%	100%
Percentage of Cases Pending for Less Than Two Years	100%	100%

FIFTH COURT OF APPEALS DISTRICT, DALLAS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 4,678,875	$ 5,030,843
Other Funds		
Judicial Fund No. 573	393,950	393,950

Appropriated Receipts	32,000	32,000
Subtotal, Other Funds	$ 425,950	$ 425,950
Total, Method of Financing	$ 5,104,825	$ 5,456,793
This bill pattern represents an estimated 93.3% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	60.3	60.3
Schedule of Exempt Positions:		
Chief Justice	$140,000	$140,000
Justice	(12) 137,500	(12) 137,500
Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 5,104,825	$ 5,456,793 & UB
Grand Total, FIFTH COURT OF APPEALS DISTRICT, DALLAS	$ 5,104,825	$ 5,456,793
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 4,512,442	$ 4,864,410
Other Personnel Costs	82,535	82,535
Consumable Supplies	44,072	44,072
Travel	30,000	30,000
Rent - Building	36,720	36,720
Rent - Machine and Other	30,507	30,507
Other Operating Expense	368,549	368,549
Total, Object-of-Expense Informational Listing	$ 5,104,825	$ 5,456,793
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 166,571	$ 169,070
Group Insurance	415,997	449,774
Social Security	312,046	316,727
Benefits Replacement	15,523	14,747
Subtotal, Employee Benefits	$ 910,137	$ 950,318
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 910,137	$ 950,318

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Fifth Court of Appeals District, Dallas. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Fifth Court of Appeals District, Dallas. In order to achieve the objectives and service standards established by this Act, the Fifth Court of Appeals District, Dallas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	100%	100%
Percentage of Cases Under Submission for Less Than One Year	100%	100%
Percentage of Cases Pending for Less Than Two Years	100%	100%

SIXTH COURT OF APPEALS DISTRICT, TEXARKANA

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,227,197	$ 1,359,347
Other Funds		
Judicial Fund No. 573	92,450	92,450
Appropriated Receipts	4,000	4,000
Subtotal, Other Funds	$ 96,450	$ 96,450
Total, Method of Financing	$ 1,323,647	$ 1,455,797
This bill pattern represents an estimated 98.4% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	15.5	16.5
Schedule of Exempt Positions:		
Chief Justice	$140,000	$140,000
Justice	(2) 137,500	(2) 137,500
Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 1,323,647	$ 1,455,797 & UB
Grand Total, SIXTH COURT OF APPEALS DISTRICT, TEXARKANA	$ 1,323,647	$ 1,455,797
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 1,199,200	$ 1,331,350
Other Personnel Costs	23,040	24,240
Consumable Supplies	7,300	7,300
Utilities	3,900	3,900
Travel	14,500	14,500
Rent - Building	3,000	3,000
Rent - Machine and Other	2,200	2,200
Other Operating Expense	70,507	69,307
Total, Object-of-Expense Informational Listing	$ 1,323,647	$ 1,455,797
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 49,841	$ 50,589
Group Insurance	121,607	132,008
Social Security	84,785	86,057
Benefits Replacement	3,707	3,522
Subtotal, Employee Benefits	$ 259,940	$ 272,176
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 259,940	$ 272,176

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Sixth Court of Appeals District, Texarkana. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Sixth Court of Appeals District, Texarkana. In order to achieve the objectives and service standards established by this Act, the Sixth Court of Appeals District, Texarkana shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	100%	100%

SIXTH COURT OF APPEALS DISTRICT, TEXARKANA
(Continued)

Percentage of Cases Under Submission for Less Than One Year	100%	100%
Percentage of Cases Pending for Less Than Two Years	100%	100%

SEVENTH COURT OF APPEALS DISTRICT, AMARILLO

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,510,296	$ 1,664,068
Other Funds		
Judicial Fund No. 573	122,600	122,600
Appropriated Receipts	8,000	8,000
Subtotal, Other Funds	$ 130,600	$ 130,600
Total, Method of Financing	$ 1,640,896	$ 1,794,668
This bill pattern represents an estimated 99.1% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	20.0	21.0
Schedule of Exempt Positions:		
Chief Justice	$140,000	$140,000
Justice	(3) 137,500	(3) 137,500
Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 1,640,896	$ 1,794,668 & UB
Grand Total, SEVENTH COURT OF APPEALS DISTRICT, AMARILLO	$ 1,640,896	$ 1,794,668
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 1,497,085	$ 1,650,857
Other Personnel Costs	25,200	31,500
Consumable Supplies	9,000	9,000
Utilities	8,000	8,000
Travel	16,000	16,000
Rent - Building	20	20
Rent - Machine and Other	624	624
Other Operating Expense	84,967	78,667
Total, Object-of-Expense Informational Listing	$ 1,640,896	$ 1,794,668
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 52,370	$ 53,155
Group Insurance	165,326	178,438
Social Security	105,023	106,598
Benefits Replacement	6,228	5,917
Subtotal, Employee Benefits	$ 328,947	$ 344,108
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 328,947	$ 344,108

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Seventh Court of Appeals District, Amarillo. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to

SEVENTH COURT OF APPEALS DISTRICT, AMARILLO
(Continued)

achieve the intended mission of the Seventh Court of Appeals District, Amarillo. In order to achieve the objectives and service standards established by this Act, the Seventh Court of Appeals District, Amarillo shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	100%	100%
Percentage of Cases Under Submission for Less Than One Year	100%	100%
Percentage of Cases Pending for Less Than Two Years	100%	100%

EIGHTH COURT OF APPEALS DISTRICT, EL PASO

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,223,125	$ 1,364,467
Other Funds		
Judicial Fund No. 573	92,450	92,450
Appropriated Receipts	6,000	6,000
Interagency Contracts	27,000	27,000
Subtotal, Other Funds	$ 125,450	$ 125,450
Total, Method of Financing	$ 1,348,575	$ 1,489,917
This bill pattern represents an estimated 98.4% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	17.0	18.0
Schedule of Exempt Positions:		
Chief Justice	$140,000	$140,000
Justice	(2) 137,500	(2) 137,500
Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 1,348,575	$ 1,489,917 & UB
Grand Total, EIGHTH COURT OF APPEALS DISTRICT, EL PASO	$ 1,348,575	$ 1,489,917
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 1,240,817	$ 1,377,039
Other Personnel Costs	44,647	55,758
Consumable Supplies	5,000	4,000
Utilities	4,800	5,000
Travel	10,135	9,144
Rent - Building	7,200	5,200
Rent - Machine and Other	400	400
Other Operating Expense	35,576	33,376
Total, Object-of-Expense Informational Listing	$ 1,348,575	$ 1,489,917
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 51,130	$ 51,897
Group Insurance	152,514	165,612
Social Security	87,100	88,407

EIGHTH COURT OF APPEALS DISTRICT, EL PASO
(Continued)

Benefits Replacement	8,572	8,144
Subtotal, Employee Benefits	$ 299,316	$ 314,060
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 299,316	$ 314,060

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Eighth Court of Appeals District, El Paso. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Eighth Court of Appeals District, El Paso. In order to achieve the objectives and service standards established by this Act, the Eighth Court of Appeals District, El Paso shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	100%	100%
Percentage of Cases Under Submission for Less Than One Year	100%	100%
Percentage of Cases Pending for Less Than Two Years	100%	100%

NINTH COURT OF APPEALS DISTRICT, BEAUMONT

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,506,948	$ 1,657,668
Other Funds		
Judicial Fund No. 573	122,600	122,600
Appropriated Receipts	8,000	8,000
Subtotal, Other Funds	$ 130,600	$ 130,600
Total, Method of Financing	$ 1,637,548	$ 1,788,268
This bill pattern represents an estimated 95% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	20.0	21.0
Schedule of Exempt Positions:		
Chief Justice	$140,000	$140,000
Justice	(3) 137,500	(3) 137,500
Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 1,637,548	$ 1,788,268 & UB
Grand Total, NINTH COURT OF APPEALS DISTRICT, BEAUMONT	$ 1,637,548	$ 1,788,268
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 1,594,648	$ 1,745,368
Other Personnel Costs	25,900	25,900
Consumable Supplies	3,000	3,000
Travel	4,000	4,000
Other Operating Expense	10,000	10,000
Total, Object-of-Expense Informational Listing	$ 1,637,548	$ 1,788,268

NINTH COURT OF APPEALS DISTRICT, BEAUMONT
(Continued)

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 66,492	$ 67,489
Group Insurance	160,711	173,538
Social Security	110,952	112,617
Benefits Replacement	9,267	8,804
Subtotal, Employee Benefits	$ 347,422	$ 362,448
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 347,422	$ 362,448

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Ninth Court of Appeals District, Beaumont. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Ninth Court of Appeals District, Beaumont. In order to achieve the objectives and service standards established by this Act, the Ninth Court of Appeals District, Beaumont shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	100%	100%
Percentage of Cases Under Submission for Less Than One Year	100%	100%
Percentage of Cases Pending for Less Than Two Years	100%	100%

TENTH COURT OF APPEALS DISTRICT, WACO

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,194,812	$ 1,355,507
Other Funds		
Judicial Fund No. 573	92,450	92,450
Appropriated Receipts	10,000	10,000
Subtotal, Other Funds	$ 102,450	$ 102,450
Total, Method of Financing	$ 1,297,262	$ 1,457,957
This bill pattern represents an estimated 98.4% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	15.0	16.0
Schedule of Exempt Positions:		
Chief Justice	$140,000	$140,000
Justice	(2) 137,500	(2) 137,500
Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 1,297,262	$ 1,457,957 & UB
Grand Total, TENTH COURT OF APPEALS DISTRICT, WACO	$ 1,297,262	$ 1,457,957
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 1,177,617	$ 1,338,312
Other Personnel Costs	12,000	12,000

TENTH COURT OF APPEALS DISTRICT, WACO
(Continued)

Professional Fees and Services	1,000	1,000
Consumable Supplies	12,575	12,575
Utilities	2,500	2,500
Travel	12,000	12,000
Rent - Machine and Other	800	800
Other Operating Expense	78,770	78,770
Total, Object-of-Expense Informational Listing	$ 1,297,262	$ 1,457,957
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 46,274	$ 46,968
Group Insurance	118,505	128,364
Social Security	78,388	79,564
Benefits Replacement	1,853	1,761
Subtotal, Employee Benefits	$ 245,020	$ 256,657
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 245,020	$ 256,657

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Tenth Court of Appeals District, Waco. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Tenth Court of Appeals District, Waco. In order to achieve the objectives and service standards established by this Act, the Tenth Court of Appeals District, Waco shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	100%	100%
Percentage of Cases Under Submission for Less Than One Year	100%	100%
Percentage of Cases Pending for Less Than Two Years	100%	100%

ELEVENTH COURT OF APPEALS DISTRICT, EASTLAND

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,218,847	$ 1,359,347
Other Funds		
Judicial Fund No. 573	92,450	92,450
Appropriated Receipts	8,000	8,000
Subtotal, Other Funds	$ 100,450	$ 100,450
Total, Method of Financing	$ 1,319,297	$ 1,459,797
This bill pattern represents an estimated 95% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	17.0	18.0
Schedule of Exempt Positions:		
Chief Justice	$140,000	$140,000
Justice	(2) 137,500	(2) 137,500

ELEVENTH COURT OF APPEALS DISTRICT, EASTLAND
(Continued)

Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 1,319,297	$ 1,459,797 & UB
Grand Total, ELEVENTH COURT OF APPEALS DISTRICT, EASTLAND	$ 1,319,297	$ 1,459,797
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 1,185,336	$ 1,325,836
Other Personnel Costs	33,630	34,050
Consumable Supplies	7,000	7,000
Utilities	13,000	13,000
Travel	14,000	14,000
Rent - Machine and Other	6,000	6,000
Other Operating Expense	60,331	59,911
Total, Object-of-Expense Informational Listing	$ 1,319,297	$ 1,459,797
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 43,598	$ 44,252
Group Insurance	139,326	150,131
Social Security	80,639	81,849
Benefits Replacement	8,285	7,871
Subtotal, Employee Benefits	$ 271,848	$ 284,103
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 271,848	$ 284,103

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Eleventh Court of Appeals District, Eastland. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Eleventh Court of Appeals District, Eastland. In order to achieve the objectives and service standards established by this Act, the Eleventh Court of Appeals District, Eastland shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	100%	100%
Percentage of Cases Under Submission for Less Than One Year	100%	100%
Percentage of Cases Pending for Less Than Two Years	100%	100%

TWELFTH COURT OF APPEALS DISTRICT, TYLER

	For the Years Ending August 31, 2010	August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,278,884	$ 1,355,507
Other Funds		
Judicial Fund No. 573	92,450	92,450
Appropriated Receipts	6,500	6,500
Subtotal, Other Funds	$ 98,950	$ 98,950
Total, Method of Financing	$ 1,377,834	$ 1,454,457

TWELFTH COURT OF APPEALS DISTRICT, TYLER
(Continued)

This bill pattern represents an estimated 98.6% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE):		16.0		17.0
Schedule of Exempt Positions:				
Chief Justice		$140,000		$140,000
Justice		(2) 137,500		(2) 137,500
Items of Appropriation:				
A. Goal: APPELLATE COURT OPERATIONS				
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$	1,377,834	$	1,454,457 & UB
Grand Total, TWELFTH COURT OF APPEALS DISTRICT, TYLER	$	1,377,834	$	1,454,457
Object-of-Expense Informational Listing:				
Salaries and Wages	$	1,276,835	$	1,353,458
Other Personnel Costs		15,280		16,540
Consumable Supplies		7,000		7,000
Utilities		6,730		6,730
Travel		12,500		12,500
Rent - Machine and Other		8,500		8,500
Other Operating Expense		50,989		49,729
Total, Object-of-Expense Informational Listing	$	1,377,834	$	1,454,457
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	51,042	$	51,808
Group Insurance		148,893		162,338
Social Security		84,464		85,731
Benefits Replacement		3,707		3,522
Subtotal, Employee Benefits	$	288,106	$	303,399
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	288,106	$	303,399

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Twelfth Court of Appeals District, Tyler. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Twelfth Court of Appeals District, Tyler. In order to achieve the objectives and service standards established by this Act, the Twelfth Court of Appeals District, Tyler shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	100%	100%
Percentage of Cases Under Submission for Less Than One Year	100%	100%
Percentage of Cases Pending for Less Than Two Years	100%	100%

THIRTEENTH COURT OF APPEALS DISTRICT, CORPUS CHRISTI-EDINBURG

		For the Years Ending August 31, 2010		For the Years Ending August 31, 2011
Method of Financing:				
General Revenue Fund	$	2,221,635	$	2,453,065

THIRTEENTH COURT OF APPEALS DISTRICT, CORPUS CHRISTI-EDINBURG
(Continued)

Other Funds		
Judicial Fund No. 573	182,900	182,900
Appropriated Receipts	18,000	18,000
Interagency Contracts	36,000	36,000
Subtotal, Other Funds	$ 236,900	$ 236,900
Total, Method of Financing	$ 2,458,535	$ 2,689,965
This bill pattern represents an estimated 98.4% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	32.0	33.5
Schedule of Exempt Positions:		
Chief Justice	$140,000	$140,000
Justice	(5) 137,500	(5) 137,500
Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 2,458,535	$ 2,689,965 & UB
Grand Total, THIRTEENTH COURT OF APPEALS DISTRICT, CORPUS CHRISTI-EDINBURG	$ 2,458,535	$ 2,689,965
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 2,288,651	$ 2,520,081
Other Personnel Costs	38,680	38,680
Consumable Supplies	16,800	16,800
Travel	23,500	23,500
Rent - Building	35	35
Rent - Machine and Other	2,500	2,500
Other Operating Expense	44,200	44,200
Capital Expenditures	44,169	44,169
Total, Object-of-Expense Informational Listing	$ 2,458,535	$ 2,689,965
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 92,891	$ 94,284
Group Insurance	215,064	231,781
Social Security	164,295	166,759
Benefits Replacement	5,801	5,511
Subtotal, Employee Benefits	$ 478,051	$ 498,335
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 478,051	$ 498,335

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Thirteenth Court of Appeals District, Corpus Christi-Edinburg. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Thirteenth Court of Appeals District, Corpus Christi-Edinburg. In order to achieve the objectives and service standards established by this Act, the Thirteenth Court of Appeals District, Corpus Christi-Edinburg shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	100%	100%
Percentage of Cases Under Submission for Less Than One Year	100%	100%
Percentage of Cases Pending for Less Than Two Years	100%	100%

FOURTEENTH COURT OF APPEALS DISTRICT, HOUSTON

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 3,425,424	$ 3,678,642
Other Funds		
Judicial Fund No. 573	273,350	273,350
Appropriated Receipts	11,539	11,539
Interagency Contracts	42,500	42,500
Subtotal, Other Funds	$ 327,389	$ 327,389
Total, Method of Financing	$ 3,752,813	$ 4,006,031
This bill pattern represents an estimated 90.5% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	47.0	50.0
Schedule of Exempt Positions:		
Chief Justice	$140,000	$140,000
Justice	(8) 137,500	(8) 137,500
Items of Appropriation:		
A. Goal: APPELLATE COURT OPERATIONS		
A.1.1. Strategy: APPELLATE COURT OPERATIONS	$ 3,752,813	$ 4,006,031 & UB
Grand Total, FOURTEENTH COURT OF APPEALS DISTRICT, HOUSTON	$ 3,752,813	$ 4,006,031
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 3,530,211	$ 3,778,629
Other Personnel Costs	53,334	58,134
Professional Fees and Services	1,362	1,362
Consumable Supplies	21,637	21,637
Travel	8,451	8,451
Rent - Building	5,388	5,388
Other Operating Expense	132,430	132,430
Total, Object-of-Expense Informational Listing	$ 3,752,813	$ 4,006,031
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 121,777	$ 123,603
Group Insurance	334,281	361,040
Social Security	229,549	232,992
Benefits Replacement	8,109	7,704
Subtotal, Employee Benefits	$ 693,716	$ 725,339
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 693,716	$ 725,339

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Fourteenth Court of Appeals District, Houston. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Fourteenth Court of Appeals District, Houston. In order to achieve the objectives and service standards established by this Act, the Fourteenth Court of Appeals District, Houston shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	100%	100%

FOURTEENTH COURT OF APPEALS DISTRICT, HOUSTON
(Continued)

Percentage of Cases Under Submission for Less Than One Year	100%	100%
Percentage of Cases Pending for Less Than Two Years	100%	100%

OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1, 2]	$ 14,381,403	$ 10,842,217
GR Dedicated - Fair Defense Account No. 5073	29,614,045	29,614,044
Other Funds		
Appropriated Receipts	21,784	22,004
Interagency Contracts	4,970,300	4,976,402
Subtotal, Other Funds	$ 4,992,084	$ 4,998,406
Total, Method of Financing	$ 48,987,532	$ 45,454,667
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 41,238	$ 42,521
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[1]	195.0	198.3
Schedule of Exempt Positions:		
Administrative Director, Group 4	$121,847	$121,847
Items of Appropriation:		
A. Goal: PROCESSES AND INFORMATION		
Improve Processes and Report Information.		
A.1.1. Strategy: COURT ADMINISTRATION[1, 2]	$ 2,493,677	$ 3,461,128 & UB
A.1.2. Strategy: INFORMATION TECHNOLOGY	$ 7,443,066	$ 3,481,407 & UB
A.1.3. Strategy: DOCKET EQUALIZATION	$ 16,875	$ 16,875 & UB
Equalization of the Courts of Appeals Dockets.		
A.1.4. Strategy: ASSIST ADMIN JUDICIAL REGIONS	$ 202,620	$ 202,840 & UB
Assistance to the Administrative Judicial Regions.		
A.2.1. Strategy: INDIGENT DEFENSE[1]	$ 29,614,045	$ 29,065,130
Indigent Defense Standards and Services.		
Total, Goal A: PROCESSES AND INFORMATION	$ 39,770,283	$ 36,227,380
B. Goal: SPECIALTY COURT PROGRAMS		
Complete Specialty Court Program Cases.		
B.1.1. Strategy: CHILD SUPPORT COURTS PROGRAM	$ 6,449,848	$ 6,458,048 & UB

[1] Incorporates Article IX, § 17.104, of this Act, due to the enactment of SB 1091, 81st Legislature, Regular Session, relating to the establishment of the Office of Capital Writs, resulting in an increase in General Revenue of $171,520 in FY 2011; the transfer of $323,000 in General Revenue from the Judiciary Section, Comptroller's Department, Strategy D.1.6, Death Penalty Representation, in FY 2011; the transfer of $548,914 in General Revenue-Dedicated Fair Defense Account No. 5043 funds from Strategy A.2.1, Indigent Defense, in FY 2011, and 3.3 FTEs in FY 2011.

[2] Incorporates Article IX, § 17.89, of this Act, due to the enactment of SB 497, 81st Legislature, Regular Session, relating to compensation paid to certain judges and justices, resulting in a transfer of $63,250 in General Revenue per fiscal year from the Office of Court Administration, Strategy A.1.1, Court Administration, to the Judiciary Section, Comptroller's Department, Strategy A.1.1, District Judges.

B.1.2. Strategy: CHILD PROTECTION COURTS PROGRAM	$ 2,512,015	$ 2,510,565 & UB
Total, Goal B: SPECIALTY COURT PROGRAMS	$ 8,961,863	$ 8,968,613
C. Goal: CERTIFY INDIVIDUALS AND BUSINESSES		
Certify Qualified Individuals and Businesses.		
C.1.1. Strategy: COURT REPORTERS CERT BOARD	$ 165,603	$ 165,803 & UB
Court Reporters Certification Board.		
C.1.2. Strategy: TEXASONLINE	$ 10,488	$ 13,576 & UB
TexasOnline. Estimated and Nontransferable.		
C.1.3. Strategy: GUARDIANS AND PROCESS SERVERS	$ 79,295	$ 79,295 & UB
Total, Goal C: CERTIFY INDIVIDUALS AND BUSINESSES	$ 255,386	$ 258,674
Grand Total, OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL	$ 48,987,532	$ 45,454,667
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 12,735,799	$ 12,740,219
Other Personnel Costs	306,097	311,420
Professional Fees and Services	1,685,297	547,947
Consumable Supplies	66,640	61,640
Utilities	51,359	51,360
Travel	652,174	612,674
Rent - Building	19,268	19,268
Rent - Machine and Other	11,786	11,786
Other Operating Expense	3,995,356	2,389,373
Grants	28,214,461	28,708,980
Capital Expenditures	1,249,295	0
Total, Object-of-Expense Informational Listing	$ 48,987,532	$ 45,454,667
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 756,794	$ 768,146
Group Insurance	1,105,897	1,187,369
Social Security	908,054	921,675
Benefits Replacement	70,895	67,350
Subtotal, Employee Benefits	$ 2,841,640	$ 2,944,540
Debt Service		
Lease Payments	$ 220,811	$ 221,306
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 3,062,451	$ 3,165,846

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Office of Court Administration, Texas Judicial Council. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Office of Court Administration, Texas Judicial Council. In order to achieve the objectives and service standards established by this Act, the Office of Court Administration, Texas Judicial Council shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: PROCESSES AND INFORMATION		
Outcome (Results/Impact):		
Percent of Entities Reporting Case Statistics Electronically	73%	73%
Average Percentage Point Increase in Collection Rate for Mandatory Collection Improvement Progress	16	16
Percent of Counties Receiving State Funds for Indigent Defense	95%	95%

B. Goal: SPECIALTY COURT PROGRAMS		
Outcome (Results/Impact):		
Child Support Courts Case Disposition Rate	100%	100%
B.1.2. Strategy: CHILD PROTECTION COURTS PROGRAM		
Output (Volume):		
Number of Children Who Have Received a Final Order	4,816	4,909
C. Goal: CERTIFY INDIVIDUALS AND BUSINESSES		
Outcome (Results/Impact):		
Percentage of Licensees with No Recent Violations	99.6%	99.6%
C.1.1. Strategy: COURT REPORTERS CERT BOARD		
Output (Volume):		
Number of New Licenses Issued to Individuals	65	65

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Computer Equipment and Software	$ 1,015,026	$ UB
(2) Texas Appeals Management and E-Filing System	1,488,023	UB
(3) Texas Data Enabled Courts for Kids	560,370	560,370 & UB
(4) Child Support Docket Case Management System Rewrite for Child Support Courts	542,000	UB
(5) Judicial Data Management Rewrite	379,850	UB
(6) Judicial Emergency Data Infrastructure	410,000	UB
Total, Acquisition of Information Resource Technologies	$ 4,395,269	$ 560,370
Total, Capital Budget	$ 4,395,269	$ 560,370
Method of Financing (Capital Budget):		
General Revenue Fund		
General Revenue Fund	$ 3,834,899	$ 0
Subtotal, General Revenue Fund	$ 3,834,899	$ 0
Other Funds		
Interagency Contracts	560,370	560,370
Subtotal, Other Funds	$ 560,370	$ 560,370
Total, Method of Financing	$ 4,395,269	$ 560,370

3. **Restriction, Assistance to the Administrative Judicial Regions.** Funds appropriated in Strategy A.1.4, Assistance to Administrative Judicial Regions, may be used only for the payment of salaries of administrative assistants employed by the presiding judges of the Administrative Judicial Regions pursuant to Government Code § 74.050, as amended. The salaries paid the administrative assistants may be supplemented from sources other than appropriations provided by this Act.

4. **Information Regarding Allocation of Full-Time-Equivalent Positions.** The following data regarding allocation of the "Number of Full-Time-Equivalent Positions (FTE)" is provided for informational purposes only, and should not be construed as a cap on the number of FTEs in any one strategy: Strategy A.1.1, Court Administration (36.8 FTEs)[3]; Strategy A.1.2, Information Technology (28.0); Strategy A.1.4, Assistance to Administrative Judicial Regions (2.0 FTEs); Strategy A.2.1, Indigent Defense (10.0 FTEs); Strategy B.1.1, Child Support Courts Program

[3] Includes an additional 3.3 FTEs in FY 2011 due to the enactment of SB 1091 relating to the establishment of the Office of Capital Writs.

(86.5 FTEs); Strategy B.1.2, Child Protection Courts Program (31.0 FTEs); and Strategy C.1.1, Court Reporters Certification Board (3.0 FTEs); and Strategy C.1.3, Guardians and Process Servers (1.0).

5. **Information Services for the Trial Courts.** Out of funds appropriated above in Strategy A.1.2, Information Technology, no less than $4,057,643 shall be dedicated to providing information services for the Trial Courts. In accordance with Government Code § 2175.307 that exempts the Office of Court Administration from certain requirements relating to the disposition of computer equipment, the agency is directed to give preference to a local or state governmental entity in the judicial branch of local or state government when disposing of surplus or salvage computer equipment.

6. **Information Technology Equipment and Services.** It is the intent of the Legislature that the Office of Court Administration provide staff and information technology equipment and services for the Judicial Committee on Information Technology and information technology equipment and services for the appellate courts, State Law Library, Office of the State Prosecuting Attorney, Court Reporters Certification Board, and State Commission on Judicial Conduct subject to funds available within amounts appropriated above for Strategy A.1.2, Information Technology.

7. **District Court Performance Measures.** It is the intent of the Legislature that the Office of Court Administration report data for the district courts on a countywide basis and that the data measure countywide clearance rates for criminal, civil, and juvenile cases and measure age of cases disposed and the backlog index for criminal and civil cases. Further, the Office of Court Administration should revise its reporting system for the trial courts to simplify reporting, improve data collection and compliance, and streamline its annual report of the Texas judicial system.

8. **Appellate Court Performance Measures.** It is the intent of the Legislature that the current performance measures for the appellate courts continue to be used for caseload management by each court in accordance with uniform data reporting standards approved by the courts of appeals. Further, the appellate courts should continuously find ways to operate efficiently without sacrificing the quality of justice while remaining true to the rule of law. Finally, the Office of Court Administration should continue to study whether the statistical data currently reported is presented in a clear, understandable format and what, if any, additional data should be collected.

9. **Assistance to Presiding Judges of the Nine Administrative Judicial Regions.** The Office of Court Administration shall assist the presiding judges of the nine administrative judicial regions in seeking alternative funding, including federal funding, for payments to visiting judges serving in the nine administrative judicial regions.

10. **Interagency Contract for Assigned Judges for Child Protection Courts.** Out of funds appropriated above to Strategy B.1.2, Child Protection Courts Program, the Office of Court Administration may enter into a contract with the Office of the Comptroller for fiscal years 2010 and 2011, for the purpose of reimbursing the Comptroller for amounts expended for judges assigned under Chapter 74, Government Code to hear cases of the Child Protection Courts established pursuant to Subchapter C, Chapter 201, Family Code. It is the intent of the Legislature that any amounts reimbursed under this contract for judges assigned to the Child Protection Courts are in addition to amounts appropriated for the use of assigned judges in Strategy A.1.2, Visiting Judges - Regions in the Judiciary Section, Comptroller's Department.

11. **Indigent Defense.** Except as otherwise provided by Article IX, Section 17.104 of this Act relating to the establishment of the Office of Capital Writs, all amounts deposited into the Fair Defense Account (General Revenue - Dedicated Account No. 5073) are appropriated in Strategy A.2.1, Indigent Defense.[4] Any amounts deposited in excess of $29,614,045 in fiscal year 2010 and $29,065,130 in fiscal year 2011 are hereby appropriated to the Office of Court Administration, Texas Judicial Council for the same purpose. Any unexpended balances in the Fair Defense Account at the end of fiscal year 2009 are hereby appropriated for fiscal year 2010 to the Office of Court Administration, Texas Judicial Council for the same purpose (estimated to be $0). Any unexpended balances in the Fair Defense Account at the end of fiscal year 2010 are hereby appropriated for fiscal year 2011 to the Office of Court Administration, Texas Judicial Council for the same purpose. Included above in Strategy A.2.1, Indigent Defense, is $870,500 in fiscal year 2010 and $870,500 in fiscal year 2011 for the administration of the Task Force on Indigent

[4] Incorporates Article IX, § 17.104, of this Act, due to the enactment of SB 1091, 81st Legislature, Regular Session, relating to the establishment of the Office of Capital Writs, resulting in a decrease of $548,914 in Strategy A.2.1, Indigent Defense, in FY 2011 out of the General Revenue-Dedicated Fair Defense Account No. 5073, due to the transfer of these funds to Strategy A.1.1, Court Administration.

Defense. The Task Force on Indigent Defense shall have authority to make grants to counties from the Fair Defense Account, with funds being disbursed by the Comptroller. In no event shall the appropriation made by this section be used to offset the Office of Court Administration's administrative support provided to the Task Force on Indigent Defense.

12. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the Court Reporters Certification Board cover, at a minimum, the cost of the appropriations made above in Strategy C.1.1, Court Reporters Certification Board, and Strategy C.1.2, TexasOnline, as well as an amount equal to the amount identified above in the informational item "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 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.

13. **Innocence Projects.** Out of amounts appropriated above in Strategy A.2.1, Indigent Defense, $400,000 in each year of the biennium from the General Revenue-Dedicated Fair Defense Account No. 5073 shall be used by the Task Force on Indigent Defense to contract with law schools at the University of Houston, the University of Texas, Texas Tech University, and Texas Southern University for innocence projects. It is the intent of the Legislature that the amount of each contract with each university shall be $100,000. Any unexpended balances in the $400,000 in funds designated for innocence projects as of August 31, 2010 are hereby appropriated to Strategy A.2.1, Indigent Defense for the same purpose for the fiscal year beginning September 1, 2010.

14. **Performance Reporting for the Collection Improvement Program.** The Office of Court Administration shall report on an annual basis the following information to the Legislative Budget Board and the Governor: (1) the number of mandatory programs in operation; (2) the number of mandatory programs not in compliance; (3) the number of voluntary programs in operation; (4) the number of new voluntary programs in operation; (5) the total additional state revenue per voluntary program; and (6) per program revenue from all participating programs. The Office of Court Administration should seek to increase the number of voluntary programs by five each fiscal year.

15. **Lump Sum Payments for Child Support Courts Program.** Included in amounts appropriated above for Strategy B.1.1, Child Support Courts Program, is $50,000 in fiscal year 2010 and $50,000 in fiscal year 2011 shall be used only for the purpose of paying lump sum termination payments for child support court employees in the event of the employee's separation from state employment in accordance with existing statutes and rules governing these payments. Any unexpended balances in appropriations made for this purpose for fiscal year 2010 are appropriated to the Office of Court Administration in fiscal year 2011 for the same purposes.

OFFICE OF THE STATE PROSECUTING ATTORNEY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 425,502	$ 425,502
Interagency Contracts	34,450	34,450
Total, Method of Financing	$ 459,952	$ 459,952
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	5.0	5.0
Schedule of Exempt Positions:		
State Prosecuting Attorney	$125,000	$125,000

OFFICE OF THE STATE PROSECUTING ATTORNEY
(Continued)

Items of Appropriation:		
A. Goal: REPRESENTATION BEFORE CCA		
Representation of the State before the Court of Criminal Appeals.		
A.1.1. Strategy: REPRESENTATION BEFORE CCA	$ 459,952	$ 459,952 & UB
Representation of the State before the Court of Criminal Appeals.		
Grand Total, OFFICE OF THE STATE PROSECUTING ATTORNEY	$ 459,952	$ 459,952
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 410,000	$ 410,000
Other Personnel Costs	11,336	11,336
Professional Fees and Services	1,000	1,000
Consumable Supplies	1,380	1,380
Utilities	6,498	6,498
Travel	3,850	3,850
Rent - Machine and Other	3,000	3,000
Other Operating Expense	19,488	19,488
Capital Expenditures	3,400	3,400
Total, Object-of-Expense Informational Listing	$ 459,952	$ 459,952
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 21,244	$ 21,563
Group Insurance	35,405	38,965
Social Security	32,821	33,313
Benefits Replacement	2,780	2,641
Subtotal, Employee Benefits	$ 92,250	$ 96,482
Debt Service		
Lease Payments	$ 89,266	$ 89,461
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 181,516	$ 185,943

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Office of the State Prosecuting Attorney. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Office of the State Prosecuting Attorney. In order to achieve the objectives and service standards established by this Act, the Office of the State Prosecuting Attorney shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: REPRESENTATION BEFORE CCA		
Outcome (Results/Impact):		
Petitions for Discretionary Review Granted by the Court of Criminal Appeals	20	20

STATE LAW LIBRARY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,084,463	$ 1,083,061
Other Funds		
Appropriated Receipts	42,000	42,000

Interagency Contracts	1,000	1,000
Subtotal, Other Funds	$ 43,000	$ 43,000
Total, Method of Financing	$ 1,127,463	$ 1,126,061
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	13.0	13.0
Schedule of Exempt Positions:		
Director, Group 1	$70,180	$70,180
Items of Appropriation:		
A. Goal: ADMINISTRATION AND OPERATIONS		
A.1.1. Strategy: ADMINISTRATION AND OPERATIONS	$ 1,127,463	$ 1,126,061
Grand Total, STATE LAW LIBRARY	$ 1,127,463	$ 1,126,061
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 591,180	$ 591,180
Other Personnel Costs	7,720	8,480
Consumable Supplies	4,200	4,200
Rent - Building	240	240
Rent - Machine and Other	21,504	21,504
Other Operating Expense	356,187	352,428
Capital Expenditures	146,432	148,029
Total, Object-of-Expense Informational Listing	$ 1,127,463	$ 1,126,061
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 28,300	$ 28,724
Group Insurance	48,094	51,364
Social Security	33,909	34,417
Benefits Replacement	927	880
Subtotal, Employee Benefits	$ 111,230	$ 115,385
Debt Service		
Lease Payments	$ 320,625	$ 321,343
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 431,855	$ 436,728

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the State Law Library. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the State Law Library. In order to achieve the objectives and service standards established by this Act, the State Law Library shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ADMINISTRATION AND OPERATIONS		
Outcome (Results/Impact):		
Percentage of Positive Evaluations of Library Service by Library Users	97%	97%

2. **Appropriation of Receipts: Fees and Service Charges.** Appropriations above in Strategy A.1.1, Administration and Operations, include $42,000 in fiscal year 2010 and $42,000 in fiscal year 2011 from collection of fees and service charges. All receipts collected by the State Law Library as fees and service charges, as authorized pursuant to Government Code § 91.011, in excess of such amounts appropriated above, are hereby appropriated to the State Law Library for the biennium beginning September 1, 2009.

STATE LAW LIBRARY
(Continued)

3. **Interagency Document Delivery and Library Services.** The State Law Library is hereby authorized to enter into interagency contracts with other state agencies and the courts for providing document delivery and library service. Appropriations above in Strategy A.1.1, Administration and Operations, include $1,000 in fiscal year 2010 and $1,000 in fiscal year 2011 in interagency contracts for document delivery and library services. The State Law Library shall charge an amount for this service equal to the cost to the library for providing this service.

4. **Fee Schedule, Duplication Services.** The State Law Library shall set a fee schedule for duplication services to the inmates of the Texas Department of Criminal Justice at the same amount per page as charged to the general public.

5. **Unexpended Balances.** Any unexpended and unobligated balances remaining in Strategy A.1.1, Administration and Operations, as of August 31, 2010, are hereby appropriated for fiscal year 2011, in an amount not to exceed $50,000, to the State Law Library for the purpose of acquiring legal reference materials.

STATE COMMISSION ON JUDICIAL CONDUCT

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,001,626	$ 996,626
Total, Method of Financing	$ 1,001,626	$ 996,626
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	14.0	14.0
Schedule of Exempt Positions:		
Executive Director, Group 3	$110,000	$110,000
Items of Appropriation:		
A. Goal: ADMINISTRATION AND ENFORCEMENT		
A.1.1. Strategy: ADMINISTRATION AND ENFORCEMENT	$ 1,001,626	$ 996,626 & UB
Grand Total, STATE COMMISSION ON JUDICIAL CONDUCT	$ 1,001,626	$ 996,626
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 835,260	$ 835,260
Other Personnel Costs	20,500	15,500
Professional Fees and Services	25,575	25,575
Consumable Supplies	7,000	7,000
Utilities	1,100	1,100
Travel	54,600	54,600
Rent - Building	2,000	2,000
Rent - Machine and Other	2,600	2,600
Other Operating Expense	52,991	52,991
Total, Object-of-Expense Informational Listing	$ 1,001,626	$ 996,626
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 50,411	$ 51,167
Group Insurance	106,258	115,576
Social Security	58,127	58,999
Benefits Replacement	927	880
Subtotal, Employee Benefits	$ 215,723	$ 226,622

Debt Service		
Lease Payments	$ 61,004	$ 61,141
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 276,727	$ 287,763

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the State Commission on Judicial Conduct. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the State Commission on Judicial Conduct. In order to achieve the objectives and service standards established by this Act, the State Commission on Judicial Conduct shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ADMINISTRATION AND ENFORCEMENT		
Outcome (Results/Impact):		
Percentage of Cases Disposed	100%	100%

2. **Unexpended Balances.** The State Commission on Judicial Conduct is hereby authorized to carry forward unexpended balances from fiscal year 2010 into fiscal year 2011.

3. **Formal Proceedings and Appeals.** Out of the amounts appropriated above in Strategy A.1.1, Administration and Enforcement, $21,375 in fiscal year 2010 and $21,375 in fiscal year 2011 are authorized for the expenses of formal proceedings and appeals initiated under the *Procedural Rules for the Removal or Retirement of Judges* promulgated under Texas Constitution, Article V, Section 1-a, notwithstanding other funds expended by the Commission for that purpose. Any unexpended balance of funds authorized under this provision on August 31, 2010 may be allocated for the same purpose and for purposes other than formal proceedings and appeals for the fiscal year beginning September 1, 2010.

4. **Investigator Travel.** Out of funds appropriated above in Strategy A.1.1. Administration and Enforcement, $5,000 in fiscal year 2010 and $5,000 in fiscal year 2011 shall be used only for the purpose of conducting investigator travel within the State of Texas to investigate possible cases of judicial misconduct.

JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund		
General Revenue Fund[1, 2, 3, 4, 5]	$ 87,082,981	$ 87,806,554

[1] Incorporates Article IX, § 17.76, of this Act, due to the enactment of HB 4833, 81st Legislature, Regular Session, relating to the creation of district courts, resulting in an increase in General Revenue of $241,319 and $429,011, in Judicial Fund No. 573 of $174,746 and $310,660, and 3.0 and 5.0 FTEs, in FY 2010 and FY 2011 respectively.
[2] Incorporates Article IX, § 17.120, of this Act, due to the enactment of SB 2298, 81st Legislature, Regular Session, relating to the compensation of certain state employees, resulting in an increase in General Revenue of $33,000 each fiscal year.
[3] Incorporates Article IX, § 17.89, of this Act, due to the enactment of SB 497, 81st Legislature, Regular Session, relating to compensation paid to certain judges and justices, resulting in a transfer of $63,250 per fiscal year in General Revenue from the Office of Court Administration to the Judiciary Section, Comptroller's Department.
[4] Incorporates Article IX, § 17.106, of this Act, due to the enactment of HB 4833, 81st Legislature, Regular Session, relating to the duties and salary of the Swisher County Attorney, resulting in an increase in General Revenue of $85,700 each fiscal year, and in the Judicial Fund No. 573 of $11,250 each fiscal year, and 1.0 FTE each fiscal year for the new professional prosecutor.
[5] Incorporates Article IX, § 17.104, of this Act, due to the enactment of SB 1091, 81st Legislature, Regular Session, relating to the establishment of the Office of Capital Writs, resulting in a transfer of $323,000 in General Revenue in FY 2011 to the Office of Court Administration in Strategy A.1.1, Court Administration, to implement provisions of the legislation.

General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees	1,267,249	1,296,972
Subtotal, General Revenue Fund	$ 88,350,230	$ 89,103,526
Other Funds		
State Highway Fund No. 006	1,052,257	1,075,944
Felony Prosecutor Supplement Fund No. 303	3,759,000	3,759,000
Criminal Justice Grants	1,507,607	1,507,607
Judicial Fund No. 573[6, 7, 8]	49,575,477	49,767,641
Interagency Contracts	207,000	207,000
Subtotal, Other Funds	$ 56,101,341	$ 56,317,192
Total, Method of Financing	$ 144,451,571	$ 145,420,718
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[6, 7]	611.0	613.0
Schedule of Exempt Positions:		
District Judges and Criminal District Judges (Strategy A.1.1.)	(452) $125,000	(454) $125,000
District Attorneys, Criminal District Attorneys and County Attorneys (Strategies B.1.1. and B.1.3.)	(7) 100,000	(7) 100,000
County Attorney Performing the Duties of a District Attorney (Strategy B.1.3.)	71,500	71,500
District Attorneys, Criminal District Attorneys and County Attorneys (Strategy B.1.2.)[7]	(149) 125,000	(149) 125,000
Assistant District Attorneys, Fifty-third Judicial District (Strategy B.1.7.)	(2) 2,808	(2) 2,808
Items of Appropriation:		
A. Goal: JUDICIAL SALARIES AND PAYMENTS		
A.1.1. Strategy: DISTRICT JUDGES[6, 9, 10]	$ 55,753,118	$ 56,076,724
District Judge Salaries. Estimated.		
A.1.2. Strategy: VISITING JUDGES - REGIONS	$ 5,429,445	$ 5,429,445 & UB
Per Gov. Code 74.061(c)(d)(h)(i); 24.006(f); and 32.302.		
A.1.3. Strategy: VISITING JUDGES - APPELLATE	$ 380,618	$ 380,618 & UB
Per Gov. Code 74.061(c)(d).		
A.1.4. Strategy: LOCAL ADMIN. JUDGE SUPPLEMENT	$ 75,000	$ 75,000
Per Gov. Code 659.012(d). Estimated.		
A.1.5. Strategy: DISTRICT JUDGES: TRAVEL	$ 356,000	$ 356,000
Per Gov. Code 24.019.		

[6] Incorporates Article IX, § 17.76, of this Act, due to the enactment of HB 4833, 81st Legislature, Regular Session, relating to the creation of district courts, resulting in an increase in General Revenue of $241,319 and $429,011, in Judicial Fund No. 573 of $174,746 and $310,660, and 3.0 and 5.0 FTEs, in FY 2010 and FY 2011 respectively.
[7] Incorporates Article IX, § 17.106, of this Act, due to the enactment of HB 4833, 81st Legislature, Regular Session, relating to the duties and salary of the Swisher County Attorney, resulting in an increase in General Revenue of $85,700 each fiscal year, and in the Judicial Fund No. 573 of $11,250 each fiscal year, and 1.0 FTE each fiscal year for the new professional prosecutor.
[8] Incorporates Article IX, § 17.106, of this Act, due to the enactment of HB 4833, 81st Legislature, Regular Session, relating to the creation of statutory county courts, resulting in an increase in the Judicial Fund No. 573 of $443,750 and $500,000 in FY 2010 and FY 2011 respectively.
[9] Incorporates Article IX, § 17.120, of this Act, due to the enactment of SB 2298, 81st Legislature, Regular Session, relating to the compensation of certain state employees, resulting in an increase in General Revenue of $33,000 each fiscal year.
[10] Incorporates Article IX, § 17.89, of this Act, due to the enactment of SB 497, 81st Legislature, Regular Session, relating to compensation paid to certain judges and justices, resulting in a transfer of $63,250 per fiscal year in General Revenue from the Office of Court Administration to the Judiciary Section, Comptroller's Department.

A.1.6. Strategy: JUDICIAL SALARY PER DIEM Per Gov. Code 74.003(c), 74.061 & Assigned District Judges. Estimated.	$ 202,000	$ 202,000
Total, Goal A: JUDICIAL SALARIES AND PAYMENTS	$ 62,196,181	$ 62,519,787
B. Goal: PROSECUTOR SALARIES AND PAYMENTS		
B.1.1. Strategy: DISTRICT ATTORNEYS: SALARIES Per Gov. Code 41.013.	$ 1,262,720	$ 1,262,720
B.1.2. Strategy: PROFESSIONAL PROSECUTORS: SALARIES[11] Per Gov. Code 46.002; 46.003; and 46.005.	$ 17,807,120	$ 17,807,120
B.1.3. Strategy: FELONY PROSECUTORS: SALARIES Per Gov. Code 44.220; 45.175; and 45.280.	$ 271,500	$ 271,500
B.1.4. Strategy: PROSECUTORS: SUBCHAPTER C Per Gov. Code 43.180 (Harris) and 41.201(1). Estimated.	$ 136,023	$ 136,023
B.1.5. Strategy: FELONY PROSECUTORS: TRAVEL Per Gov. Code 43.004, NTE $1,750 per County in Multi-County Districts.	$ 210,000	$ 210,000
B.1.6. Strategy: FELONY PROSECUTORS: EXPENSES Felony Prosecutors: Reimbursements for Expenses of Office.	$ 5,338,230	$ 5,338,230
B.1.7. Strategy: TRAVIS CO. ASST. DA SUPPLEMENTS Travis County Assistant District Attorney Salary Supplements.	$ 5,616	$ 5,616
Total, Goal B: PROSECUTOR SALARIES AND PAYMENTS	$ 25,031,209	$ 25,031,209
C. Goal: CO.-LEVEL JUDGES SALARY SUPPLEMENTS County-Level Judges Salary Supplement Programs.		
C.1.1. Strategy: CONST. CO. JUDGE GR/573 SUPPLEMENT Salary Supplement per Gov. Code 26.006. Estimated.	$ 2,115,000	$ 2,115,000
C.1.2. Strategy: CONST. CO. JUDGE 573 SUPPLEMENT Per Gov. Code 26.006 from Receipts per Gov. Code 51.703(d). Estimated.	$ 1,586,695	$ 1,586,695
C.1.3. Strategy: STATUTORY CO. JUDGE 573 SUPPLEMENT[12] Per Gov. Code 25.0015 from Receipts per Gov. Code 51.702(d). Estimated.	$ 17,319,296	$ 17,375,546
C.1.4. Strategy: STATUTORY PROBATE JUDGE SUPPLEMENT Per Gov. Code 25.00211 from Receipts per Gov Code 51.704(c). Estimated.	$ 1,587,000	$ 1,587,000
Total, Goal C: CO.-LEVEL JUDGES SALARY SUPPLEMENTS	$ 22,607,991	$ 22,664,241
D. Goal: SPECIAL PROGRAMS		
D.1.1. Strategy: ASST. PROSECUTOR LONGEVITY PAY Per Gov. Code 41.255(d). Estimated.	$ 3,759,000	$ 3,759,000
D.1.2. Strategy: COUNTY ATTORNEY SUPPLEMENT Per Gov. Code 46.0031. Estimated.	$ 5,342,122	$ 5,342,122
D.1.3. Strategy: WITNESS EXPENSES Per Code of Criminal Procedure 24.28 and 35.27. Estimated.	$ 1,315,000	$ 1,315,000
D.1.4. Strategy: PUBLIC INTEGRITY UNIT, TRAVIS CO Public Integrity Unit, 53rd Judicial District.	$ 3,812,356	$ 3,901,053 & UB

[11] Incorporates Article IX, § 17.106, of this Act, due to the enactment of HB 4833, 81st Legislature, Regular Session, relating to the duties and salary of the Swisher County Attorney, resulting in an increase in General Revenue of $85,700 each fiscal year, and in the Judicial Fund No. 573 of $11,250 each fiscal year, and 1.0 FTE each fiscal year for the new professional prosecutor.

[12] Incorporates Article IX, § 17.106, of this Act, due to the enactment of HB 4833, 81st Legislature, Regular Session, relating to the creation of statutory county courts, resulting in an increase in the Judicial Fund No. 573 of $443,750 and $500,000 in FY 2010 and FY 2011 respectively.

D.1.5. Strategy: SPECIAL PROSECUTION UNIT, WALKER CO	$ 5,507,565	$ 5,427,141
Special Prosecution Unit, Walker County.		
D.1.6. Strategy: DEATH PENALTY REPRESENTATION[13]	$ 323,000	$ 0
Death Penalty Habeas Representation. Estimated.		
D.1.7. Strategy: NATIONAL CENTER FOR STATE COURTS	$ 344,471	$ 361,348 & UB
National Center for State Courts. Estimated.		
D.1.8. Strategy: JUROR PAY	$ 10,802,000	$ 10,802,000 & UB
Juror Pay. Estimated.		
D.1.9. Strategy: SEX OFFENDER TREATMT. & SUPERVISION	$ 3,183,676	$ 4,070,817
Sex Offender Treatment and Supervision.		
D.1.10. Strategy: INDIGENT INMATE DEFENSE	$ 50,000	$ 50,000 & UB
Per Code of Criminal Procedure 26.051(i). Estimated.		
D.1.11. Strategy: MONTGOMERY CO - 435TH DIST CT STAFF	$ 177,000	$ 177,000
Per Gov. Code 24.579(c).		
Total, Goal D: SPECIAL PROGRAMS	$ 34,616,190	$ 35,205,481
Grand Total, JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT	$ 144,451,571	$ 145,420,718
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 86,410,584	$ 86,814,853
Other Personnel Costs	1,632,853	1,549,752
Professional Fees and Services	1,081,783	1,081,783
Fuels and Lubricants	82,550	82,700
Consumable Supplies	72,190	72,190
Utilities	53,446	53,446
Travel	697,690	697,690
Rent - Building	357,325	367,886
Rent - Machine and Other	27,809	27,809
Other Operating Expense	2,316,299	2,333,176
Grants	51,719,042	52,339,433
Total, Object-of-Expense Informational Listing	$ 144,451,571	$ 145,420,718
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,266,582	$ 1,285,581
Group Insurance	7,139,271	7,795,817
Social Security	5,312,291	5,391,976
Benefits Replacement	297,056	282,203
Subtotal, Employee Benefits	$ 14,015,200	$ 14,755,577
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 14,015,200	$ 14,755,577

1. **Appropriation Source.** Pursuant to Government Code § 21.006, all revenues to, and fund balances in, the Judicial Fund No. 573, which are not deposited into the Basic Civil Legal Services Account, are hereby appropriated to the Judiciary Section, Comptroller's Department. In the event that revenues into Fund No. 573 during a fiscal year exceed the amount identified in the Method of Financing as being appropriated out of Fund No. 573 in this Act for that fiscal year the difference shall be appropriated to the Judiciary Section, Comptroller's Department and the General Revenue Fund appropriation for that fiscal year shall be reduced by a like amount (estimated to be $0).

[13] Incorporates Article IX, § 17.104, of this Act, due to the enactment of SB 1091, 81st Legislature, Regular Session, relating to the establishment of the Office of Capital Writs, resulting in a transfer of $323,000 in General Revenue in FY 2011 to the Office of Court Administration in Strategy A.1.1, Court Administration, to implement provisions of the legislation.

2. **Salary Limitation, District Judges.** Funds appropriated above in Strategy A.1.1, District Judges shall be expended for the payment of the state salary for each district judge. Unless otherwise provided by law, in no event shall the aggregate, excluding any county supplement, of the state paid salary and any service retirement annuity paid pursuant to Government Code, Chapter 834 exceed the base salary for any district court judge during any twelve month period. If a district judge draws a salary as a district judge and a retirement annuity pursuant to Government Code, Chapter 834, and the combined amounts exceed the annual base salary for a district judge, the amount expended out of Strategy A.1.1, District Judges for the state salary of that district judge shall be reduced by an amount which will bring the total amount received by the judge to the base salary paid a district judge for a 12 month period. This provision does not apply to either retired or former judges or justices called to duty as visiting judges pursuant to Government Code, Chapters 74 and 75 and § 24.604 of the Government Code.

3. **Public Integrity Unit: Appropriation Source, Unexpended Balances, and Performance Reporting.** Out of the funds appropriated above in Strategy D.1.4, Public Integrity Unit, Travis County, the following amounts are appropriated specifically to the Public Integrity Unit for the following purposes:

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Motor Fuel Tax Fraud Investigations	$ 1,052,257	$ 1,075,944 & UB
Method of Financing, State Highway Fund No. 006		
Insurance Fraud Investigations	1,267,249	$ 1,296,972 & UB
Method of Financing, General Revenue Fund - Insurance Companies Maintenance Tax and Insurance Department Fees		
General State Government Investigations	1,492,850	1,528,137 & UB
Method of Financing, General Revenue Fund		
Total, Method of Financing	$ 3,812,356	$ 3,901,053 & UB

In no event shall the funds granted to the Public Integrity Unit exceed the amounts specified. In no event shall any funds appropriated above out of Judicial Fund No. 573 be allocated to the Public Integrity Unit. Any unexpended balances from appropriations made to the Public Integrity Unit for fiscal year 2010 are appropriated to the Public Integrity Unit for fiscal year 2011 for the same purposes.

The Public Integrity Unit shall submit a report each January 1 to the Legislative Budget Board and the Governor for the preceding fiscal year ending August 31. The report must be in a format prescribed by the Legislative Budget Board and the Governor and must include annual statistical information on fraud investigations of the Public Integrity Unit.

4. **Special Prosecution Unit: Appropriation Source, Unexpended Balances and Performance Reporting.** Out of the funds appropriated above in Strategy D.1.5, Special Prosecution Unit, Walker County and under the authority of Article 104.003, Code of Criminal Procedure, and Article V, § 21 of the Texas Constitution, Walker County, the following amounts are appropriated to the Special Prosecution Unit for the payment of salaries and other necessary expenses for the operation of the Special Prosecution Unit for the following purposes:

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Criminal Division	$ 1,810,897	$ 1,730,473

Civil Division	2,887,883	2,887,883
Juvenile Division	808,785	808,785
	$ 5,507,565	5,427,141
Method of Financing		
General Revenue	$ 3,999,958	$ 3,919,534
		&UB
Criminal Justice Division Grants	$ 1,507,607	$ 1,507,607
Total, Method of Financing	$ 5,507,565	$ 5,427,141

Funds for the Criminal Division are to be used for the investigation and prosecution of felony offenses committed by prisoners of the Texas Department of Criminal Justice; and, for the investigation and prosecution of other felonies and misdemeanors committed by agency employees and others when criminal conduct affects the operation of the agency in the various counties of the State where Texas Department of Criminal Justice facilities are located. Funds for the Civil Division are to be used for the civil commitment of sexually violent predators. Funds for the Juvenile Division are to be used for the prosecution of criminal offenses or delinquent conduct committed in facilities of the Texas Youth Commission.

The funds appropriated above in Strategy D.1.5, Special Prosecution Unit, Walker County shall be used to employ the services of legal and support staff plus the payment of their necessary capital and operating expenses in carrying out the purposes of the Special Prosecution Unit as established by its Board of Directors.

Walker County is the designated agency to administer the funds provided for the support of the Special Prosecution Unit. Walker County shall submit a voucher containing an itemized statement of expenses to include salaries, fringe benefits and authorized expenses incurred to the Judiciary Section, Comptroller's Department each month of the fiscal year. Such vouchers shall be reviewed by the Walker County Auditor's Office to ensure compliance with applicable state and county regulation concerning the expenditures of public funds. Upon receipt of said vouchers, the Judiciary Section, Comptroller's Department shall issue warrants each month to reimburse Walker County. The total reimbursement each year shall not exceed the amount appropriated.

Any unexpended balances from appropriations out of the General Revenue Fund made to the Special Prosecution Unit for fiscal year 2010 are appropriated to the Special Prosecution Unit in fiscal year 2011 for the same purposes.

The Special Prosecution Unit shall submit a report each January 1 to the Legislative Budget Board and the Governor for the preceding fiscal year ending August 31. The report must be in a format prescribed by the Legislative Budget Board and the Governor and must include annual statistical information on activities of the Special Prosecution Unit.

5. **Witness Expenses.** The appropriation made above to the Judiciary Section, Comptroller's Department for the payment of witness expenses under the Code of Criminal Procedure is based on legislative intent that such expenses are not paid at rates that exceed the maximum rates provided by law for state employees.

6. **Felony Prosecutors: Expenses.** For the payment of salaries of assistant district attorneys, investigators and/or secretarial help and expenses, including travel for these personnel as determined by the prosecutors designated in Strategies B.1.l, B.1.2, B.l.3, and B.1.4. Reimbursement shall be limited to expenses for supplies or items that would normally be consumed or utilized within the fiscal year for which the funds in this item are designated. Payments shall not exceed $34,450 per district per year in multi-county districts and $17,050 per district per year in single-county districts and $34,450 for both multi-county and single-county districts for those district attorneys, criminal district attorneys and county attorneys performing the duties of a district attorney prohibited from the private practice of law per Government Code, Chapter 46; and shall be made available in three equal installments issued on the first day of September, January and May of each fiscal year. These payments shall be made directly to the district attorney, criminal district attorney, or county attorney for the purposes of disbursement as required by the attorney. The attorney receiving these payments shall be responsible to the Comptroller for accounting for all expenditures of these funds.

7. **Administration of Visiting Judge Strategies.** It is the intent of the Legislature that the Judiciary Section, Comptroller's Department shall maintain a system to account for all expenditures in each

fiscal year made for the services of 1) visiting former judges serving in the judicial regions, 2) visiting former judges serving in the appellate courts, 3) visiting retired judges serving in the judicial regions, and 4) visiting retired judges serving in the appellate courts.

8. **Interagency Contract for Sex Offender Treatment and Supervision.** Out of amounts appropriated above to Strategy D.1.9, Sex Offender Treatment and Supervision, the Judiciary Section, Comptroller's Department shall enter into a contract in the amounts of $3,183,676 in fiscal year 2010 and $4,070,817 in fiscal year 2011 with the Department of State Health Services for persons under civil commitment as sex offenders requiring continued treatment and supervision.

9. **Longevity Pay.** Out of the amounts appropriated above in Strategy A.1.1, District Judge Salaries, an estimated $476,000 in fiscal year 2010 and an estimated $497,000 in fiscal year 2011 is provided to fund longevity pay for district judges under the provisions of Government Code § 659.0445.

10. **Public Integrity Unit.** In Strategy D.1.4, Public Integrity Unit, Judiciary Section, Comptroller's Department, warrants shall be drawn as necessary to reimburse the District Attorney of the 53rd Judicial District for salary and expenses previously incurred. The District Attorney shall submit a voucher containing an itemized statement of expenses to substantiate each claim. This appropriation shall be allocated in three equal installments over the fiscal year. Any unencumbered, unexpended balance existing in a previous allocation period may be used in a subsequent period provided that period occurs within the same biennium.

RETIREMENT AND GROUP INSURANCE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund, estimated	$ 51,467,684	$ 52,438,741
General Revenue Dedicated Accounts, estimated	73,851	77,424
Other Special State Funds, estimated	4,710,185	4,869,928
Total, Method of Financing	$ 56,251,720	$ 57,386,093
Items of Appropriation:		
A. Goal: EMPLOYEES RETIREMENT SYSTEM		
A.1.1. Strategy: RETIREMENT CONTRIBUTIONS Retirement Contributions. Estimated.	$ 3,663,420	$ 3,718,372
A.1.2. Strategy: GROUP INSURANCE Group Insurance. Estimated.	$ 12,417,584	$ 13,497,004
A.1.3. Strategy: JUDICIAL RETIREMENT SYSTEM - PLAN 2 Judicial Retirement System - Plan 2. Estimated.	$ 11,258,590	$ 11,258,590
A.1.4. Strategy: JUDICIAL RETIREMENT SYSTEM - PLAN 1 Judicial Retirement System - Plan 1. Estimated.	$ 28,912,126	$ 28,912,127
Total, Goal A: EMPLOYEES RETIREMENT SYSTEM	$ 56,251,720	$ 57,386,093
Grand Total, RETIREMENT AND GROUP INSURANCE	$ 56,251,720	$ 57,386,093

SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund, estimated	$ 7,341,717	$ 7,419,875
General Revenue Dedicated Accounts, estimated	38,791	39,238
Other Special State Funds, estimated	2,247,065	2,280,239
Total, Method of Financing	$ 9,627,573	$ 9,739,352
Items of Appropriation:		
A. Goal: SOCIAL SECURITY/BENEFIT REPLACEMENT		
Comptroller - Social Security.		
A.1.1. Strategy: STATE MATCH -- EMPLOYER	$ 9,125,509	$ 9,262,392
State Match — Employer. Estimated.		
A.1.2. Strategy: BENEFIT REPLACEMENT PAY	$ 502,064	$ 476,960
Benefit Replacement Pay. Estimated.		
Total, Goal A: SOCIAL SECURITY/BENEFIT REPLACEMENT	$ 9,627,573	$ 9,739,352
Grand Total, SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY	$ 9,627,573	$ 9,739,352

LEASE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 2,468,899	$ 2,474,391
Total, Method of Financing	$ 2,468,899	$ 2,474,391
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: LEASE PAYMENTS	$ 2,468,899	$ 2,474,391 & UB
To TFC for Payment to TPFA.		
Grand Total, LEASE PAYMENTS	$ 2,468,899	$ 2,474,391

SPECIAL PROVISIONS - JUDICIARY

Sec. 2. Judicial Salary Enforcement. Each District Court Judge and Justice of the Courts of Appeals shall file a sworn statement with the Comptroller of Public Accounts setting forth the yearly amounts to be received from state and county as salary payments during the ensuing fiscal year. Amended statements shall be filed setting forth any change in the salary rate which occurs during a fiscal year.

For the purpose of salary payments by the state, the Comptroller of Public Accounts shall determine from the filed statements that the required salary differential set out in Government Code § 659.012 is maintained, unless otherwise provided by law. In the event a salary is in excess of the differential provided by law, the Comptroller is directed to reduce the state's portion of that salary by the amount of excess.

The appropriations for salaries of District Court Judges and Justices of Courts of Appeals are made contingent upon strict compliance with the provisions of this section and the Comptroller shall have no authority to issue a warrant for salaries which violate these provisions.

Sec. 3. Restriction, New District Courts. No new district court may be funded until it has been approved by the commissioner's court of the county or a majority of the counties in that district.

Sec. 4. Transfer of Cases. The Chief Justices of the 14 Courts of Appeals are encouraged to cooperate with the Chief Justice of the Supreme Court to transfer cases between appellate courts which are in neighboring jurisdictions in order to equalize the disparity between the workloads of the various courts of appeals.

Sec. 5. Systems Compatibility. No funds shall be utilized to purchase information technology unless it interfaces with other courts and with the Office of Court Administration and complies with the plans filed with the Legislative Budget Board.

Sec. 6. Judicial Internship Program. It is the intent of the Legislature that the Judicial Branch cooperate with law schools to establish a judicial internship program for Texas appellate and trial courts. All of the employees and officials of the Judicial Branch of government are encouraged to work with the Texas Judicial Council in the development of the judicial internship program.

Sec. 7. Appellate Court Exemptions. The following provisions of Article IX of this Act do not apply to the appellate courts:

a. Article IX, § 5.08, Limitation on Travel Expenditures
b. Article IX, § 6.10, Limitation on State Employment Levels
c. Article IX, § 6.12, Performance Rewards and Penalties
d. Article IX, §14.03, Limit on Expenditures - Capital Budget

Sec. 8. Appropriation: Unexpended Balances Between Fiscal Years within the Biennium. Any unexpended balances from appropriations made to the appellate courts for fiscal year 2010 are hereby appropriated to the same court for fiscal year 2011 for the same purposes.

Sec. 9. Intermediate Appellate Court Local Funding Information. The Office of Court Administration shall assist the appellate courts in the submission of a report for local funding information each January 1 to the Legislative Budget Board and the Governor for the preceding fiscal year ending August 31. The report must be in a format prescribed by the Legislative Budget Board and the Governor.

Sec. 10. Appellate Court Salary Limits. It is the intent of the Legislature that no intermediate appellate court may pay more than one chief staff attorney promoted or hired after September 1, 2010, more than $92,400 annually under this provision. Further, it is the intent of the Legislature that no intermediate appellate court may pay other permanent legal staff hired or promoted after September 1, 2010 more than $79,750 annually. This provision does not apply to law clerk positions at any appellate court.

Sec. 11. Interagency Contracts for Assigned Judges for Appellate Courts. Out of funds appropriated in this Article to Strategies A.1.1, Appellate Court Operations, the Supreme Court of Texas, the Court of Criminal Appeals, or any of the 14 Courts of Appeals may enter into a contract with the Office of the Comptroller for fiscal years 2010 and 2011, for the purpose of reimbursing the Comptroller for amounts expended for judges assigned under Chapter 74, Government Code to hear cases of the appellate courts. It is the intent of the Legislature that any amounts reimbursed under this contract for judges assigned to the appellate courts are in addition to amounts appropriated for the use of assigned judges in Strategy A.1.3, Visiting Judges - Appellate in the Judiciary Section, Comptroller's Department.

Sec. 12. Appellate Court Transfer Authority. The Chief Justice of the Supreme Court of Texas, the Presiding Judge of the Court of Criminal Appeals, or the Chair of the Council of Chief Justices is authorized to transfer funds between appellate courts, notwithstanding any other provision in this Act and subject to prior approval of any transfer of funds by the Legislative Budget Board and the Governor. Any such transfer shall be made for the purpose of efficient and effective appellate court operations and management of court caseloads. It is the intent of the Legislature that transfers made under this provision are addressed by the Legislative Budget Board and the Governor in reviewing amounts requested in the appellate courts' Legislative Appropriations Request for the 2012-13 biennium.

Sec. 13. Schedule of Exempt Positions. Notwithstanding other provisions of this bill, including Article IX, § 3.05 setting maximum salaries for exempt positions, the Chief Justice of the Supreme Court of Texas may set the rate of compensation for the Administrative Director of the Office of Court Administration in an amount not to exceed the Maximum Salary but no less than the Minimum Salary

for the appropriate salary group for the Administrative Director as listed in the bill pattern for the Office of Court Administration, Schedule of Exempt Positions. Any salary increase from appropriated funds within the limits provided by this provision must be in writing; signed by the Chief Justice of the Supreme Court of Texas; and submitted to the Governor, the Legislative Budget Board and the Comptroller.

Sec. 14. Children's Justice Grants to States. As grant administrator designated by the Governor for the Children's Justice Grant to States (CFDA 93.643), the Texas Center for the Judiciary shall file a report with the Legislative Budget Board and the Governor within 90 days following August 31 of each fiscal year showing disbursements, the purpose of each disbursement, and compliance with grant conditions.

RECAPITULATION - ARTICLE IV
THE JUDICIARY
(General Revenue)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Supreme Court of Texas	$ 16,800,014	$ 16,719,574
Court of Criminal Appeals	4,891,167	4,856,357
First Court of Appeals District, Houston	3,404,463	3,670,002
Second Court of Appeals District, Fort Worth	2,528,882	2,778,416
Third Court of Appeals District, Austin	2,207,019	2,445,386
Fourth Court of Appeals District, San Antonio	2,619,314	2,774,736
Fifth Court of Appeals District, Dallas	4,678,875	5,030,843
Sixth Court of Appeals District, Texarkana	1,227,197	1,359,347
Seventh Court of Appeals District, Amarillo	1,510,296	1,664,068
Eighth Court of Appeals District, El Paso	1,223,125	1,364,467
Ninth Court of Appeals District, Beaumont	1,506,948	1,657,668
Tenth Court of Appeals District, Waco	1,194,812	1,355,507
Eleventh Court of Appeals District, Eastland	1,218,847	1,359,347
Twelfth Court of Appeals District, Tyler	1,278,884	1,355,507
Thirteenth Court of Appeals District, Corpus Christi-Edinburg	2,221,635	2,453,065
Fourteenth Court of Appeals District, Houston	3,425,424	3,678,642
Office of Court Administration, Texas Judicial Council	14,381,403	10,842,217
Office of the State Prosecuting Attorney	425,502	425,502
State Law Library	1,084,463	1,083,061
State Commission on Judicial Conduct	1,001,626	996,626
Judiciary Section, Comptroller's Department	88,350,230	89,103,526
Subtotal, Judiciary	$ 157,180,126	$ 156,973,864
Retirement and Group Insurance	51,467,684	52,438,741
Social Security and Benefit Replacement Pay	7,341,717	7,419,875
Subtotal, Employee Benefits	$ 58,809,401	$ 59,858,616
Lease Payments	2,468,899	2,474,391
TOTAL, ARTICLE IV - THE JUDICIARY	$ 218,458,426	$ 219,306,871

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE IV
THE JUDICIARY
(General Revenue - Dedicated)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Supreme Court of Texas	$ 750,000	$ 1,250,000
Office of Court Administration, Texas Judicial Council	29,614,045	29,614,044
Subtotal, Judiciary	$ 30,364,045	$ 30,864,044
Retirement and Group Insurance	73,851	77,424
Social Security and Benefit Replacement Pay	38,791	39,238
Subtotal, Employee Benefits	$ 112,642	$ 116,662
TOTAL, ARTICLE IV - THE JUDICIARY	$ 30,476,687	$ 30,980,706

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE IV
THE JUDICIARY
(Federal Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Supreme Court of Texas	$ 3,077,132	$ 1,913,566
Subtotal, Judiciary	$ 3,077,132	$ 1,913,566
TOTAL, ARTICLE IV - THE JUDICIARY	$ 3,077,132	$ 1,913,566

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE IV
THE JUDICIARY
(Other Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Supreme Court of Texas	$ 10,217,716	$ 10,216,716
Court of Criminal Appeals	9,907,546	10,807,546
First Court of Appeals District, Houston	324,550	324,550
Second Court of Appeals District, Fort Worth	287,050	287,050
Third Court of Appeals District, Austin	234,900	234,900
Fourth Court of Appeals District, San Antonio	264,050	264,050
Fifth Court of Appeals District, Dallas	425,950	425,950
Sixth Court of Appeals District, Texarkana	96,450	96,450
Seventh Court of Appeals District, Amarillo	130,600	130,600
Eighth Court of Appeals District, El Paso	125,450	125,450
Ninth Court of Appeals District, Beaumont	130,600	130,600
Tenth Court of Appeals District, Waco	102,450	102,450
Eleventh Court of Appeals District, Eastland	100,450	100,450
Twelfth Court of Appeals District, Tyler	98,950	98,950
Thirteenth Court of Appeals District, Corpus Christi-Edinburg	236,900	236,900
Fourteenth Court of Appeals District, Houston	327,389	327,389
Office of Court Administration, Texas Judicial Council	4,992,084	4,998,406
Office of the State Prosecuting Attorney	34,450	34,450
State Law Library	43,000	43,000
Judiciary Section, Comptroller's Department	56,101,341	56,317,192
Subtotal, Judiciary	$ 84,181,876	$ 85,303,049
Retirement and Group Insurance	4,710,185	4,869,928
Social Security and Benefit Replacement Pay	2,247,065	2,280,239
Subtotal, Employee Benefits	$ 6,957,250	$ 7,150,167
Less Interagency Contracts	$ 8,022,750	$ 8,028,852
TOTAL, ARTICLE IV - THE JUDICIARY	$ 83,116,376	$ 84,424,364

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE IV
THE JUDICIARY
(All Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Supreme Court of Texas	$ 30,844,862	$ 30,099,856
Court of Criminal Appeals	14,798,713	15,663,903
First Court of Appeals District, Houston	3,729,013	3,994,552
Second Court of Appeals District, Fort Worth	2,815,932	3,065,466
Third Court of Appeals District, Austin	2,441,919	2,680,286
Fourth Court of Appeals District, San Antonio	2,883,364	3,038,786
Fifth Court of Appeals District, Dallas	5,104,825	5,456,793
Sixth Court of Appeals District, Texarkana	1,323,647	1,455,797
Seventh Court of Appeals District, Amarillo	1,640,896	1,794,668
Eighth Court of Appeals District, El Paso	1,348,575	1,489,917
Ninth Court of Appeals District, Beaumont	1,637,548	1,788,268
Tenth Court of Appeals District, Waco	1,297,262	1,457,957
Eleventh Court of Appeals District, Eastland	1,319,297	1,459,797
Twelfth Court of Appeals District, Tyler	1,377,834	1,454,457
Thirteenth Court of Appeals District, Corpus Christi-Edinburg	2,458,535	2,689,965
Fourteenth Court of Appeals District, Houston	3,752,813	4,006,031
Office of Court Administration, Texas Judicial Council	48,987,532	45,454,667
Office of the State Prosecuting Attorney	459,952	459,952
State Law Library	1,127,463	1,126,061
State Commission on Judicial Conduct	1,001,626	996,626
Judiciary Section, Comptroller's Department	144,451,571	145,420,718
Subtotal, Judiciary	$ 274,803,179	$ 275,054,523
Retirement and Group Insurance	56,251,720	57,386,093
Social Security and Benefit Replacement Pay	9,627,573	9,739,352
Subtotal, Employee Benefits	$ 65,879,293	$ 67,125,445
Lease Payments	2,468,899	2,474,391
Less Interagency Contracts	$ 8,022,750	$ 8,028,852
TOTAL, ARTICLE IV - THE JUDICIARY	$ 335,128,621	$ 336,625,507
Number of Full-Time-Equivalents (FTE)	1,399.3	1,420.1

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

ARTICLE V

PUBLIC SAFETY AND CRIMINAL JUSTICE

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated public safety and criminal justice agencies.

ADJUTANT GENERAL'S DEPARTMENT

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 15,500,653	$ 15,535,862
Federal Funds		
Adjutant General Federal Fund No. 449	103,515,372	38,728,952
Federal Funds	270,000	270,000
Subtotal, Federal Funds	$ 103,785,372	$ 38,998,952
Other Funds		
Appropriated Receipts	258,000	258,000
Current Fund Balance	4,781,111	725,773
Bond Proceeds - General Obligation Bonds	2,491,650	4,043,350
Interagency Contracts - Transfer from Foundation School Fund No. 193	175,000	175,000
Subtotal, Other Funds	$ 7,705,761	$ 5,202,123
Total, Method of Financing	$ 126,991,786	$ 59,736,937
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	619.0	619.0
Schedule of Exempt Positions:		
Adjutant General, Group 5	$139,140	$139,140
Items of Appropriation:		
A. Goal: OPERATIONS RESPONSE		
Provide a Professional Force Capable of Response.		
A.1.1. Strategy: STATE ACTIVE DUTY - DISASTER	$ 1,000,000	$ 1,000,000
Respond to Disaster Relief/Emergency Missions.		
A.1.2. Strategy: STATE MISSIONS AND TRAINING	$ 637,280	$ 637,280
Homeland Security, Humanitarian, and Preparedness Training/Response.		
A.1.3. Strategy: TEXAS STATE GUARD	$ 594,793	$ 618,992
Total, Goal A: OPERATIONS RESPONSE	$ 2,232,073	$ 2,256,272
B. Goal: OPERATIONS SUPPORT		
Provide Adequate Facilities for Operations Training.		
B.1.1. Strategy: FACILITIES MAINTENANCE	$ 21,360,541	$ 22,565,583
B.1.2. Strategy: NEW FACILITY CONSTRUCTION	$ 69,093,960	$ 573,000
B.1.3. Strategy: DEBT SERVICE	$ 2,297,289	$ 2,334,159
B.1.4. Strategy: UTILITIES	$ 7,716,945	$ 7,716,945
Pay All Utilities.		
Total, Goal B: OPERATIONS SUPPORT	$ 100,468,735	$ 33,189,687

C. Goal: COMMUNITY SUPPORT		
Community Support and Involvement.		
C.1.1. Strategy: YOUTH EDUCATION PROGRAMS	$ 2,785,400	$ 2,785,400
Train Youth in Specialized Education Programs.		
C.1.2. Strategy: ENVIRONMENTAL CLEAN-UP	$ 3,452,800	$ 3,452,800
Conduct Clean-up and Compliance Activities.		
C.1.3. Strategy: STATE MILITARY TUITION ASSISTANCE	$ 2,000,000	$ 2,000,000
State Military Tuition Payment Assistance.		
Total, Goal C: COMMUNITY SUPPORT	$ 8,238,200	$ 8,238,200
D. Goal: INDIRECT ADMINISTRATION		
D.1.1. Strategy: INDIRECT ADMINISTRATION	$ 16,052,778	$ 16,052,778
Grand Total, ADJUTANT GENERAL'S DEPARTMENT	$ 126,991,786	$ 59,736,937
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 22,756,492	$ 22,693,451
Other Personnel Costs	1,019,740	1,043,940
Professional Fees and Services	10,368,761	2,685,093
Fuels and Lubricants	64,575	64,575
Consumable Supplies	251,432	251,432
Utilities	11,033,215	11,033,215
Travel	586,300	586,300
Rent - Building	418,736	418,736
Rent - Machine and Other	599,711	599,711
Debt Service	1,979,206	1,985,069
Other Operating Expense	8,206,128	8,248,146
Client Services	2,016,800	2,016,800
Capital Expenditures	67,690,690	8,110,469
Total, Object-of-Expense Informational Listing	$ 126,991,786	$ 59,736,937
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,448,264	$ 1,469,988
Group Insurance	3,700,846	3,994,902
Social Security	1,945,433	1,974,614
Benefits Replacement	107,864	102,471
Subtotal, Employee Benefits	$ 7,202,407	$ 7,541,975
Debt Service		
TPFA GO Bond Debt Service	$ 1,459,343	$ 2,322,523
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 8,661,750	$ 9,864,498

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Adjutant General's Department. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Adjutant General's Department. In order to achieve the objectives and service standards established by this Act, the Adjutant General's Department shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: OPERATIONS RESPONSE		
Outcome (Results/Impact):		
Percent of Eligible Texas National Guard Personnel Who Are Retained	80%	80%
A.1.1. Strategy: STATE ACTIVE DUTY - DISASTER		
Output (Volume):		
Assigned Texas National Guard Strength	24,100	24,360

B. Goal: OPERATIONS SUPPORT		
Outcome (Results/Impact):		
Percent of Needed Routine or Preventive Maintenance Completed	75%	75%
Percent of Facilities That Comply with Texas Accessibility Standards	29%	37%
B.1.1. Strategy: FACILITIES MAINTENANCE		
Efficiencies:		
Average Maintenance Cost Per Square Foot of All Buildings	3	3.1
Explanatory:		
Number of Facilities Maintained	605	581
B.1.4. Strategy: UTILITIES		
Efficiencies:		
Utilities Cost Per Square Foot, All Buildings	1.24	1.24
C. Goal: COMMUNITY SUPPORT		
Outcome (Results/Impact):		
Percent of Students Completing Specialized Education Programs	93%	93%

2. **Capital Budget.** None of the general revenue funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. This rider does not limit the use of federal funds obtained by the department.

	2010	2011
a. Acquisition of Land and Other Real Property	$ 400,000	$ 0
b. Construction of Buildings and Facilities	68,693,960	573,000
c. Repair or Rehabilitation of Buildings and Facilities	6,262,808	7,165,777
d. Acquisition of Information Resource Technologies	125,000	125,000
e. Transportation Items	91,473	100,621
f. Acquisition of Capital Equipment and Items	345,930	269,362
Total, Capital Budget	$ 75,919,171	$ 8,233,760
Method of Financing (Capital Budget):		
General Revenue Fund	$ 674,500	$ 686,430
Adjutant General Federal Fund No. 449	68,584,950	3,365,077
Other Funds		
Current Fund Balance	4,168,071	138,903
Bond Proceeds - General Obligation Bonds	2,491,650	4,043,350
Subtotal, Other Funds	$ 6,659,721	$ 4,182,253
Total, Method of Financing	$ 75,919,171	$ 8,233,760

3. **Support and Maintenance Expenditures.** It is hereby provided that all monies currently appropriated to the Adjutant General's Department for support and maintenance of the Texas National Guard are authorized for like expenditures for the support and maintenance, including organization, of units of the Texas State Guard supplementing the Texas National Guard or replacing National Guard units inducted into federal service.

4. **Transferability.** The Adjutant General's Department is hereby authorized to transfer such amounts as may be necessary from one strategy to another strategy. No transfers shall be made into Strategy B.1.3, Debt Service. No transfer of federal reimbursements for state active duty shall be made out of Strategy A.1.1, State Active Duty - Disaster.

5. **Travel Limitations.** Subject to the travel limitations set out in the General Provisions of this Act, the Adjutant General's Department shall pay the travel expenses of members of the National Guard when said members are acting as official representatives of the Adjutant General's Department on behalf of the Texas National Guard.

6. **Payment of Travel - Limitation.** None of the funds appropriated above may be expended for the payment of travel of any officer or employee, except the Adjutant General of the State of Texas, Assistant Adjutant General-Army, Assistant Adjutant General-Air, and State Judge Advocate or the Adjutant General's designee for any one of these officers, to meetings of the National Guard Association of the United States.

7. **Armory Closure.** The Adjutant General shall not close any armories due solely to insufficient funds to pay for utilities without providing 30 days prior written notification to the Legislative Budget Board and the Governor's Office.

8. **Armory Utilities.** The Adjutant General's Department shall study each armory to ensure utility costs are kept to a minimum and the Adjutant General's Department shall charge rental fees for armories that are comparable to fees charged for similar facilities in the area where the armory is located. In any case, the rent charged must be adequate to recover any additional utility costs associated with the rental of the armory.

9. **Quarters and Utilities Allowance.** The Adjutant General, Assistant Adjutant General-Air, and the Assistant Adjutant General-Army are authorized to live in state-owned housing and are exempt from paying housing costs. The Adjutant General's Department may also allocate existing department housing to other department employees with a demonstrated need based on location and job description at a rate in accordance with Article IX, § 11.05 of this Act. Fees for employee housing are hereby appropriated to be used for maintaining employee housing.

10. **Federally Funded Projects.** Federal funds for any 100 percent federally funded project are hereby appropriated, and related additional travel expenditures are authorized.

11. **Appropriation - Billet Receipts.** Any billet receipts in excess of $258,000 in fiscal year 2010 and $258,000 in fiscal year 2011 (included in Appropriated Receipts above) are hereby appropriated for use in Strategy B.1.1, Facilities Maintenance (estimated to be $0).

12. **Unexpended Balances, Payments to National Guard for State Active Duty.** Any unexpended balances as of August 31, 2010, in Strategy A.1.1, State Active Duty - Disaster, for payments to the National Guard for State Active Duty, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

13. **Cash Flow Contingency.** Contingent upon the receipt of federal funds and the approval of the Legislative Budget Board and the Governor's Office, the Adjutant General's Department may temporarily utilize additional general revenue funds, pending receipt of federal reimbursement, in an amount not to exceed $10,000,000 in each fiscal year of the biennium. The request to access the additional funds by the Adjutant General's Department shall include justification for the additional funds. The general revenue amounts utilized above the department's general revenue method of finance must be repaid upon receipt of federal reimbursement and shall be utilized only for the purpose of temporary cash flow needs. At the end of each fiscal year, the $10,000,000 must be repaid by November 30 of the following fiscal year. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be in accordance with procedures established by the Comptroller of Public Accounts.

14. **Travel Limitations - State Guard.** Subject to the travel limitations set out in the General Provisions of this Act, the Adjutant General's Department may pay the travel expenses of members of the Texas State Guard when said members are acting as official representatives of the Adjutant General's Department on behalf of the Texas State Guard.

15. **Seaborne/ChalleNGe Youth Education Program.** Out of funds appropriated above in Strategy C.1.1, Youth Education Programs, $175,000 is appropriated from the Foundation School Fund No. 193 for each fiscal year of the biennium. In the event the available amount is greater than

$175,000 in each fiscal year, general revenue funds equal to the difference between the Foundation School Funds No. 193 and $175,000 shall lapse to the unobligated portion of the General Revenue Fund.

16. **Unexpended Balances, General Obligation Bonds.** Any unexpended balances as of August 31, 2009, in the general obligation bonds appropriated by the 80th Legislature, Regular Session, for Repair or Rehabilitation of Buildings and Facilities (estimated at $0) are hereby appropriated for the same purposes for the biennium beginning September 1, 2009.

17. **State Military Tuition Assistance Program.** All unexpended balances of the State Military Tuition Assistance Program as of August 31, 2009 (estimated to be $0), are appropriated for the same purpose for use during the biennium beginning September 1, 2009. Any balances on hand at the end of fiscal year 2010 may be carried over to fiscal year 2011 and such funds are appropriated for fiscal year 2011 for the same purpose.

18. **ChalleNGe Youth Program.** From funds appropriated above in Strategy C.1.1, Youth Education Programs, and to ensure their efficient use, the Adjutant General's Department shall coordinate with the Juvenile Probation Commission to ensure that no duplication of services occurs with the ChalleNGe Youth Education Program.

19. **Appropriation of Refunded Money.** There is hereby appropriated to the Adjutant General's Department all money refunded to the Adjutant General's Department from any source when such money was originally expended for any of the purposes in B.1.1, Facilities Maintenance, and B.1.2, New Facility Construction above. Such appropriated funds may be expended for any of the purposes enumerated in B.1.1 and B.1.2 above.

20. **Local Fund Authorization.** The Adjutant General's Department is hereby authorized to spend, and there is hereby made available to it, any or all local funds which the Adjutant General's Department now has or which it may hereinafter acquire, in accordance with the provisions of its bond indenture dated October 1, 1979, and subsequently amended.

21. **Bond Indenture Revenues.** There is hereby appropriated to the Adjutant General's Department all revenues that the Adjutant General's Department has pledged, assigned, and set over and does pledge, assign, and set over unto its trustee and its successors in trust, and all revenues it has received or may hereinafter receive in accordance with the provisions of its bond indenture dated October 1, 1979, and subsequently amended.

22. **Superseding of Statutes and Bond Covenants.** None of the appropriations or provisions herein shall supersede Government Code, Chapter 431, or the covenants under which bonds are issued by or on behalf of the Adjutant General's Department, regarding the agency's obligations as a public bonding authority, body politic and corporate.

23. **Disposition of State-owned Property.** Contingent upon sufficient funds from the sale of state-owned properties, appropriations above include $4,000,000 in fiscal year 2010 and $0 in fiscal year 2011 from the Current Fund Balance to the Adjutant General's Department in funds derived from sales, in previous biennia and in the current biennium, of State-owned National Guard camps and other property owned by the Adjutant General's Department and of land, improvements, buildings, facilities, installations, and personal property in connection therewith as authorized by Government Code, Chapter 431. Such funds shall be expended by the Adjutant General's Department in one or more of the following ways: (1) as a participating fund in the construction and maintenance of facilities financed in part by the United States Government; or (2) as a construction fund to be used by the Adjutant General's Department; or (3) as a debt-servicing fund as provided in Government Code, Chapter 431, provided, however, that all such funds that are not actually used for the purposes hereinbefore specified shall remain on deposit in the state treasury to the credit of the Adjutant General's Department for the use and benefit of the Texas National Guard, their successors or components, as provided in Government Code, Chapter 431. The Adjutant General's Department is hereby authorized to carry forward unexpended balances from fiscal year 2010 into fiscal year 2011 for the same purpose.

24. **Master Plan for Military Facilities.** Funds appropriated to the Adjutant General's Department for capital construction projects are intended to be expended for those projects which are part of the agency's Master Plan. The Adjutant General's Department shall revise the plan at least biennially and submit the plan to the Legislative Budget Board and the Governor every even-numbered year as an appendix to the agency's Strategic Plan.

25. Reallocation of Unexpended Bond Proceeds. The Adjutant General's Department is authorized to reallocate the unexpended bond proceeds of canceled projects only to other projects listed in its current Master Plan and only after notifying the Texas Public Finance Authority, the Texas Bond Review Board, the Governor, and the Legislative Budget Board.

26. Renovation Priorities. The Adjutant General's Department shall give priority in the use of funds appropriated by this Act to renovations which: (1) insure the structural integrity of the facilities; (2) bring such facilities into compliance with current building and safety codes and accessibility standards; (3) increase the economic efficiency of the facilities; and (4) simplify future maintenance of the facilities.

27. Projects Funded with Bond Proceeds. In addition to the number of FTEs authorized in the bill pattern for the Adjutant General's Department, the Adjutant General's Department is authorized to employ one additional person for the purpose of managing any project(s) that are funded 100% with bond proceeds. The Adjutant General's Department is authorized to employ the additional person only for the duration of the project(s) the personnel are hired to manage. All salaries, benefits, and other expenses incurred (including a fair allocation of agency indirect expenses related to the additional personnel) are to be paid out of the bond proceeds.

28. Leave Requirement.

a. The Adjutant General's Department shall use funds appropriated above for the following purposes:

(1) Provide a report to the Governor's Office and the State Auditor's Office every 30 days of the overtime payment and emergency leave approved for all employees for the previous 30 days;

(2) Have any emergency leave for more than three (3) days or for reasons other than death in the immediate family be pre-approved by the Governor's Office and the Legislative Budget Board; and

(3) Have any emergency leave taken by an officer with a rank above major pre-approved by the Governor's Office and the Legislative Budget Board.

b. This section does not apply to emergency leave used for purposes of differential pay.

29. Internal Audit. The Adjutant General's Department shall use funds appropriated above for the following purposes:

a. To report to the Governor's Office, Legislative Budget Board, and State Auditor's Office every 30 days on all internal audit work performed. Each month the director of Internal Audit of the Adjutant General's Department shall report to the State Auditor's Office to brief an individual designated by the State Auditor; and

b. To hold meetings by the internal audit committee at the Adjutant General's Department at least once each fiscal quarter and to provide minutes of these meetings to the Governor's Office and the State Auditor's Office.

30. Appropriation Authority for General Obligation Bond Proceeds.[1] Appropriated above in Strategy B.1.1, Facilities Maintenance, in fiscal year 2010 is $2,491,650 and in fiscal year 2011 is $4,043,350 in general obligation bond proceeds for projects for the Adjutant General's Department as described in Article IX, Sec. 17.11, Informational Listing General Obligation Bond Proceeds.

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 purpose(s).

---

[1] Modified to correct reference error.

ALCOHOLIC BEVERAGE COMMISSION[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 44,601,770	$ 43,192,719
Federal Funds	351,200	351,200
Other Funds		
Appropriated Receipts	23,750	23,750
Criminal Justice Grants	130,000	130,000
Subtotal, Other Funds	$ 153,750	$ 153,750
Total, Method of Financing	$ 45,106,720	$ 43,697,669
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 11,350,925	$ 11,846,414
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	696.0	696.0
Schedule of Exempt Positions:		
Administrator, Group 5	$122,500	$122,500
Items of Appropriation:		
A. Goal: REGULATE DISTRIBUTION		
Promote the Health, Safety, and Welfare of the Public.		
A.1.1. Strategy: ENFORCEMENT	$ 23,031,975	$ 22,864,714
B. Goal: LICENSING AND INVESTIGATION		
Process Applications and Issue Alcoholic Beverage Licenses & Permits.		
B.1.1. Strategy: LICENSING AND INVESTIGATION	$ 4,983,388	$ 4,226,123
C. Goal: COLLECT FEES AND TAXES		
Ensure Compliance with Fees & Taxes.		
C.1.1. Strategy: COMPLIANCE MONITORING	$ 6,926,066	$ 6,359,017
Conduct Inspections and Monitor Compliance.		
C.2.1. Strategy: PORTS OF ENTRY	$ 4,632,158	$ 4,627,461
Nontransferable.		
Total, Goal C: COLLECT FEES AND TAXES	$ 11,558,224	$ 10,986,478
D. Goal: INDIRECT ADMINISTRATION		
D.1.1. Strategy: CENTRAL ADMINISTRATION	$ 2,424,564	$ 2,465,010
D.1.2. Strategy: INFORMATION RESOURCES	$ 2,473,285	$ 2,508,574
D.1.3. Strategy: OTHER SUPPORT SERVICES	$ 635,284	$ 646,770
Total, Goal D: INDIRECT ADMINISTRATION	$ 5,533,133	$ 5,620,354
Grand Total, ALCOHOLIC BEVERAGE COMMISSION	$ 45,106,720	$ 43,697,669
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 32,129,222	$ 32,468,923
Other Personnel Costs	1,413,980	1,413,980
Professional Fees and Services	2,834,679	1,220,712
Fuels and Lubricants	733,650	733,650
Consumable Supplies	298,456	298,457
Utilities	367,888	367,213
Travel	695,682	695,682
Rent - Building	2,087,488	2,087,488
Rent - Machine and Other	139,574	139,574
Other Operating Expense	2,888,501	2,876,237

[1] Does not include appropriations in Article IX, § 17.01, of this Act, totaling $697,785 each fiscal year in General Revenue Funds for Schedule C pay raises for commissioned peace officers.

Grants	238,875	238,875
Capital Expenditures	1,278,725	1,156,878
Total, Object-of-Expense Informational Listing	$ 45,106,720	$ 43,697,669
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,846,089	$ 1,873,780
Group Insurance	5,968,719	6,497,453
Social Security	2,268,598	2,302,627
Benefits Replacement	193,090	183,435
Subtotal, Employee Benefits	$ 10,276,496	$ 10,857,295
Debt Service		
Lease Payments	$ 51,397	$ 51,545
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 10,327,893	$ 10,908,840

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Alcoholic Beverage Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Alcoholic Beverage Commission. In order to achieve the objectives and service standards established by this Act, the Alcoholic Beverage Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: REGULATE DISTRIBUTION		
Outcome (Results/Impact):		
Percentage of Licensed Establishments Inspected Annually	80%	80%
A.1.1. Strategy: ENFORCEMENT		
Output (Volume):		
Number of Inspections Conducted by Enforcement Agents	130,000	130,000
Efficiencies:		
Average Cost Per Enforcement Inspection	172.51	172.79
B. Goal: LICENSING AND INVESTIGATION		
Outcome (Results/Impact):		
Percent of Original License/Permit Applications Processed within 14 Days	99%	99%
B.1.1. Strategy: LICENSING AND INVESTIGATION		
Output (Volume):		
Number of Licenses/Permits Issued	74,700	60,300
Efficiencies:		
Average Cost Per License/Permit Processed	50.51	61.75
C. Goal: COLLECT FEES AND TAXES		
Outcome (Results/Impact):		
Percent of Inspections, Field Analyses, and Selected Regulatory Activities Conducted by Compliance Personnel Resulting in Administrative Actions	34%	34%
C.1.1. Strategy: COMPLIANCE MONITORING		
Output (Volume):		
Number of Inspections, Analyses, and Compliance Activities	163,350	163,350
Efficiencies:		
Average Cost Per Inspection, Analysis, and Compliance Activity	30	30.61
C.2.1. Strategy: PORTS OF ENTRY		
Output (Volume):		
Number of Alcoholic Beverage Containers and Cigarette Packages Stamped	2,922,000	2,922,000

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease

Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code §1232.103.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Computer Equipment - Leased	$ 446,890	$ 446,890
(2) Hardware/Software Acquisitions	187,000	187,000
(3) Data Center Consolidation	857,608	801,609
(4) IT Automation Enhancements	1,819,616	65,674
Total, Acquisition of Information Resource Technologies	$ 3,311,114	$ 1,501,173
b. Transportation Items		
(1) Fleet Acquisition (67 Vehicles)	690,500	690,500
c. Acquisition of Capital Equipment and Items		
(1) Public Safety Equipment - Replacement	353,213	353,213
Total, Capital Budget	$ 4,354,827	$ 2,544,886
Method of Financing (Capital Budget):		
General Revenue Fund	$ 4,336,077	$ 2,526,136
Appropriated Receipts	18,750	18,750
Total, Method of Financing	$ 4,354,827	$ 2,544,886

3. **Hazardous Duty Pay Authorized.** The Texas Alcoholic Beverage Commission is authorized to pay hazardous duty pay to any commissioned law enforcement personnel as prescribed by law.

   It is further provided that individuals who had received hazardous duty pay as of August 31, 1981, shall continue to receive hazardous duty pay for the biennium beginning with the effective date of this Act. Individuals hired after August 31, 1981, shall not receive hazardous duty pay unless so authorized by Government Code, Chapter 659.

4. **Witness Expenses Authorized.** No other provisions of this Act shall prevent payment by the State of Texas of salaries and expenses incurred by representatives of the Texas Alcoholic Beverage Commission in attendance on state or federal grand jury proceedings, and who may be called as witnesses in the trial of criminal or civil cases in state or federal courts involving offenses complained of against state or federal liquor regulatory or revenue laws. It is further provided that any fees collected by such representatives in performing such duties shall be deposited in the State Treasury to the credit of the appropriations made above.

5. **Revolving Fund.** The revolving change fund created by prior legislatures in the amount of $25,000 for use at several International Bridges is hereby appropriated out of the funds above for the biennium beginning with the effective date of this Act for the same purposes.

6. **Purchase of Evidence Authorized.** From the amounts authorized above, the Texas Alcoholic Beverage Commission is hereby authorized to establish a cash fund not to exceed $50,000 for the purchase of evidence and/or information and surveillance expenses deemed necessary by the Commission.

7. **Appropriations Limited to Revenue Collections.** Fees, fines and other miscellaneous revenues as authorized and generated by the agency shall cover, at a minimum, the cost of the appropriations made above as well as an amount equal to the amount identified above in the informational item "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 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.

8. **Fleet of Motor Vehicles Authorized.** From funds appropriated above, the Alcoholic Beverage Commission may purchase and maintain a fleet of vehicles. If these vehicles are unmarked for law enforcement purposes, these vehicles shall be utilized only by personnel who are commissioned

peace officers or those persons responsible for the maintenance and repair of these vehicles. Vehicles which are properly marked pursuant to state requirements may be utilized for other legitimate agency purposes as needed by personnel employed by the agency.

9. Clothing Provisions.

a. A commissioned officer who received a $1,200 clothing allowance pursuant to the General Appropriations Act during the 2008-09 biennium shall receive a $1,200 clothing allowance in the 2010-11 biennium.

b. No person shall receive a $1,200 clothing allowance unless eligible in subsection (a).

c. An individual who is newly hired or newly commissioned after September 1, 1997, is eligible to receive a $500 cleaning allowance. No rank other than that of agent is entitled to a $500 cleaning allowance.

d. The Texas Alcoholic Beverage Commission may purchase uniforms for Tax Collectors at International Bridges.

10. Contingency Rider - Ports of Entry (Anzalduas Bridge). Included in the amounts appropriated above in Strategy C.2.1, Ports of Entry, is $218,595 in fiscal year 2010 and $203,381 in fiscal year 2011 out of the General Revenue Fund for the purpose of regulating the personal importation of alcoholic beverages and cigarettes at the Anzalduas Bridge. These amounts represent 12 months of estimated operating costs per fiscal year. The appropriation of these funds is contingent upon the opening of the Anzalduas Bridge. In the event the bridge does not open prior to September 2009, the level of appropriation described above is to be prorated based on the number of months remaining in the fiscal year.

11. Contingency Rider - Ports of Entry (Donna Bridge). Included in the amounts appropriated above in Strategy C.2.1, Ports of Entry, is $243,390 in fiscal year 2010 and $228,261 in fiscal year 2011 out of the General Revenue Fund for the purpose of regulating the personal importation of alcoholic beverages and cigarettes at the Donna Bridge. These amounts represent 12 months of estimated operating costs per fiscal year. The appropriation of these funds is contingent upon the opening of the Donna Bridge. In the event the bridge does not open prior to September 2009, the level of appropriation described above is to be prorated based on the number of months remaining in the fiscal year.

12. Texas Wine Marketing Assistance Program. Included in the amounts appropriated above in Strategy D.1.1, Central Administration, is $250,000 in fiscal year 2010 and $250,000 in fiscal year 2011 out of the General Revenue Fund for the Texas Wine Marketing Assistance Program. The Texas Alcoholic Beverage Commission shall transfer these funds to the Department of Agriculture pursuant to § 5.56, Alcoholic Beverage Code.

13. Accountability Tracking System for DWI Prevention and Enforcement. From funds appropriated above, the Alcoholic Beverage Commission shall track the impact of funds appropriated for enhanced DWI prevention and enforcement. By January 1st of each fiscal year, the commission shall report to the Governor and the Legislative Budget Board the specific prevention and enforcement activities performed with the funds to include locations where the monies were spent, what programs were implemented, the impact of enforcement efforts compared to the previous biennium, and the impact on DWI-related fatalities and arrests.

14. Appropriation Transfers Between Fiscal Years - Gasoline Contingency. In addition to the transfer authority provided elsewhere in this Act, the Alcoholic Beverage Commission may transfer appropriations for fiscal year 2011 to fiscal year 2010, subject to the following conditions provided by this section:

a. Transfers under this section may be requested only if the average price per gallon of gasoline paid by the agency during the first six months of fiscal year 2010 exceeds $3.10 per gallon.

b. A request to transfer appropriations for fiscal year 2011 to fiscal year 2010 shall be submitted in writing to the Governor and the Legislative Budget Board. The request shall include a justification for the amount of funds to be transferred based on an estimate of the total gallons of gasoline consumed by the agency in a year and the average price per gallon paid over $3.10 per gallon during the first six months of fiscal year 2010.

c. A transfer authorized by this section must receive the prior approval of the Governor and the Legislative Budget Board.

d. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.

15. Appropriation: Seized Assets. All funds received under Chapter 59, Code of Criminal Procedure, and Chapter 71, Property Code, by the Alcoholic Beverage Commission are hereby appropriated above in Strategy A.1.1, Enforcement, to be used for law enforcement purposes. Any funds unexpended at the close of each fiscal year are appropriated for the following year (fiscal year 2009 unexpended balance estimated to be $0).

DEPARTMENT OF CRIMINAL JUSTICE[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund		
General Revenue Fund	$ 2,816,041,763	$ 2,899,835,124
Education and Recreation Program Receipts	86,454,303	86,454,303
Texas Correctional Industries Receipts	8,947,000	8,947,000
Subtotal, General Revenue Fund	$ 2,911,443,066	$ 2,995,236,427
General Revenue Fund - Dedicated		
Private Sector Prison Industry Expansion Account No. 5060	1,500,630	1,500,630
Compensation to Victims of Crime Account No. 469	1,576,175	1,576,175
Operators and Chauffeurs License Account No. 099[2]	250,000	250,000
Subtotal, General Revenue Fund - Dedicated	$ 3,326,805	$ 3,326,805
Federal Funds for Incarcerated Aliens	18,601,740	18,601,739
Other Funds		
Interagency Contracts - Texas Correctional Industries	40,252,930	40,252,928
Appropriated Receipts	31,112,801	11,312,792
Interagency Contracts	9,183,170	9,183,170
Bond Proceeds - General Obligation Bonds	45,000,000	35,000,000
Subtotal, Other Funds	$ 125,548,901	$ 95,748,890
Total, Method of Financing	$ 3,058,920,512	$ 3,112,913,861
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[2]	39,294.3	39,443.3
Schedule of Exempt Positions:		
Executive Director, Group 8	$186,300	$186,300
Presiding Officer, Board of Pardons & Paroles, Group 4	126,500	126,500
Parole Board Member, Group 3	(6) 95,619	(6) 95,619
Items of Appropriation:		
A. Goal: PROVIDE PRISON DIVERSIONS		
Provide Prison Diversions through Probation & Community-based Programs.		
A.1.1. Strategy: BASIC SUPERVISION	$ 111,443,958	$ 112,680,413

[1] Does not include appropriations in Article IX, § 17.01, of this Act, totaling $216,646 each fiscal year in General Revenue Funds for Schedule C pay raises for commissioned peace officers.
[2] Incorporates Article IX, § 17.04, of this Act, relating to border security operations, resulting in an increase of $250,000 in General Revenue-Dedicated Operators and Chauffeurs License Account No. 99 and 10.0 FTEs for each fiscal year of the biennium.

A.1.2. Strategy: DIVERSION PROGRAMS	$	118,593,921	$	122,968,920
A.1.3. Strategy: COMMUNITY CORRECTIONS	$	38,770,088	$	38,770,088
A.1.4. Strategy: TRMT ALTERNATIVES TO INCARCERATION	$	11,604,912	$	11,604,911
Treatment Alternatives to Incarceration Program.				
Total, Goal A: PROVIDE PRISON DIVERSIONS	$	280,412,879	$	286,024,332
B. Goal: SPECIAL NEEDS OFFENDERS				
B.1.1. Strategy: SPECIAL NEEDS PROJECTS	$	20,444,499	$	20,444,499
C. Goal: INCARCERATE FELONS				
C.1.1. Strategy: CORRECTIONAL SECURITY OPERATIONS	$	1,017,474,277	$	1,057,018,188
C.1.2. Strategy: CORRECTIONAL SUPPORT OPERATIONS	$	81,366,616	$	83,295,660
C.1.3. Strategy: OFFENDER SERVICES	$	12,826,039	$	12,935,554
C.1.4. Strategy: INSTITUTIONAL GOODS	$	158,274,073	$	160,428,198
C.1.5. Strategy: INSTITUTIONAL SERVICES	$	165,385,533	$	166,115,904
C.1.6. Strategy: INST'L OPERATIONS & MAINTENANCE	$	201,451,448	$	202,569,344
Institutional Operations and Maintenance.				
C.1.7. Strategy: PSYCHIATRIC CARE	$	46,510,189	$	51,354,175
Correctional Managed Psychiatric Care.				
C.1.8. Strategy: MANAGED HEALTHCARE	$	419,860,274	$	416,949,309
Correctional Managed Healthcare.				
C.1.9. Strategy: HEALTH SERVICES	$	3,934,664	$	3,968,366
C.1.10. Strategy: CONTRACTED TEMPORARY CAPACITY	$	0	$	0
Provide for Contract Correctional Beds.				
C.1.11. Strategy: CONTRACT PRISONS/PRIVATE ST JAILS	$	116,938,382	$	118,999,800
Contract Prisons and Privately Operated State Jails.				
C.1.12. Strategy: RESIDENTIAL PRE-PAROLE FACILITIES	$	33,143,537	$	33,852,327
C.2.1. Strategy: TEXAS CORRECTIONAL INDUSTRIES	$	69,109,474	$	69,561,207
C.2.2. Strategy: ACADEMIC/VOCATIONAL TRAINING	$	2,332,715	$	2,332,714
Academic and Vocational Training.				
C.2.3. Strategy: PROJECT RIO	$	5,043,000	$	5,157,308
C.2.4. Strategy: TREATMENT SERVICES	$	18,799,677	$	19,209,850
C.2.5. Strategy: SUBSTANCE ABUSE TREATMENT	$	94,461,133	$	97,316,361
Total, Goal C: INCARCERATE FELONS	$	2,446,911,031	$	2,501,064,265
D. Goal: ENSURE ADEQUATE FACILITIES				
Ensure and Maintain Adequate Facilities.				
D.1.1. Strategy: FACILITIES CONSTRUCTION	$	45,000,000	$	35,000,000
Construction and Repair of Facilities.				
D.1.2. Strategy: LEASE-PURCHASE OF FACILITIES	$	12,987,350	$	6,888,475
Provide for Lease-purchase of Facilities.				
Total, Goal D: ENSURE ADEQUATE FACILITIES	$	57,987,350	$	41,888,475
E. Goal: BOARD OF PARDONS AND PAROLES				
E.1.1. Strategy: BOARD OF PARDONS AND PAROLES	$	17,729,541	$	17,813,230
E.1.2. Strategy: REVOCATION PROCESSING	$	6,999,549	$	7,051,571
Total, Goal E: BOARD OF PARDONS AND PAROLES	$	24,729,090	$	24,864,801
F. Goal: OPERATE PAROLE SYSTEM				
F.1.1. Strategy: PAROLE RELEASE PROCESSING	$	3,450,240	$	3,450,240
F.2.1. Strategy: PAROLE SUPERVISION	$	95,392,307	$	99,277,674
F.2.2. Strategy: HALFWAY HOUSE FACILITIES	$	19,205,670	$	19,608,995
F.2.3. Strategy: INTERMEDIATE SANCTION FACILITIES	$	31,482,373	$	37,385,517
Total, Goal F: OPERATE PAROLE SYSTEM	$	149,530,590	$	159,722,426
G. Goal: INDIRECT ADMINISTRATION				
G.1.1. Strategy: CENTRAL ADMINISTRATION	$	28,932,186	$	28,932,179
G.1.2. Strategy: CORRECTIONAL TRAINING	$	4,480,176	$	4,480,176

G.1.3. Strategy: INSPECTOR GENERAL[3]	$ 9,872,090	$ 9,872,089
G.1.4. Strategy: VICTIM SERVICES	$ 2,053,287	$ 2,053,287
G.1.5. Strategy: INFORMATION RESOURCES	$ 33,567,334	$ 33,567,332
Total, Goal G: INDIRECT ADMINISTRATION	$ 78,905,073	$ 78,905,063
Grand Total, DEPARTMENT OF CRIMINAL JUSTICE	$ 3,058,920,512	$ 3,112,913,861
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 1,364,715,642	$ 1,413,751,902
Other Personnel Costs	53,870,012	54,273,300
Professional Fees and Services	513,119,390	515,052,410
Fuels and Lubricants	10,844,031	10,844,026
Consumable Supplies	15,147,212	15,147,205
Utilities	124,003,216	124,003,202
Travel	8,308,253	8,308,252
Rent - Building	13,037,504	13,037,505
Rent - Machine and Other	6,047,317	6,047,311
Other Operating Expense	486,544,917	499,304,545
Client Services	52,131,841	52,737,773
Food for Persons - Wards of State	92,236,869	92,236,867
Grants	246,792,339	252,403,789
Capital Expenditures	72,121,969	55,765,774
Total, Object-of-Expense Informational Listing	$ 3,058,920,512	$ 3,112,913,861
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 79,195,174	$ 80,715,838
Group Insurance	270,428,882	292,495,658
Social Security	104,420,431	106,404,813
Benefits Replacement	9,879,232	9,385,270
Subtotal, Employee Benefits	$ 463,923,719	$ 489,001,579
Debt Service		
TPFA GO Bond Debt Service	$ 208,072,690	$ 203,540,719
Lease Payments	649,112	648,328
Subtotal, Debt Service	$ 208,721,802	$ 204,189,047
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 672,645,521	$ 693,190,626

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Criminal Justice. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of Criminal Justice. In order to achieve the objectives and service standards established by this Act, the Department of Criminal Justice shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: PROVIDE PRISON DIVERSIONS		
A.1.1. Strategy: BASIC SUPERVISION		
Output (Volume):		
Average Number of Felony Offenders under Direct Supervision	172,895	175,075
Efficiencies:		
Average Monthly Caseload	76	76
A.1.2. Strategy: DIVERSION PROGRAMS		
Output (Volume):		
Number of Residential Facility Beds Grant-funded	3,284	3,284

[3] Incorporates Article IX, § 17.04, of this Act, relating to border security operations, resulting in an increase of $250,000 in General Revenue-Dedicated Operators and Chauffeurs License Account No. 99 and 10.0 FTEs for each fiscal year of the biennium.

A.1.3. Strategy: COMMUNITY CORRECTIONS		
Output (Volume):		
Number of Residential Facility Beds Funded through Community Corrections	330	330
B. Goal: SPECIAL NEEDS OFFENDERS		
Outcome (Results/Impact):		
Offenders with Special Needs Three-year Reincarceration Rate	12%	12%
B.1.1. Strategy: SPECIAL NEEDS PROJECTS		
Output (Volume):		
Number of Special Needs Offenders Served Through the Continuity of Care Programs	28,500	28,500
C. Goal: INCARCERATE FELONS		
Outcome (Results/Impact):		
Escaped Offenders as Percentage of Number of Offenders Incarcerated	0%	0%
Three-year Recidivism Rate	28%	28%
Turnover Rate of Correctional Officers	18%	18%
C.1.1. Strategy: CORRECTIONAL SECURITY OPERATIONS		
Output (Volume):		
Average Number of Offenders Incarcerated	140,529	140,019
C.1.7. Strategy: PSYCHIATRIC CARE		
Output (Volume):		
Psychiatric Inpatient Average Daily Census	1,963	1,963
C.1.8. Strategy: MANAGED HEALTHCARE		
Output (Volume):		
Average Number of Offenders under Correctional Managed Healthcare	151,734	151,734
Efficiencies:		
Medical Care Cost Per Offender	7.58	7.53
C.1.10. Strategy: CONTRACTED TEMPORARY CAPACITY		
Explanatory:		
Average Number of Offenders in Contractual Correctional Bed Capacity	0	0
C.1.11. Strategy: CONTRACT PRISONS/PRIVATE ST JAILS		
Output (Volume):		
Average Number of Offenders in Contract Prisons and Privately Operated State Jails	11,890	11,890
C.1.12. Strategy: RESIDENTIAL PRE-PAROLE FACILITIES		
Output (Volume):		
Average Number of Pre-parole Transferees in Pre-parole Transfer Facilities	2,277	2,277
Average Number of Offenders in Work Program Facilities	500	500
C.2.1. Strategy: TEXAS CORRECTIONAL INDUSTRIES		
Output (Volume):		
Number of Inmates Assigned to the Texas Correctional Industries Program	6,100	6,100
C.2.2. Strategy: ACADEMIC/VOCATIONAL TRAINING		
Output (Volume):		
Inmate Students Enrolled	9,115	9,115
C.2.4. Strategy: TREATMENT SERVICES		
Output (Volume):		
Number of Sex Offenders Receiving Psychological Counseling While on Parole/Mandatory Supervision	2,315	2,315
C.2.5. Strategy: SUBSTANCE ABUSE TREATMENT		
Output (Volume):		
Number of Confinees Completing Treatment in Substance Abuse Felony Punishment Facilities	8,198	8,400
E. Goal: BOARD OF PARDONS AND PAROLES		
E.1.1. Strategy: BOARD OF PARDONS AND PAROLES		
Output (Volume):		
Number of Parole Cases Considered	92,000	92,000
Number of Parole Cases Processed	42,645	42,645
F. Goal: OPERATE PAROLE SYSTEM		
Outcome (Results/Impact):		
Releasee Annual Revocation Rate	7.3	7.3
F.2.1. Strategy: PAROLE SUPERVISION		
Output (Volume):		
Average Number of Offenders Under Active Parole Supervision	78,496	80,052

Efficiencies:		
Average Monthly Caseload	62	62
F.2.2. Strategy: HALFWAY HOUSE FACILITIES		
Output (Volume):		
Average Number of Releasees in Halfway Houses	1,549	1,549
F.2.3. Strategy: INTERMEDIATE SANCTION FACILITIES		
Output (Volume):		
Average Number of Releasees in Intermediate Sanction Facilities	2,299	2,707

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code §1232.103.

	2010	2011
a. Construction of Buildings and Facilities		
(1) Lease-Purchase of Facilities	$ 12,987,350	$ 6,888,475
b. Repair or Rehabilitation of Buildings and Facilities		
(1) Lease Payment (MLPP) for Energy Performance Contract (EPC)	1,973,796	1,965,448
(2) Marlin Correctional Mental Health Facility	10,000,000	UB
(3) Repair and Rehabilitation of Facilities	35,000,000	35,000,000
Total, Repair or Rehabilitation of Buildings and Facilities	$ 46,973,796	$ 36,965,448
c. Acquisition of Information Resource Technologies		
(1) Data Center Consolidation	17,276,662	17,276,660
(2) Computer and Software Acquisitions	3,995,428	3,880,728
Total, Acquisition of Information Resource Technologies	$ 21,272,090	$ 21,157,388
d. Transportation Items		
(1) Vehicles, Scheduled Replacements	5,134,267	5,000,000
e. Acquisition of Capital Equipment and Items	4,544,867	4,544,863
Total, Capital Budget	$ 90,912,370	$ 74,556,174
Method of Financing (Capital Budget):		
General Revenue Fund		
General Revenue Fund	$ 44,685,160	$ 38,328,964
Texas Correctional Industries Receipts	920,407	920,407
Subtotal, General Revenue Fund	$ 45,605,567	$ 39,249,371
Other Funds		
Interagency Contracts - Texas Correctional Industries	306,803	306,803
Bond Proceeds - General Obligation Bonds	45,000,000	35,000,000
Subtotal, Other Funds	$ 45,306,803	$ 35,306,803
Total, Method of Financing	$ 90,912,370	$ 74,556,174

3. **Disposition of Construction Appropriation.** Construction appropriations may be used to pay salaries of engineers, architects, superintendents, supervisors and administrative expenses and support personnel of construction projects; architectural fees and the actual and necessary travel expenses incurred by them or their representatives in making special trips of inspection at the instance of the Board of Criminal Justice or the Department of Criminal Justice's Executive

Director or designee during construction or repair of buildings or installation of fixed equipment in such buildings. The State Auditor's Office may recommend job titles and rates of pay for such salaried positions.

4. **Temporary Loan of Construction Resources.** The Texas Department of Criminal Justice (TDCJ) may temporarily utilize materials and equipment acquired and personnel paid from one project appropriated for construction, repairs, and renovation, including construction of additional capacity and building maintenance, to construct any other similar project for which funds have been appropriated. The receiving project must reimburse the providing project within twelve months with funds and/or a like amount of materials, equipment, equipment usage, or personnel of equivalent value. Reimbursement with funds may be accomplished by transfer in a manner which records appropriate expenditures to the borrowing project and negative expenditures to the lending project. These transfers may be summary amounts in a manner approved by the Comptroller of Public Accounts. However, the TDCJ must maintain adequate detailed records to support such summary transfer amounts.

5. **Architectural Fees.** Notwithstanding other provisions of this Act, in those instances where inmate labor is used on construction projects, the Department of Criminal Justice is authorized to pay architectural fees based on the estimated total cost of a project as if it were to be done by a private contractor. The department shall employ an independent firm, separate from the architect, to estimate the total cost of a project. Architectural fees based on the estimated cost shall be governed by other provisions of this Act.

6. **Construction Encumbrances.** Any funds legally encumbered for construction contracts for projects which are in effect as of August 31, 2009, are considered encumbered and may be carried forward to fiscal year 2010.

7. **Utilization of Existing Correctional Facilities.** The department shall give full consideration to utilizing existing correctional facilities located in the State of Texas and currently owned or operated by federal or local governments. Appropriations to the department may be used for the purposes of leasing, purchasing, or contracting for operations of such facilities if agreements can be reached which are beneficial to the State.

8. **Review of Construction Change Orders.** From funds appropriated above, the Texas Department of Criminal Justice (TDCJ), upon the review of any change order, shall develop a procedure whereby cause of such change order shall be determined and documented in the project file. If it is determined that the change was necessitated by the error or omission of any contracted party, the TDCJ shall hold such party financially responsible.

9. **Salary Adjustment Authorized.** Notwithstanding other provisions of this Act, the Texas Department of Criminal Justice is authorized to adjust salaries of the following position series to rates within the designated salary group for the purpose of recruiting, employing, and retaining career correctional personnel:

   a. Correctional Officer;
   b. Sergeant, Lieutenant, Captain, and Major of Correctional Officers;
   c. Food Service Manager;
   d. Laundry Manager; and
   e. Parole Officer.

   Merit raises are prohibited for all employees who are receiving or are eligible to receive step adjustments in the career ladder system.

10. **Appropriation: Meals Authorized.** The department may charge an amount necessary to recover the cost of a meal provided to an employee as described herein. Department employees assigned to work inside correctional facilities or on travel status may receive up to two free meals per shift and employees residing in employee dormitories may receive three free meals per day. None of the funds appropriated above shall be utilized to provide meals to other employees for a charge of less than $1.00 per meal or to grow, purchase, prepare, or provide food products for employees to use at their homes. All meal fees received are appropriated above in Strategy C.1.4, Institutional Goods. Any fees collected in excess of $4,308 in fiscal year 2010 and $4,307 in fiscal year 2011 are hereby appropriated to the department for the same purpose.

11. **Benefit Policy Required.** The Board of Criminal Justice shall adopt a written policy relating to benefits provided in Riders 10 and 13 specifying the criteria used to award these benefits to employees, and shall develop a system to account for all costs related to these benefits and all revenues from collection of fees.

12. **Appropriation: State-owned Housing Authorized.**

    a. The department's Regional Directors, Chief Wardens, Assistant Wardens, Majors of Correctional Officers, Captain of Correctional Officers, Lieutenant of Correctional Officers, Kennel Sergeants, Maintenance Supervisors, and Fire/Safety Managers at each facility are authorized to live in state-owned housing at rental rates determined by the department.

    b. Other department employees may live in available state-owned housing as set forth in Article IX, § 11.05, State Owned Housing - Recover Housing Costs of this Act.

    c. All fees received for employee housing are appropriated above in Strategy C.1.6, Institutional Operations and Maintenance, to be used for maintaining employee housing. Any fees collected in excess of $750,000 in fiscal year 2010 and $750,000 in fiscal year 2011 are hereby appropriated to the department for the same purpose.

    d. Notwithstanding Article IX, § 11.05, the department may allocate housing at reduced or no cost to employees with a demonstrated need based on location and job description.

13. **Appropriation: Laundry Service.** The department may charge an amount necessary to recover the cost for the provision of laundry services as described herein. The department may launder or dry clean the uniforms of correctional officers at no charge. None of the funds appropriated above may be used to launder or dry clean other employee clothing or to provide other services unless fees are charged to recover the cost of providing the services. All fees collected for laundry and other related services are appropriated above in Strategy C.1.4, Institutional Goods. Any fees collected in excess of $950,000 in fiscal year 2010 and $950,000 in fiscal year 2011 are hereby appropriated to the department for the same purpose.

14. **Employee Medical Care.** Appropriations made in this Act not otherwise restricted in use may also be expended to provide medical attention and hospitalization by correctional medical staff and the correctional hospital facilities, or to pay necessary medical expenses for employees injured while performing the duties of any hazardous position which is not reimbursed by workers' compensation and/or employees' state insurance. For the purpose of this section, "hazardous position" shall mean one for which the regular and normal duties inherently involve the risk or peril of bodily injury or harm. Appropriations made in this Act not otherwise restricted in use may also be expended for medical tests and procedures on employees that are required by federal or state law or regulations when the tests or procedures are required as a result of the employee's job assignment or when considered necessary due to potential or existing litigation.

15. **Compensatory Time.** Exceptions to the prohibition against substituting other days for holidays may be authorized by the Director of the Texas Department of Criminal Justice for employees who are required to work on holidays due to the continuing operation of the department. Any employee who is required to work on any of the holidays authorized in the general provisions of this Act, and who does work on any of the said holidays, shall be entitled to compensating time off to be taken on such day as may be mutually agreed upon by the employee and supervisor.

16. **Hazardous Duty Pay.** Employees hired after August 31, 1985, must occupy positions approved by the Texas Board of Criminal Justice and meet statutory criteria to receive hazardous duty pay.

17. **Transfer Authority within and between Goals.** Subject to capital budget provisions contained in this Act, the Texas Department of Criminal Justice is authorized to transfer such amounts as may be necessary within appropriations made for each goal.

    Funds may be transferred between goals, provided that before any transfer between goals which will have the cumulative effect of changing expenditures for any goal by more than 20 percent of the amount appropriated for that goal for the fiscal year, written notification of intent to transfer be provided the Governor, the Legislative Budget Board, the Senate Finance Committee, and the House Appropriations Committee.

18. **Employment Limitation.** None of the funds appropriated above shall be expended by the Department of Criminal Justice to employ anyone who, in the course of his official duties, conducts business with individuals or firms with which the employee has either a direct or indirect financial interest.

19. **Grievance Procedures.** From funds appropriated above, the Board of Criminal Justice shall maintain employee disciplinary and grievance procedures in compliance with this section.

    The Board's disciplinary procedures shall allow an employee of the department to be represented by a designee of the employee's selection who may participate in the hearing on behalf of an employee charged with any type of disciplinary violation.

    The Board's grievance procedure shall attempt to solve problems through a process which recognizes the employee's right to bring grievances pursuant to the procedures in this section. The grievance procedure shall include either independent mediation or independent, non-binding arbitration of disputes between the employer and the employee if the disciplining authority recommends that the employee be terminated or the employee is terminated.

    Any grievance or disciplinary hearing in which a department employee serves as a representative shall be held during normal business hours on a week day, unless the employer and employee agree otherwise. The employee subject to the hearing attends such hearing as a part of regular employment duties. An employee representative who is a department employee must obtain prior approval to be placed on unpaid leave to attend a hearing.

    Nothing in this provision shall authorize expenditures of appropriated funds not authorized elsewhere in this Act.

20. **Petty Cash Fund Authorized.** The local Petty Cash Revolving Fund in the amount of $10,000 is continued for the biennium beginning September 1, 2009, and may be used to advance or reimburse transfer agents and for the care and maintenance of convicted felons while en route to the department from points in Texas and elsewhere in the United States; and for the payment of C.O.D. freight and express charges and similar items requiring immediate cash disbursements. The funds shall be reimbursed by warrants drawn and approved by the Comptroller out of appropriated funds to the Texas Department of Criminal Justice.

21. **Revolving Fund Authorized.** The local Inmate Release Revolving Fund of $500,000 is continued for each year of the biennium beginning September 1, 2009, and is deposited in a bank or banks in Texas; and all inmates released on parole, mandatory supervision, discharge, or conditional pardon shall be paid out of this fund. The fund shall be reimbursed by warrants drawn and approved by the Comptroller out of appropriated funds to the Texas Department of Criminal Justice.

22. **Appropriation: Agriculture Receipts.** Each year of the biennium the Texas Department of Criminal Justice (TDCJ) may exchange agricultural products for other agricultural products and finished goods, and all revenue accruing from the sale of agricultural commodities or livestock and other revenues as they apply to sales of equipment, salvage, refunds and to recover damage claims are appropriated above in Strategy C.1.5, Institutional Services. Any revenues collected in excess of $5,725,974 in fiscal year 2010 and $5,725,974 in fiscal year 2011 are hereby appropriated to the department for agricultural operations. Any unexpended balance up to $2,000,000 remaining from revenues on August 31, 2009, and August 31, 2010, is appropriated to allow for continuity of agricultural production and sales cycles which do not conform to fiscal years (fiscal year 2009 unexpended balance estimated to be $0).

23. **Appropriation: Acceptance of Grants, Gifts.** The Board of Criminal Justice is authorized to accept federal grants, donations, and gifts, including those of real property, for the programs and projects of the agency. All such gifts, donations, and grants are appropriated above in Strategy C.1.1, Correctional Security Operations, for the purposes for which they are made available, provided, however, that in taking advantage of or accepting such funds, the Board shall not incur any indebtedness which would necessitate a supplemental or additional appropriation out of any funds of this State nor deplete any of the funds herein appropriated to an amount which would necessitate a supplemental or additional appropriation out of any funds of this State to replenish said fund or funds.

24. **Appropriation: Controlled Substance Receipts.** All funds received under Chapter 59, Code of Criminal Procedure, and Chapter 71, Property Code, by the Texas Department of Criminal Justice

are hereby appropriated above in Strategy G.1.3, Inspector General, to be used for law enforcement purposes. Any funds unexpended at the close of each fiscal year are appropriated for the following year (fiscal year 2009 unexpended balance estimated to be $0).

25. Appropriation: Texas Correctional Industries Receipts. Receipts collected from the sales of products produced by Texas Correctional Industries (TCI) are appropriated above in Strategy C.2.1, Texas Correctional Industries. Any receipts collected in excess of $49,199,930 in fiscal year 2010 and $49,199,928 in fiscal year 2011 are hereby appropriated to the department for the continued production of TCI goods and services (estimated to be $0). Any unexpended and unobligated balance up to $5,000,000 remaining from TCI revenues on August 31, 2009, and August 31, 2010, is appropriated to the department for the same purpose. The State Comptroller shall transfer any unobligated fund balances from Texas Correctional Industries receipts in excess of $5,000,000 to the General Revenue Fund at the end of each fiscal year (fiscal year 2009 unexpended balance estimated to be $0).

26. Appropriation: Unexpended Balances for Increased Offender Populations. In order to operate new correctional facilities or programs necessary for increased offender populations under the department's supervision, unexpended balances from appropriations made to the Department of Criminal Justice for fiscal year 2010 are hereby appropriated to the Department for fiscal year 2011 contingent upon written notification to the Governor and the Legislative Budget Board by the Texas Board of Criminal Justice, not less than 45 days prior to encumbrance, which details the amount and purpose of expenditures of funds carried into fiscal year 2011 under authority of this provision.

27. Transfer Limitation. Upon any order from a federal court that requires the Texas Department of Criminal Justice to transfer funds from any appropriation made hereinabove, those funds which were attempted to be transferred shall lapse and the Comptroller shall return the amount appropriated to its respective source.

28. Offender Information Management System. The Department of Criminal Justice shall use funds appropriated above to automate the offender management function to the greatest extent possible. To this end, the department may contract for automation/reengineering assistance after receiving prior approval from the Legislative Budget Board. Funds for this payment may come from benefits and savings as realized.

The Texas Department of Criminal Justice shall demonstrate that the current phase (Phase III, Period 1) of the Offender Information Management System meets the business needs of the agency and the technical capabilities, performance, and specifications identified during the development phase of the project. The Texas Department of Criminal Justice shall validate that all product requirements are satisfied and that no outstanding issues exist. Senior management of the Board of Pardons and Paroles, the Texas Department of Criminal Justice, and the Parole Division of the Texas Department of Criminal Justice shall provide to the Governor and the Legislative Budget Board a letter of certification validating the usability and functionality of the current system (Phase III, Period 1) before expenditure of funds by the Texas Department of Criminal Justice for the next phase of the project (Phase III, Period 2).

The Texas Department of Criminal Justice shall provide a detailed project plan for the next phase of the Offender Information Management System (Phase III, Period 2), to the Governor and the Legislative Budget Board prior to the expenditure of funds for project implementation. This plan shall include a detailed description of tasks, deliverables, milestones, work efforts, responsible individuals, and due dates. The Texas Department of Criminal Justice shall provide performance measures to assist in evaluating the progress of the project. The Texas Department of Criminal Justice shall continue to provide monthly status reports to the Quality Assurance Team that include project status, change management, risk management, issue and action items, deliverables, and scheduled accomplishments.

29. Appropriation: Recreational Facility Fees. The department may charge an amount necessary to recover the cost for the use of recreation facilities. Fees charged for recreation facilities owned and operated by the department are to be deposited in a special account with the Comptroller of Public Accounts. All recreational facility fees received are appropriated above in Strategy C.1.6, Institutional Operations and Maintenance. Any fees collected in excess of $30,545 in fiscal year 2010 and $30,545 in fiscal year 2011 are hereby appropriated to the department for continued operation and maintenance of the department's recreational facilities.

30. Purchasing Through Request for Proposal. The Texas Department of Criminal Justice may purchase care, treatment services, and residential services through the Request for Proposal process.

The Texas Department of Criminal Justice shall:

a. negotiate purchases to achieve fair and reasonable prices at rates that do not exceed any maximum provided by law, and

b. select service providers according to each provider's qualifications and demonstrated competence.

31. Parole Supervision Ratio. The department shall use funds appropriated above in Strategy F.2.1, Parole Supervision, to maintain a ratio of 75 active releasees to one supervising officer in fiscal years 2010 and 2011. The ratio will be calculated by dividing the number of supervising parole officers and case managers currently employed into the total number of releasees supervised, exclusive of those under intensive and super intensive supervision, for which a ratio of 25 and 20 releasees to one supervising officer respectively is to be maintained. In the event that this ratio is not maintained, the Texas Department of Criminal Justice shall file a statement documenting the reasons for noncompliance with the Governor and the Legislative Budget Board.

32. Project RIO. The Texas Workforce Commission, the Texas Department of Criminal Justice, and the Texas Youth Commission shall together enhance the effectiveness of Project RIO by improving cohesive program delivery among the three agencies. The agencies shall together develop and implement a biennial strategic plan for the implementation of a more cohesive and effective Project RIO program which will emphasize necessary skill development, rehabilitation, and appropriate assessment of the offender prior to release. Not later than March 1, 2010, the biennial strategic plan, jointly prepared by the three agencies, and including specific strategies, measures, timeframes for program improvement, and a methodology for program evaluation, shall be submitted to the Legislative Budget Board and the Governor. The Texas Workforce Commission shall maintain interagency contracts at $4,559,735 in each fiscal year of the biennium to the Texas Department of Criminal Justice to fund Project RIO. The agencies shall enter into interagency contracts, to include the reporting of performance levels, for the 2010-11 biennium.

33. Aircraft Authorization. The Texas Department of Criminal Justice (TDCJ) is authorized to own or lease, operate, and maintain one aircraft and to replace it if necessary. In the event that a temporary need arises, the TDCJ is authorized to expend funds for the lease or rental of aircraft on an as-needed basis.

34. Expenditure Limitation - Windham School District. None of the funds provided to the Windham School District through the Texas Education Agency shall be expended unless the Board of Criminal Justice has approved an annual operating budget for the school district prior to the expenditure of any funds. The Department of Criminal Justice shall file a copy of that operating budget of the Windham School District with the Governor, the Legislative Budget Board, and the appropriate legislative oversight committees at the beginning of each fiscal year.

35. Postsecondary Education Programs. Postsecondary education courses shall be available only to inmates who have:

a. demonstrated a clear and convincing record of rehabilitation while incarcerated, and

b. demonstrated an interest in a field of study that lends itself to performing specific and beneficial tasks while incarcerated, and

c. demonstrated the aptitude and capabilities to do college-level study.

The costs of such postsecondary education programs shall be reimbursed by the inmate as a condition of parole.

The Department of Criminal Justice shall not provide in-cell tutoring for inmates who are in administrative segregation.

The Department of Criminal Justice may not transfer appropriations out of Strategy C.2.2, Academic/Vocational Training.

36. Appropriation: Education and Recreation Program Receipts. All receipts collected from the operation of facility commissaries and all gifts and other income for inmate welfare accruing together with Education and Recreation Program account balances at the beginning of each year of the biennium beginning September 1, 2009, are hereby appropriated above in Strategy C.1.5, Institutional Services, to the Department of Criminal Justice subject to the following provisions:

a. All receipts collected shall be deposited in accordance with applicable statutes: (1) in the General Revenue Fund of the State Treasury; (2) in trust with the State Comptroller; or (3) in a local bank account on approval by the State Comptroller.

b. Salaries of personnel employed by the Education and Recreation Program shall conform with the provisions of the Classification Plan except as otherwise provided by this Act.

c. Funds deposited in Education and Recreation Program accounts shall be expended only with the advance, written approval of the Board of Criminal Justice.

d. The department shall expend Education and Recreation Program receipts first for the construction, maintenance, equipment and operations of recreational facilities and for the income producing operations of the program. Any remaining balances may be expended for other programs benefiting the welfare of department confinees.

Any Education and Recreation Program receipts collected in excess of $86,454,303 in fiscal year 2010 and $86,454,303 in fiscal year 2011 are hereby appropriated to the department subject to the above-cited provisions.

37. Private Sector Prison Industries Oversight Authority. Out of funds appropriated above in Strategy C.2.1, Texas Correctional Industries, the Texas Department of Criminal Justice shall provide reimbursement of travel expenses incurred by members of the Private Sector Prison Industries Oversight Authority in accordance with Government Code § 497.055 and provisions of this Act related to the per diem of board or commission members.

38. Appropriation: Sex Offender Notification Fees. All fees collected from offenders for reimbursement to local law enforcement authorities for costs incurred in providing notice for publication, including any costs incurred in publishing any photographs needed to provide notice, to a newspaper in accordance with Government Code, § 508.186, are appropriated above in Strategy F.2.1, Parole Supervision, for reimbursing local law enforcement authorities. Any fees collected in excess of $10,046 in fiscal year 2010 and $10,046 in fiscal year 2011 are hereby appropriated to the department for the same purpose.

39. Appropriation: Parole Supervision Fees. All parole supervision fees collected from offenders in accordance with Government Code § 508.182, are appropriated above in Strategy F.2.1, Parole Supervision. Any fees collected in excess of $8,399,000 in fiscal year 2010 and $8,502,000 in fiscal year 2011 are hereby appropriated to the department for parole supervision.

40. Appropriation Transfers Between Fiscal Years. In addition to the transfer authority provided elsewhere in this Act, the Texas Department of Criminal Justice may transfer appropriations in an amount not to exceed $150,000,000 made for fiscal year 2011 to fiscal year 2010, subject to the following conditions provided by this section:

a. Transfers under this section may be made only:

(1) if correctional populations exceed the capacity of the department, or

(2) if Federal Funds for Incarcerated Aliens appropriated in fiscal year 2010 to the department are not received in the amount identified in the method of finance for that year, or

(3) for any other emergency expenditure requirements, including expenditures necessitated by public calamity.

b. The transfer authority provided above is exclusive of expenditure needs for Strategy C.1.7, Psychiatric Care, and Strategy C.1.8, Managed Healthcare.

c. A transfer authorized by this section above must receive the prior approval of the Governor and the Legislative Budget Board.

d. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.

41. Managed Health Care - Reporting Requirements. The Correctional Managed Health Care Committee is required to submit to the Legislative Budget Board and Governor a report detailing:

a. correctional managed health care actual and projected expenditures for on-site, off-site, and pharmaceutical costs;

b. health care cost for inmates over age 55 including utilization data;

c. other health care information determined by the Office of the Governor and the Legislative Budget Board; and

d. all monies held in reserve during any quarterly reporting period by the Correctional Managed Health Care Committee or for Correctional Managed Health Care by the University of Texas Medical Branch at Galveston and the Texas Tech University Health Sciences Center.

Such reports shall be submitted on a quarterly basis.

42. Managed Health Care Operational Shortfalls. For the purpose of offsetting operational shortfalls occurring in correctional managed health care and out of funds appropriated above, the department shall transfer funds as necessary into Strategy C.1.8, Managed Healthcare, for payment to the Correctional Managed Health Care Committee to address any managed health care operational shortfalls for fiscal years 2010-11, not to exceed $5 million for the biennium. If the department and committee do not agree on transfer amounts deemed necessary, supporting documentation shall be provided to the Governor and the Legislative Budget Board. The Governor and Legislative Budget Board shall then make the final decision.

43. Computer Refurbishing Program. The Texas Department of Criminal Justice shall use funds appropriated above in Strategy C.2.1, Texas Correctional Industries, to develop and implement an inmate work program in which donated, second-hand computers are refurbished in prisons for use by public schools.

44. Capital Expenditures Authorized. Notwithstanding the limitations placed on the expenditure of funds for capital budget items contained in the general provisions of this Act, the Texas Department of Criminal Justice is hereby authorized to expend funds appropriated to the Texas Department of Criminal Justice for the acquisition of capital budget items and unforeseen building maintenance as approved by the Texas Board of Criminal Justice.

45. Recruitment and Retention of Staff. TDCJ shall submit a biennial report on its recruitment and retention efforts to the Governor and the Legislative Budget Board no later than January 1, 2011. The report shall include information on vacancy rates, turnover rates, average years of service, and average number of continuing education training hours for security and nonsecurity staff.

46. Parole Transitional Support Program. Out of funds appropriated above in Strategy F.2.1, Parole Supervision, the Texas Department of Criminal Justice (TDCJ) shall use $50,000 each fiscal year of the 2010-11 biennium for the Transitional Support Program. The TDCJ shall use these funds for the sole purpose of providing contracts for services with recognized non-profit organizations in order to facilitate parolees with their transition from incarceration to release on parole. The contracted services shall emphasize and promote family support and involvement in the transition and should establish the goal of reducing recidivism rates of the individuals who participate in the program.

47. Correctional Officer Training. Out of funds appropriated above, the Texas Department of Criminal Justice shall provide at least 284 hours of training for new correctional officers.

48. Human Resources Management Plan. From funds appropriated above, the Texas Department of Criminal Justice shall develop a Human Resources Management Plan designed to improve employee morale and retention. The plan must focus on reducing employee turnover through better management. The Texas Department of Criminal Justice shall report, by October 1 of each year of the biennium, to the Senate Finance Committee, the House Committee on Appropriations, the Legislative Budget Board, and the Governor the employee turnover rate, by job category, at the agency during the preceding fiscal year. The effectiveness of an agency's plan shall be measured by whether or not there is a reduction in annual employee turnover rates at the agency, specifically by the reduction in the turnover rates for correctional officers.

49. Ombudsman Activity. From funds appropriated above, the Ombudsman for the Texas Department of Criminal Justice (TDCJ) shall respond to all agency and legislatively referred complaints in a timely manner. The TDCJ shall develop performance measures, trend analysis, and a method of resolution for issues presented. The TDCJ shall provide summary reports regarding this activity to the Legislative Budget Board and the Governor on an annual basis.

50. Safe Prisons Program. From funds appropriated above, the Texas Department of Criminal Justice (TDCJ) shall maintain a Safe Prisons Program for the purpose of preventing and limiting the number of sexual assaults by inmates on inmates. Strategies to prevent sexual assaults that may be used in the Safe Prisons Program include, but are not limited to, use of protective custody; use of an inmate's assault history in making cell assignments; use of an inmate's likelihood of victimization in cell assignments; education of correctional officers on the importance of preventing sexual assault; education of new prisoners on the risks of sexual assault, including prosecution; and use of surveillance cameras. TDCJ shall report annually to the Legislative Budget Board and the Governor the number of sexual assaults by inmates on inmates and the actions taken on each assault. Additional reporting elements may be established by the Legislative Budget Board and the Governor. TDCJ shall designate a Safe Prisons Program coordinator who reports directly to the TDCJ Executive Director.

51. Interagency Contract for Legal Services. Out of funds appropriated above, $1.3 million for each fiscal year of the 2010-11 biennium is for an interagency contract with the Office of the Attorney General for legal services provided by the Office of the Attorney General to the Texas Department of Criminal Justice (TDCJ). Any interagency contract funded by appropriated funds may not exceed reasonable attorney fees for similar legal services in the private sector, shall not jeopardize the ability of the TDCJ to carry out its legislative mandates, and shall not affect the budget for the TDCJ such that employees must be terminated in order to pay the amount of the interagency contract.

52. Appropriation: Unexpended Balances of Construction Bonds. Any unexpended balances of general obligation bond appropriations that have been approved under the provisions of Article IX, Section 19.70 or Article IX, Section 19.71 of House Bill 1, 80th Legislature, Regular Session, 2007, as of August 31, 2009, for the Texas Department of Criminal Justice (TDCJ) for the repair and rehabilitation of facilities are hereby appropriated to the TDCJ for the biennium beginning September 1, 2009, provided that such appropriated funds shall not be expended without approval of the Board of Criminal Justice and that copies of such approvals shall be filed with the Governor and the Legislative Budget Board. Unexpended balances appropriated for the 2010-11 biennium may be used only for facilities repair and rehabilitation or the conversion of the Marlin Correctional Mental Health Facility and shall not be used for the construction of additional facilities (fiscal year 2009 unexpended balance estimated to be $0).

53. Misdemeanor Funding. The Texas Department of Criminal Justice shall distribute funds at a rate not to exceed $.70 per day for each misdemeanor defendant directly supervised by a community supervision and corrections department. Funding for each misdemeanor defendant may not exceed the period of time authorized by statute.

54. Appropriation: Refunds of Unexpended Balances from CSCDs. The Texas Department of Criminal Justice (TDCJ) shall maintain procedures to ensure that the state is refunded all unexpended and unencumbered balances of state funds held as of the close of this biennium by local community supervision and corrections departments (CSCDs). All estimated fiscal years 2008-09 refunds received from CSCDs by TDCJ are appropriated above in Strategies A.1.1, Basic Supervision, A.1.2, Diversion Programs, A.1.3, Community Corrections, and A.1.4, Treatment Alternatives to Incarceration. All refunds received by TDCJ in excess of $19,800,000 shall be redistributed by TDCJ for the benefit of the community supervision and corrections system (estimated to be $0).

55. Transportation - Substance Abuse. From funds appropriated above, the Department of Criminal Justice shall provide transportation for inmates who are released from Substance Abuse Felony Punishment Facilities (SAFPF) or In-Prison Therapeutic Community (IPTC) facilities and transferred to a residential setting.

56. Treatment Alternatives to Incarceration Program. The Texas Department of Criminal Justice is directed to expend at least $3.25 million each fiscal year of the biennium on the Treatment Alternatives to Incarceration Program as specified in Government Code § 76.017.

57. Harris County Community Corrections Facility. Out of funds appropriated above in Strategy A.1.2, Diversion Programs, $6,500,000 in fiscal year 2010 and $6,500,000 in fiscal year 2011 in

discretionary grants shall be made to the Harris County Community Supervision and Corrections Department for the continued operations of the Harris County Community Corrections Facility.

58. Continuity of Care. Out of the funds appropriated above in Strategy B.1.1, Special Needs Projects, the Texas Correctional Office on Offenders with Medical or Mental Impairments shall coordinate with the Texas Department of State Health Services, county and municipal jails, and community mental health and mental retardation centers on establishing methods for the continuity of care for pre- and post-release activities of defendants who are returned to the county of conviction after the defendant's competency has been restored. The Council shall coordinate in the same manner it performs continuity of care activities for offenders with special needs.

59. Texas State Council for Interstate Adult Supervision Authority. Out of funds appropriated above, TDCJ shall provide reimbursement of travel expenses incurred by members of the Texas State Council for Interstate Adult Offender Supervision while conducting the business of the council in accordance with Government Code, Chapters 510 and 2110, and provisions of this Act related to the per diem of board or commission members.

60. Advisory Committee on Offenders with Medical or Mental Impairments. Out of the funds appropriated above, TDCJ shall provide reimbursement of travel expenses incurred by members of the Advisory Committee on Offenders with Medical or Mental Impairments incurred while conducting business of the committee in accordance with Government Code, Chapters 614 and 2110, and provisions of this Act related to the per diem of board or commission members.

61. Correctional Managed Healthcare: Limitation of Expenditure. Out of the funds appropriated above, the Correctional Managed Healthcare Committee shall not transfer any funds in excess of capitation rates established in contracts to the University of Texas Medical Branch or the Texas Tech University Health Sciences Center without prior approval of the Governor and the Legislative Budget Board. Any funds appropriated for Correctional Managed Healthcare remaining unexpended or unobligated on August 31 of each fiscal year shall lapse to the General Revenue Fund.

62. Minimum Standards of Contracted Facilities. The Texas Department of Criminal Justice may use funds appropriated for Strategy C.1.10, Contracted Temporary Capacity, to contract only with facilities that met the minimum standards promulgated by the Texas Commission on Jail Standards at the time of their most recent audit.

63. Probation Caseload Reduction. Out of funds appropriated above to the Texas Department of Criminal Justice in Strategy A.1.2, Diversion Programs, at least $14,092,422 in fiscal year 2010 and at least $14,092,422 in fiscal year 2011 shall be used to fund community supervision officers to reduce caseloads consisting of medium and high risk offenders.

64. Residential Treatment and Sanction Beds Funding. From funds appropriated above in Strategy A.1.2, Diversion Programs, at least $13,637,500 shall be expended in fiscal year 2010 and at least $13,637,500 shall be expended in fiscal year 2011 on residential treatment and sanction beds. In distribution of these funds, the Community Justice Assistance Division of the Texas Department of Criminal Justice shall give preference to community supervision and corrections departments having access to currently existing, unfunded residential treatment and sanction beds. The Community Justice Assistance Division shall also give preference to community supervision and corrections departments that have higher rates of community supervision technical revocations in order to maximize the positive effect on the criminal justice system.

65. Medically Recommended Intensive Supervision. From funds appropriated above, the Department of Criminal Justice (TDCJ) shall develop an automated report to assist in identifying offenders eligible for medically recommended intensive supervision (MRIS). TDCJ should work with the University of Texas Medical Branch and the Texas Tech University Health Sciences Center to develop uniform diagnosis codes to signal offenders eligible for release on MRIS.

TDCJ shall expedite its screening process for MRIS by requesting an offender's board file at the same time it assigns a caseworker to complete an interview of the offender.

66. Unexpended Balance Authority for Special Needs Projects. Any unexpended balances as of August 31, 2010, for the Texas Department of Criminal Justice in appropriations made above in Strategy B.1.1, Special Needs Projects, are hereby appropriated to the department for the fiscal year beginning September 1, 2010, for the same purpose.

67. Monitoring of Community Supervision Diversion Funds. From funds appropriated above, the Texas Department of Criminal Justice (TDCJ) shall maintain a specific accountability system for tracking community supervision funds targeted at making a positive impact on the criminal justice system.

In addition to continuing the recommendations made by the State Auditor's Office in the September 2004 report (Report No. 05-002) to the Texas Department of Criminal Justice to increase the accuracy and completeness of information used to allocate funds for adult probation services and to improve the monitoring agreements made with the community supervision and corrections departments (CSCDs), the agency shall implement a monitoring system so that the use of funds appropriated in Strategies A.1.2, A.1.3, and A.1.4. can be specifically identified.

The agency shall produce, on an annual basis, detailed monitoring, tracking, utilization, and effectiveness information on the above mentioned funds. This information shall include information on the impact of any new initiatives. Examples include, but are not limited to, number of offenders served, number of residential beds funded, number of community supervision officers hired, and caseload sizes. The agency shall provide documentation regarding the methodology used to distribute the funds. In addition to any other requests for information, the agency shall report the above information for the previous fiscal year to the Legislative Budget Board and the Governor's Office by December 1st of each year.

68. Mental Health Services. Out of the funds appropriated above to the Texas Department of Criminal Justice (TDCJ) in Strategy A.1.2, Diversion Programs, and Strategy B.1.1, Special Needs Projects, at least $31,000,000 shall be expended for enhanced mental health services. Funds appropriated in Strategy A.1.2, Diversion Programs, include $4,000,000 that shall be used in fiscal year 2010 and $4,000,000 that shall be used in fiscal year 2011 for specialized mental health caseloads. Funds appropriated in Strategy B.1.1, Special Needs Projects, include $11,500,000 in fiscal year 2010 and $11,500,000 in fiscal year 2011 that shall be used to provide case management and mental health services for adult and juvenile offenders.

69. Battering Intervention Program. Out of funds appropriated above in Strategy A.1.2, Diversion Programs, the Texas Department of Criminal Justice (TDCJ) shall allocate $1,250,000 in fiscal year 2010 and $1,250,000 in fiscal year 2011 for funding the Battering Intervention and Prevention Program (BIPP) in the manner required by Article 42.141 of the Code of Criminal Procedure. The BIPP shall be administered using a statewide allocation of direct grants from TDCJ to local non-profit organizations in the manner described in Government Code § 509.011. Funds subject to this provision shall be allocated at the local level and designated for use only for these programs. Funds subject to this provision may not be utilized for administrative expenses of local community supervision and corrections departments nor may they be used to supplant local funding.

70. Payments to County Prosecutors. Out of the funds appropriated above, the district clerks in counties with more than four Texas Department of Criminal Justice operational correctional facilities are to be allocated during each year of the biennium, an amount not to exceed $12,000 annually, to be allocated in equal monthly installments. The allocation shall be used for the purpose of prosecuting persons charged with criminal violations on Texas Department of Criminal Justice property.

71. Progressive Sanctions Model. From funds appropriated above, the Community Justice Assistance Division of the Texas Department of Criminal Justice shall encourage community supervision and corrections departments to employ the progressive sanctions community supervision model. To the maximum extent possible and from funds appropriated to the Texas Department of Criminal Justice in Strategy A.1.2, Diversion Programs, the Community Justice Assistance Division shall give preference to community supervision and corrections departments using the progressive sanctions community supervision model to make a positive impact on the criminal justice system.

72. Marlin Correctional Mental Health Facility. From funds appropriated by this Act for the repair and rehabilitation of facilities, $13,500,000 in General Obligation Bond Proceeds may be expended to convert the Marlin Veterans Affairs Hospital into an inpatient mental health facility for the Texas Department of Criminal Justice. Also, funds appropriated above in Strategy C.1.1, Correctional Security Operations, include $5,500,000 in fiscal year 2011 in General Revenue Funds for the operations of the facility, and funds appropriated above in Strategy C.1.7, Psychiatric Care, include $4,843,986 in fiscal year 2011 in General Revenue Funds to provide inpatient mental health care.

73. Project RIO Referrals and Educational and Workforce Services. From funds appropriated above in Strategy C.2.3, Project RIO, and Strategy F.2.1, Parole Supervision, the Texas Department of Criminal Justice shall implement methods to 1) ensure that offenders under parole supervision who are unemployed or underemployed are identified and referred to local workforce centers to participate in post-release Project RIO services, and 2) align Project RIO pre-release educational and workforce services to correspond with the types of employment available and location of such opportunities based on information provided by the Texas Workforce Commission. The Department shall provide a report to the Legislative Budget Board and the Governor's Office no later than December 1st of each year summarizing the progress and implementation of the requirements listed above.

74. Annual Parole Supervision. Out of funds appropriated above in Strategy F.2.1, Parole Supervision, the Texas Department of Criminal Justice shall develop an annual parole supervision program to supervise nonviolent, low-risk offenders.

75. Diversion Initiatives. The Department of Criminal Justice shall use funds appropriated above for various diversion initiatives in the strategies and General Revenue amounts specified below:

a. Strategy A.1.2, Diversion Programs. Funding for probation outpatient substance abuse treatment appropriated in the amount of $5,000,000 in fiscal year 2010 and $5,000,000 in fiscal year 2011;

b. Strategy A.1.2, Diversion Programs. Funding for probation residential treatment beds (800) appropriated in the amount of $18,004,723 in fiscal year 2010 and $18,004,723 in fiscal year 2011;

c. Strategy B.1.1, Special Needs Projects. Funding for the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) to provide mental health services, medications, and continuity of care to juvenile and adult offenders with mental impairments appropriated in the amount of $5,000,000 in fiscal year 2010 and $5,000,000 in fiscal year 2011;

d. Strategy C.2.5, Substance Abuse Treatment. Funding for Substance Abuse Felony Punishment Facility treatment beds (additional beds in contracted capacity) appropriated in the amount of $37,226,325 in fiscal year 2010 (1,399 beds) and $39,980,583 in fiscal year 2011 (1,500 beds). The funding includes aftercare in transitional treatment centers and outpatient counseling;

e. Strategy C.2.5, Substance Abuse Treatment. Funding for In-Prison Therapeutic Community Program expansion (1,000 additional treatment slots in existing capacity) appropriated in the amount of $12,054,125 in fiscal year 2010 and $12,054,125 in fiscal year 2011. The funding includes aftercare in transitional treatment centers and outpatient counseling;

f. Strategy C.2.5, Substance Abuse Treatment. Funding for Driving While Intoxicated (DWI) treatment beds (500 additional treatment beds in contracted capacity) appropriated in the amount of $6,027,063 in fiscal year 2010 and $6,027,063 in fiscal year 2011. The funding includes aftercare in transitional treatment centers and outpatient counseling;

g. Strategy C.2.5, Substance Abuse Treatment. Funding for additional treatment slots in State Jails (1,200 beds in existing capacity) appropriated in the amount of $2,900,000 in fiscal year 2010 and $2,900,000 in fiscal year 2011;

h. Strategy F.2.2, Halfway House Facilities. Funding for parole halfway houses (300 additional beds) appropriated in the amount of $3,542,324 in fiscal year 2010 and $3,542,324 in fiscal year 2011; and

i. Strategy F.2.3, Intermediate Sanction Facilities. Funding for additional probation and parole beds appropriated in the amount of $14,375,891 in fiscal year 2010 (992 beds) and $20,279,035 in fiscal year 2011 (1,400 beds).

Payment for the services provided above in Strategy A.1.2, Diversion Programs, Strategy C.2.5, Substance Abuse Treatment, Strategy F.2.2, Halfway House Facilities, and Strategy F.2.3, Intermediate Sanction Facilities, shall be provided on a per diem or reimbursement basis for

services actually provided to offenders or for beds actually occupied by offenders. Any surplus funding from services directly provided by local community supervision and corrections departments (CSCDs) shall be returned to the state at the end of the biennium in accordance with applicable statutes and rules of this state.

76. Withholding of Funds. The Department of Criminal Justice (TDCJ) may withhold the distribution of funds allocated in Goal A, Provide Prison Diversions, to community supervision and corrections departments (CSCDs) that fail to comply with TDCJ data reporting requirements that include, but are not limited to, data required for the Community Supervision Tracking System, Quarterly Financial Reports, Monthly Community Supervision and Correction Reports, Caseload Reports, Program Output reports and other data required by TDCJ for accountability purposes.

77. Job Placement Pilot Program. From funds appropriated above in Strategy F.2.1, Parole Supervision, $500,000 in fiscal year 2010 and $500,000 in fiscal year 2011 in General Revenue Funds may be used for the development of a job placement pilot program using a private vendor selected through a request for proposal process. The program shall ensure that services correspond with the types of employment available and location of such opportunities. The agency shall submit a report to the Legislative Budget Board and the Governor's Office summarizing the implementation and activities of the pilot program by December 1st of each year. The report shall include, but not be limited to:

a. The number of offenders served by the job placement pilot program;

b. The number of program participants who obtain employment through the pilot program;

c. The employment retention rate;

d. The average annual earnings of each participant; and

e. A review of underemployment among program participants to identify and implement activities for improvement.

78. Targeted Substance Abuse Treatment. From funds appropriated above in Strategy A.1.2, Diversion Programs, $1,000,000 in fiscal year 2010 and $1,000,000 in fiscal year 2011 may be used to provide substance abuse aftercare and treatment in an outpatient setting in conjunction with ongoing monitoring and oversight provided by the contracting entity for defendants completing contract residential or community corrections facilities' placements for substance abuse.

It is the intent of the Legislature that the Department of Criminal Justice shall give preference to those counties with the greatest need in order to maximize the positive effect of reducing recidivism and providing alternatives to incarceration within the criminal justice system.

79. Appropriation Authority for General Obligation Bond Proceeds.[4] Appropriated above in Strategy D.1.1, Facilities Construction, in fiscal year 2010 is $45,000,000 and in fiscal year 2011 is $35,000,000 in general obligation bond proceeds for projects for the Department of Criminal Justice as described in Article IX, Sec. 17.11, Informational Listing General Obligation Bond Proceeds.

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 purpose(s).

80. Community Supervision Officers and Direct Care Staff Salary Increases. From funds appropriated above in Strategy A.1.2, Diversion Programs, the Department of Criminal Justice (TDCJ) shall provide $4,375,000 in fiscal year 2010 and $8,750,000 in fiscal year 2011 in General Revenue Funds to local community supervision and corrections departments for salary increases for community supervision officers and direct care staff. It is the intent of the Legislature that the community supervision officers and direct care staff receive a three and a half percent increase in salaries in fiscal year 2010 and an additional three and a half percent increase in fiscal year 2011

[4] Modified to correct reference error.

based on the employee's annual compensation as of August 31, 2009. These funds shall not be used to supplant existing expenditures associated with programs and services within local community supervision and corrections departments.

81. Contingency for Reducing and Increasing Texas Department of Criminal Justice Appropriations.[5] Contingent on the enactment of Senate Bill 1206, House Bill 1899, House Bill 1958, or similar legislation relating to the release of certain inmates who complete a rehabilitation tier program from the Texas Department of Criminal Justice, by the Eighty-first Legislature, Regular Session, funding in Goal C, Incarcerate Felons, is reduced by $9,039,832 in General Revenue Funds in fiscal year 2010 and $5,742,667 in General Revenue Funds in fiscal year 2011. Also contingent on the enactment of this legislation, funding in Strategy F.2.1 Parole Supervision, is increased by $736,746 in General Revenue Funds in fiscal year 2010 and $468,027 in General Revenue Funds in fiscal year 2011 to provide for the supervision of these offenders.

82. Managed Health Care Staff Loan Repayment. From the amounts appropriated above in Strategy C.1.7, Psychiatric Care, and Strategy C.1.8, Managed Healthcare, the Correctional Managed Health Care Committee established under Subchapter E, Chapter 501, Government Code, may use not more than a total of $500,000 for fiscal year 2010 and $500,000 for fiscal year 2011 for loan repayment assistance for medical and mental health care staff in accordance with guidelines established by the committee. Not later than December 1, 2011, the committee shall submit to the Legislative Budget Board and the Office of the Governor a report detailing the use and disposition of those funds.

83. Managed Health Care - Appropriation Transfer Between Fiscal Years. In addition to transfer authority provided elsewhere in this Act, the Correctional Managed Health Care Committee may transfer appropriations in an amount not to exceed $20 million made for fiscal year 2011 to fiscal year 2010, subject to the following conditions provided by this section:

a. Transfers under this section may be made only if:

(1) costs of providing correctional managed health care exceed available funding due to increases in prison population, increases in medical care needs among the prison population, or increases in health care staffing costs, or

(2) for any other emergency expenditure requirements, including expenditures necessitated by public calamity.

b. A transfer authorized by this section above must receive the prior approval of the Governor and the Legislative Budget Board.

c. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.

84. Salary Increase for Certain Department Employees. Out of funds appropriated to the Texas Department of Criminal Justice above, the department shall increase the annual compensation of department employees employed in the following areas or categories in an amount equal to three and a half percent in fiscal year 2010 and an additional three and a half percent in fiscal year 2011 of the employee's annual compensation as of August 31, 2009:

a. TCI Industrial Specialists,
b. Agricultural Unit Operations,
c. Unit Maintenance Operations,
d. Unit Clerical Staff,
e. Mailroom Operations,
f. Countroom Operations,
g. Commissary Operations,
h. Intake Operations/Photo and ID,
i. Property and Supply Officers,
j. Unit Classification Operations,
k. Unit Human Resource Assistants,
l. Chaplaincy,

[5] The Governor vetoed SB 1206, 81st Legislature, Regular Session and TDCJ Rider 81, resulting in an increase in General Revenue Funds by $8,303,086 in FY 2010 and $5,274,640 in FY 2011. See the Governor's Veto Proclamation.

m. Unit Project RIO,
n. Counsel Substitute,
o. Substance Abuse Treatment Program,
p. Grievance Investigators,
q. Risk Management,
r. Law Librarians,
s. Sex Offender Treatment Program,
t. TCI Accountants,
u. Health Care/Diagnostics and Evaluation,
v. Treatment Services - Unit Staff, and
w. Truck Drivers and Correctional Transportation Officers

85. Serving for Success Diversion Program. From funds appropriated above in Strategy A.1.2, Diversion Programs, $2,000,000 in fiscal year 2010 and $2,000,000 in fiscal year 2011 shall be used for one-time start-up costs for the Serving for Success Diversion Program with the Houston Food Bank to provide job training for offenders and community service by inmate volunteers.

COMMISSION ON FIRE PROTECTION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees[1]	$ 3,444,739	$ 3,420,369
Appropriated Receipts	35,000	35,000
Total, Method of Financing	$ 3,479,739	$ 3,455,369
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[1]	41.0	41.0
Schedule of Exempt Positions:		
Executive Director, Group 3	$92,600	$92,600
Items of Appropriation:		
A. Goal: EDUCATION & ASSISTANCE		
Provide Fire-related Information and Resources.		
A.1.1. Strategy: FIRE SAFETY INFO & EDUC PROGRAMS	$ 72,948	$ 72,948
Fire Safety Information & Educational Programs.		
A.2.1. Strategy: ADMINISTER GRANT PROGRAM[2]	$ 1,000,000	$ 1,000,000
Administer Grant/Loan Program.		
Total, Goal A: EDUCATION & ASSISTANCE	$ 1,072,948	$ 1,072,948
B. Goal: FIRE DEPARTMENT STANDARDS		
Enforce Fire Department Standards.		
B.1.1. Strategy: CERTIFY & REGULATE FIRE SERVICE[1]	$ 1,584,928	$ 1,580,958
Certify and Regulate Fire Departments and Personnel.		

[1] Incorporates Article IX, § 17.102, of this Act, due to the enactment of SB 1011, 81st Legislature, Regular Session, relating to the continuation and functions of the Commission on Fire Protection, resulting in an increase in General Revenue Funds (Fund 8042-Insurance Companies Maintenance Tax and Insurance Department Fees) of $98,571 and 1.0 FTE in FY 2010 and $132,701 and 1.0 FTE in FY 2011. This appropriation is contingent upon the Comptroller of Public Accounts issuing a finding of fact that the Commission on Fire Protection has increased revenues by $163,400 in excess of the Comptroller's Biennial Revenue Estimate.
[2] The passage of SB 1011, 81st Legislature, Regular Session, abolishes the Fire Department Emergency Program (Strategy A.2.1.) on January 1, 2010. Any unexpended and unobligated balance of funds appropriated for the Fire Department Emergency Program will be transferred to the Texas Forest Service.

C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: INDIRECT ADMINISTRATION	$ 821,863	$ 801,463
Grand Total, COMMISSION ON FIRE PROTECTION	$ 3,479,739	$ 3,455,369
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 2,025,211	$ 2,025,211
Other Personnel Costs	65,360	52,360
Professional Fees and Services	7,000	7,000
Consumable Supplies	15,600	15,600
Utilities	25,544	25,544
Travel	125,000	125,000
Rent - Building	12,000	12,000
Rent - Machine and Other	33,600	33,600
Other Operating Expense	155,424	144,054
Grants	1,000,000	1,000,000
Capital Expenditures	15,000	15,000
Total, Object-of-Expense Informational Listing	$ 3,479,739	$ 3,455,369
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 106,255	$ 107,849
Group Insurance	384,953	422,229
Social Security	129,062	130,998
Benefits Replacement	8,167	7,758
Subtotal, Employee Benefits	$ 628,437	$ 668,834
Debt Service		
Lease Payments	$ 9,207	$ 6,000
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 637,644	$ 674,834

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Commission on Fire Protection. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Commission on Fire Protection. In order to achieve the objectives and service standards established by this Act, the Commission on Fire Protection shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: EDUCATION & ASSISTANCE		
Outcome (Results/Impact):		
Percentage of Total Amount Requested for Loans/Grants Compared with Requests Awarded	36%	36%
B. Goal: FIRE DEPARTMENT STANDARDS		
Outcome (Results/Impact):		
Percentage of Inspected Fire Certificate Holders with No Recent Violations	95%	95%
B.1.1. Strategy: CERTIFY & REGULATE FIRE SERVICE		
Explanatory:		
Number of Fire Service Personnel Certified	26,750	26,750

2. **Training Restriction.** None of the funds appropriated above may be expended for fire protection or fire management training except through contract with Texas Commission on Fire Protection approved training programs external to the commission in order to avoid duplication of service.

3. **Appropriation of Receipts - Loan Repayments Revolving Fund.**[3] In addition to the amounts appropriated above, the Texas Commission on Fire Protection is hereby appropriated all loan repayments, loan forfeitures, and other revenue accruing to the revolving loan fund in excess of $229,000 for fiscal year 2010 and in excess of $229,000 for fiscal year 2011 for the purpose of making additional loans as established in Government Code, Chapter 419, Subchapter C (estimated to be $0). The unexpended balance in Strategy A.2.1, Administer Grant Program, and of collections in excess of $229,000 in the revolving loan fund at the end of fiscal year 2010 is hereby appropriated for fiscal year 2011 for the same purpose.

4. **Grants and Loan Program.**[3] Funds appropriated above in Strategy A.2.1, Administer Grant Program, shall be used solely for grants and loans to fire departments per Government Code § 419.053. Funds shall not be transferred out of this strategy and any funds not used for grants and loans shall lapse at the end of the biennium.

5. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 for the Commission on Fire Protection are made contingent on the continuation of the Commission on Fire Protection by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

6. **Contingency for Fire Fighter Certification Fees.** Included in the amounts appropriated above in Strategy B.1.1, Certify and Regulate Fire Service, and Strategy C.1.1, Indirect Administration, is $366,500 in fiscal year 2010 and $321,000 in fiscal year 2011 out of the General Revenue Fund (Fund 8042 - Insurance Companies Maintenance Tax and Insurance Department Fees) for the purpose of certifying and regulating the fire service. These appropriations are contingent upon the Commission on Fire Protection increasing revenues from certification fees, pursuant to Government Code, Chapter 419, by $857,206 and providing such information deemed necessary by the Comptroller of Public Accounts to issue a finding of fact that the increased revenues are estimated to be available in excess of the Comptroller's Biennial Revenue Estimate, including supplemental estimates used in certifying this Act, to fund the increased appropriations and benefits. Also contingent on the finding of fact, the "Number of Full-time-equivalents (FTE)" indicated above includes 7 FTEs in fiscal year 2010, and 7 FTES in fiscal year 2011.

---

[3] The passage of SB 1011, 81st Legislature, Regular Session, abolishes the Fire Department Emergency Program (Strategy A.2.1.) on January 1, 2010. Any unexpended and unobligated balance of funds appropriated for the Fire Department Emergency Program will be transferred to the Texas Forest Service.

COMMISSION ON JAIL STANDARDS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,046,848	$ 1,046,848
Other Funds		
Criminal Justice Grants	25,000	25,000
Appropriated Receipts	3,500	3,500
Subtotal, Other Funds	$ 28,500	$ 28,500
Total, Method of Financing	$ 1,075,348	$ 1,075,348
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	19.0	19.0

COMMISSION ON JAIL STANDARDS
(Continued)

Schedule of Exempt Positions:				
Executive Director, Group 1		$75,350		$75,350
Items of Appropriation:				
A. Goal: EFFECTIVE JAIL STANDARDS				
Assist Local Govts through Effective Standards & Technical Assistance.				
A.1.1. Strategy: INSPECTION AND ENFORCEMENT	$	336,470	$	336,470
Perform Inspections of Facilities and Enforce Standards.				
A.1.2. Strategy: JUVENILE JUSTICE SURVEY	$	25,000	$	25,000
Perform Annual Survey of Jails to Determine Compliance with JJDPA.				
A.2.1. Strategy: CONSTRUCTION PLAN REVIEW	$	128,264	$	128,264
Assist with Facility Need Analysis and Construction Document Review.				
A.2.2. Strategy: MANAGEMENT CONSULTATION	$	186,868	$	186,868
Assist with Staffing Analysis, Operating Plans, & Program Development.				
A.3.1. Strategy: AUDITING POPULATION AND COSTS	$	65,635	$	65,635
Collect and Analyze Data Concerning Inmate Population/Backlogs/Costs.				
Total, Goal A: EFFECTIVE JAIL STANDARDS	$	742,237	$	742,237
B. Goal: INDIRECT ADMINISTRATION				
B.1.1. Strategy: INDIRECT ADMINISTRATION	$	333,111	$	333,111
Grand Total, COMMISSION ON JAIL STANDARDS	$	1,075,348	$	1,075,348
Object-of-Expense Informational Listing:				
Salaries and Wages	$	797,300	$	797,300
Other Personnel Costs		31,684		31,684
Professional Fees and Services		36,513		36,513
Consumable Supplies		12,452		12,452
Utilities		1,647		1,647
Travel		136,204		136,204
Rent - Building		364		364
Rent - Machine and Other		21,615		21,615
Other Operating Expense		26,981		26,981
Capital Expenditures		10,588		10,588
Total, Object-of-Expense Informational Listing	$	1,075,348	$	1,075,348
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	39,661	$	40,256
Group Insurance		117,106		126,877
Social Security		50,319		51,074
Benefits Replacement		1,853		1,761
Subtotal, Employee Benefits	$	208,939	$	219,968
Debt Service				
Lease Payments	$	53,529	$	53,650
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	262,468	$	273,618

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Commission on Jail Standards. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Commission on Jail Standards. In order to achieve the objectives and service standards established by this Act, the Commission on Jail Standards shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

COMMISSION ON JAIL STANDARDS
(Continued)

	2010	2011
A. Goal: EFFECTIVE JAIL STANDARDS		
Outcome (Results/Impact):		
Number of Jails Achieving Compliance with Standards	220	222
Percent of Jails with Management-related Deficiencies	10%	10%
A.1.1. Strategy: INSPECTION AND ENFORCEMENT		
Output (Volume):		
Number of Annual Inspections Conducted	251	251
A.2.1. Strategy: CONSTRUCTION PLAN REVIEW		
Output (Volume):		
Number of On-site Planning and Construction Consultations with Jail Representatives	140	140
A.2.2. Strategy: MANAGEMENT CONSULTATION		
Output (Volume):		
Number of On-site Operation and Management Consultations with Jail Representatives	300	300
A.3.1. Strategy: AUDITING POPULATION AND COSTS		
Output (Volume):		
Number of Paper-ready Reports Analyzed	6,300	6,300

2. **Appropriation: Inspection Fees.** The Commission on Jail Standards is hereby appropriated fees collected to pay only the cost incurred by the commission in performing inspections pursuant to Government Code § 511.0091 (estimated to be $13,000 in fiscal year 2010 and $13,000 in fiscal year 2011 from the General Revenue Fund and included in the amounts appropriated above).

3. **Sunset Contingency.** Funds appropriated for fiscal year 2011 for the Texas Commission on Jail Standards are made contingent on the continuation of the Texas Commission on Jail Standards by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

JUVENILE PROBATION COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 150,743,963	$ 147,727,384
Federal Funds	19,209,156	19,209,156
Other Funds		
Appropriated Receipts	1,345,000	1,345,000
Interagency Contracts - Transfer from Foundation School Fund No. 193	11,476,023	11,534,404
Subtotal, Other Funds	$ 12,821,023	$ 12,879,404
Total, Method of Financing	$ 182,774,142	$ 179,815,944
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	75.0	75.0
Schedule of Exempt Positions:		
Executive Director, Group 4	$120,023	$120,023
Items of Appropriation:		
A. Goal: BASIC PROBATION		
A.1.1. Strategy: BASIC PROBATION SERVICES	$ 33,441,181	$ 33,441,181
A.1.2. Strategy: PROGRESSIVE SANCTIONS LEVELS 1-3	$ 14,120,361	$ 14,120,361
Total, Goal A: BASIC PROBATION	$ 47,561,542	$ 47,561,542

JUVENILE PROBATION COMMISSION
(Continued)

B. Goal: COMMUNITY CORRECTIONS		
B.1.1. Strategy: COMMUNITY CORRECTIONS SERVICES	$ 93,587,112	$ 90,587,112
B.1.2. Strategy: HARRIS COUNTY BOOT CAMP	$ 1,000,000	$ 1,000,000
B.1.3. Strategy: LOCAL POST-ADJUDICATION FACILITIES	$ 4,147,038	$ 4,147,038
B.1.4. Strategy: SPECIAL NEEDS DIVERSIONARY PROGRAMS	$ 1,974,034	$ 1,974,034
Total, Goal B: COMMUNITY CORRECTIONS	$ 100,708,184	$ 97,708,184
C. Goal: PROBATION ASSISTANCE		
C.1.1. Strategy: PROBATION ASSISTANCE Training/Technical Assistance on Community-based Corrections.	$ 21,904,996	$ 21,888,417
D. Goal: JUVENILE JUSTICE ALTERNATIVE ED PGM Juvenile Justice Alternative Education Programs.		
D.1.1. Strategy: JUVENILE JUSTICE ALTERNATIVE ED PGM Juvenile Justice Alternative Education Programs.	$ 11,476,023	$ 11,534,404
E. Goal: INDIRECT ADMINISTRATION		
E.1.1. Strategy: CENTRAL ADMINISTRATION	$ 985,768	$ 985,768
E.1.2. Strategy: INFORMATION RESOURCES	$ 137,629	$ 137,629
Total, Goal E: INDIRECT ADMINISTRATION	$ 1,123,397	$ 1,123,397
Grand Total, JUVENILE PROBATION COMMISSION	$ 182,774,142	$ 179,815,944
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 3,753,084	$ 3,753,084
Other Personnel Costs	11,503	11,503
Professional Fees and Services	34,000	34,000
Consumable Supplies	58,301	60,937
Utilities	26,192	26,192
Travel	108,262	110,896
Rent - Machine and Other	36,917	36,917
Other Operating Expense	3,126,096	128,729
Grants	175,065,305	175,623,686
Capital Expenditures	554,482	30,000
Total, Object-of-Expense Informational Listing	$ 182,774,142	$ 179,815,944
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 226,159	$ 229,552
Group Insurance	409,287	440,878
Social Security	282,390	286,626
Benefits Replacement	17,829	16,937
Subtotal, Employee Benefits	$ 935,665	$ 973,993
Debt Service		
TPFA GO Bond Debt Service	$ 1,023,543	$ 894,536
Lease Payments	154,507	154,825
Subtotal, Debt Service	$ 1,178,050	$ 1,049,361
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 2,113,715	$ 2,023,354

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Juvenile Probation Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Juvenile Probation Commission. In order to achieve the objectives and service standards established by this Act, the Juvenile Probation Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: BASIC PROBATION		
Outcome (Results/Impact):		
Rate of Successful Completion of Deferred Prosecution	85%	85%
Rate of Successful Completion of Court-ordered Probation	87%	87%
A.1.1. Strategy: BASIC PROBATION SERVICES		
Output (Volume):		
Average Daily Population of Youth Supervised under Deferred Prosecution	11,823	11,801
Average Daily Population of Youth Supervised under Court-ordered Probation	23,619	23,406
Average Daily Population of Youth Supervised Prior to Disposition	7,654	7,721
Efficiencies:		
Average State Cost Per Referral	1,390.82	1,336.61
Average State Cost Per Juvenile Supervised Per Day	9.43	9.27
Explanatory:		
Total Number of Referrals	106,606	108,685
B. Goal: COMMUNITY CORRECTIONS		
Outcome (Results/Impact):		
Number of Juveniles under Probation Supervision Committed to Texas Youth Commission	624	624
B.1.1. Strategy: COMMUNITY CORRECTIONS SERVICES		
Output (Volume):		
Average Daily Population of Youth Supervised under Intensive Supervision Probation	4,000	4,000
Average Daily Population of Residential Placements[1]	3,400	3,400
C. Goal: PROBATION ASSISTANCE		
C.1.1. Strategy: PROBATION ASSISTANCE		
Output (Volume):		
Number of Training Hours Provided	12,174	12,337
Total Number of Officers Certified	1,774	1,600
D. Goal: JUVENILE JUSTICE ALTERNATIVE ED PGM		
D.1.1. Strategy: JUVENILE JUSTICE ALTERNATIVE ED PGM		
Output (Volume):		
Number of Mandatory Students Entering Juvenile Justice Alternative Education Programs	2,817	2,832
Mandatory Student Attendance Days in JJAEP During the Regular School Year	138,937	139,676

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Desktop/Server Scheduled Replacement	$ 21,096	$ 20,000
(2) System Backup Infrastructure Replacement	20,000	0
(3) Network Firewall	0	10,000
(4) Juvenile Justice Information System	$ 500,000	$ 0
Total, Acquisition of Information Resource Technologies	$ 541,096	$ 30,000
Total, Capital Budget	$ 541,096	$ 30,000
Method of Financing (Capital Budget):		
General Revenue Fund	$ 541,096	$ 30,000
Total, Method of Financing	$ 541,096	$ 30,000

[1] Modified to correct error.

3. **Restriction, State Aid.** None of the funds appropriated above in Strategy A.1.1, Basic Probation Services, and allocated to local juvenile probation boards shall be expended for salaries or expenses of juvenile board members.

4. **Appropriation of Federal Title IV-E Receipts.** The provisions of Title IV-E of the Social Security Act shall be used in order to increase funds available for juvenile justice services. The Juvenile Probation Commission shall certify or transfer state funds to the Texas Department of Family and Protective Services so that federal financial participation can be claimed for Title IV-E services provided by counties. The Juvenile Probation Commission shall direct necessary general revenue funding to ensure that the federal match for the Title IV-E Social Security Act is maximized for use by participating counties. Such federal receipts are appropriated to the Juvenile Probation Commission for the purpose of reimbursing counties for services provided to eligible children.

5. **Juvenile Boot Camp Funding.** Out of the funds appropriated above in Strategy B.1.2, Harris County Boot Camp, the amount of $1,000,000 annually may be expended only for the purpose of providing a juvenile boot camp in Harris County.

6. **Residential Facilities.** Juvenile Boards may use funds appropriated in Goal A, Basic Probation, and Goal B, Community Corrections, to lease, contract for, or reserve bed space with public and private residential facilities for the purpose of providing rehabilitation and treatment to juvenile offenders. Funds used for placements may not exceed the Commission's Tier Level of Care Rates.

7. **County Funding Levels.** To receive the full amount of state aid funds for which a juvenile board may be eligible, a juvenile board must demonstrate to the commission's satisfaction that the amount of local or county funds budgeted for juvenile services is at least equal to the amount spent for those services, excluding construction and capital outlay expenses, in the 1994 county fiscal year. This requirement shall not be waived by the commission unless the juvenile board demonstrates to the satisfaction of the commission that unusual, catastrophic, or exceptional circumstances existed during the year in question to adversely affect the level of county fiscal effort. If the required local funding level is not met and no waiver is granted by the commission, the commission shall reduce the allocation of state aid funds to the juvenile board by the amount equal to the amount that the county funding is below the required funding.

8. **Local Post-adjudication Facilities.** Out of the funds appropriated above in Strategy B.1.3, Local Post-Adjudication Facilities, the amount of $4,147,038 in fiscal year 2010 and $4,147,038 in fiscal year 2011 in General Revenue Funds may be used only for the purpose of funding local post-adjudication facilities. The agency shall fund these facilities based on historical occupancy rates, rather than the number of beds in the facility.

9. **Juvenile Justice Alternative Education Programs (JJAEP).** Out of the funds transferred to the Juvenile Probation Commission pursuant to Texas Education Agency (TEA) Rider 33 and appropriated above in Strategy D.1.1, Juvenile Justice Alternative Education Programs, the Juvenile Probation Commission shall allocate $1,500,000 at the beginning of each fiscal year to be distributed on the basis of juvenile age population among the mandated counties identified in Chapter 37, Texas Education Code, and those counties with populations between 72,000 and 125,000 which choose to participate under the requirements of Chapter 37.

   An additional $500,000 shall be set aside in a reserve fund for each fiscal year of the biennium to allow mandated and non-mandated counties to apply for additional funds on a grant basis.

   The remaining funds shall be allocated for distribution to the counties mandated by § 37.011(a) Texas Education Code, at the rate of $79 per student per day of attendance in the JJAEP for students who are required to be expelled as provided under § 37.007, Texas Education Code, and are intended to cover the full cost of providing education services to such students. Counties are not eligible to receive these funds until the funds initially allocated at the beginning of each fiscal year have been expended at the rate of $79 per student per day of attendance. Counties in which populations exceed 72,000 but are 125,000 or less, may participate in the JJAEP and are eligible for state reimbursement at the rate of $79 per student per day.

   The Juvenile Probation Commission may expend any remaining funds for summer school programs in counties with a population over 72,000 which are funded as mandated counties in Chapter 37. Funds may be used for any student assigned to a JJAEP. Summer school expenditures may not exceed $3.0 million in any fiscal year.

Unspent balances in fiscal year 2010 shall be appropriated to fiscal year 2011 for the same purposes in Strategy D.1.1.

The amount of $79 per student day for the JJAEP is an estimated amount and not intended to be an entitlement. Appropriations for JJAEP are limited to the amounts transferred from the Foundation School Program pursuant to TEA Rider 33. The amount of $79 per student per day may vary depending on the total number of students actually attending the JJAEPs. Any unexpended or unobligated appropriations shall lapse at the end of fiscal year 2011 to the Foundation School Fund No. 193.

The Juvenile Probation Commission may reduce, suspend, or withhold Juvenile Justice Alternative Education Program funds to counties that do not comply with standards, accountability measures, or Texas Education Code Chapter 37.

10. Funding for Additional Eligible Students in JJAEPs. Out of funds appropriated above in Strategy D.1.1, Juvenile Justice Alternative Education Programs, a maximum of $500,000 in each fiscal year (for a maximum of 90 attendance days per child), is allocated for counties with a population of at least 72,000 which operate a JJAEP under the standards of Chapter 37, Texas Education Code. The county is eligible to receive funding from the Juvenile Probation Commission at the rate of $79 per day per student for students who are required to be expelled under § 37.007, Texas Education Code, and who are expelled from a school district in a county that does not operate a JJAEP.

11. Use of JJAEP Funds. None of the funds appropriated above for the support of JJAEPs shall be used to hire a person or entity to do lobbying.

12. JJAEP Accountability. Out of funds appropriated above in Strategy D.1.1, Juvenile Justice Alternative Education Programs (JJAEP), the Juvenile Probation Commission shall ensure that Juvenile Justice Alternative Education Programs are held accountable for student academic and behavioral success. The Juvenile Probation Commission shall submit a performance assessment report to the Legislative Budget Board and the Governor by May 1, 2010. The report shall include, but is not limited to, the following:

a. an assessment of the degree to which each JJAEP enhanced the academic performance and behavioral improvement of attending students;

b. a detailed discussion on the use of standard measures used to compare program formats and to identify those JJAEPs most successful with attending students;

c. student passage rates on the Texas Assessment of Knowledge and Skills (TAKS) in the areas of reading and math for students enrolled in the JJAEP for a period of 90 days or longer;

d. standardized cost reports from each JJAEP and their contracting independent school district(s) to determine differing cost factors and actual costs per each JJAEP program by school year;

e. average cost per student attendance day for JJAEP students. The cost per day information shall include an itemization of the costs of providing educational services mandated in the Texas Education Code § 37.011. This itemization shall separate the costs of mandated educational services from the cost of all other services provided in JJAEPs. Mandated educational services include facilities, staff, and instructional materials specifically related to the services mandated in Texas Education Code, § 37.011. All other services include, but are not limited to, programs such as family, group, and individual counseling, military-style training, substance abuse counseling, and parenting programs for parents of program youth; and

f. inclusion of a comprehensive five-year strategic plan for the continuing evaluation of JJAEPs which shall include oversight guidelines to improve: school district compliance with minimum program and accountability standards, attendance reporting, consistent collection of costs and program data, training, and technical assistance needs.

13. Training. From funds appropriated above in Strategy C.1.1, Probation Assistance, the Juvenile Probation Commission shall provide training to local juvenile justice practitioners and related professionals including local Juvenile Judges to maximize the appropriate placement of juveniles according to the progressive sanction guidelines.

14. **Unexpended Balances - Hold Harmless Provision.** Any unexpended balances as of August 31, 2010, in Strategy A.1.1, Basic Probation Services (estimated to be $200,000), and in Strategy B.1.1, Community Corrections Services (estimated to be $200,000), above are hereby appropriated to the Juvenile Probation Commission in fiscal year 2011 for the purpose of providing funding for juvenile probation departments whose allocation would otherwise be affected as a result of reallocations related to population shifts.

15. **Appropriation: Refunds of Unexpended Balances from Local Juvenile Probation Departments.** The Juvenile Probation Commission (JPC) shall maintain procedures to ensure that the state is refunded all unexpended and unencumbered balances of state funds held as of the close of each fiscal year by local juvenile probation departments. All fiscal year 2010 and fiscal year 2011 refunds received from local juvenile probation departments by JPC are appropriated above in Strategy B.1.1, Community Corrections Services. Any Basic Probation refunds received in excess of $650,000 in fiscal year 2010 and $650,000 in fiscal year 2011 shall lapse to the General Revenue Fund. Any Community Corrections refunds received in excess of $500,000 in fiscal year 2010 and $500,000 in fiscal year 2011 shall lapse to the General Revenue Fund.

16. **Reporting Requirements to the Legislative Budget Board (LBB).** From funds appropriated above, the Juvenile Probation Commission (JPC) shall maintain a specific accountability system for tracking basic probation and community corrections funds targeted at making a positive impact on youth. JPC shall implement a monitoring system so that the use of funds appropriated in each strategy in Goals A and B can be specifically identified.

    a. The Juvenile Probation Commission shall report juvenile probation population data as requested by the Legislative Budget Board (LBB) on a monthly basis for the most recent month available. JPC shall report to the LBB on all populations specified by the LBB, including, but not limited to, additions, releases, and end-of-month populations. End of fiscal year data shall be submitted indicating each reporting county to the LBB no later than two months after the close of each fiscal year.

    b. The agency shall produce on an annual basis, detailed monitoring, tracking, utilization, and effectiveness information on the above mentioned funds. This information shall include information on the impact of any new initiatives. Examples include, but are not limited to residential placements, community-based services for serious and chronic felons, and community-based services for misdemeanants no longer eligible for commitment to the Youth Commission. In addition to any other requests for information, the agency shall report the above information for the previous fiscal year to the LBB and the Governor's Office by December 1st of each year.

    c. Each report submitted to the LBB and the Governor pursuant to this provision must be accompanied by supporting documentation detailing the sources and methodologies utilized to assess program effectiveness and any other supporting material specified by the LBB.

    d. Each report submitted pursuant to this provision must contain a certification by the person submitting the report that the information provided is true and correct based upon information and belief together with supporting documentation.

    e. The Comptroller of Public Accounts shall not allow the expenditure of funds appropriated by this Act to the Juvenile Probation Commission if the LBB and the Governor certify to the Comptroller of Public Accounts that the Juvenile Probation Commission is not in compliance with this provision.

17. **Special Needs Diversionary Programs.** Out of the funds appropriated above in Strategy B.1.4, Special Needs Diversionary Programs, $1,974,034 in fiscal year 2010 and $1,974,034 in fiscal year 2011 in General Revenue Funds shall be used for specialized mental health caseloads. The agency shall use these funds to work in coordination with the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) and local mental health services agencies to provide specialized supervision caseloads to youth with mental illness.

18. **Community Corrections Funding.** From funds appropriated above in Strategy B.1.1, Community Corrections Services, the Juvenile Probation Commission shall distribute at least $4,366,500 in fiscal year 2010 and at least $4,366,500 in fiscal year 2011 in General Revenue Funds to local juvenile probation departments for enhanced community-based services, including, but not limited to, sex offender treatment, intensive supervision, and specialized supervision, for serious and chronic felony offenders.

From funds appropriated above in Strategy B.1.1, Community Corrections Services, the Juvenile Probation Commission shall distribute at least $6,901,835 in fiscal year 2010 and at least $6,901,835 in fiscal year 2011 in General Revenue Funds to local juvenile probation departments for enhanced community-based services to misdemeanor offenders no longer eligible for Youth Commission commitment.

These funds shall not be used by local juvenile probation departments for salary increases or costs associated with the employment of staff hired prior to September 1, 2007. These funds shall not be used to supplant existing expenditures associated with programs, services, and residential placement of youth within the local juvenile probation departments.

19. Sunset Contingency. Funds appropriated above for fiscal year 2011 are made contingent on the continuation of the Juvenile Probation Commission by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated in fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

20. Juvenile Justice Alternative Education Program (JJAEP) Disaster Compensation. Out of funds appropriated above in Strategy D.1.1, the Commission may compensate a mandatory JJAEP for missed mandatory student attendance days in which disaster, flood, extreme weather condition, or other calamity has a significant effect on the program's attendance.

21. Community Corrections Diversion Program. Out of the funds appropriated above in Strategy B.1.1, Community Corrections Services, $26,000,000 in General Revenue Funds in fiscal year 2010 and $24,000,000 in General Revenue Funds in fiscal year 2011, may be expended only for the purposes of providing programs for the diversion of youth from the Youth Commission (TYC) and a juvenile justice information system at the Juvenile Probation Commission (JPC). The programs may include, but are not limited to, residential, community-based, family, and aftercare programs. The allocation of State funding for the program is not to exceed the rate of $140 per juvenile per day. JPC shall maintain procedures to ensure that the State is refunded all unexpended and unencumbered balances of State funds at the end of each fiscal year.

Out of the funds appropriated above in Strategy B.1.1, Community Corrections Services, and previously identified in this rider, not more than $3,889,600 in fiscal year 2010 and not more than $389,600 in fiscal year 2011 in General Revenue Funds shall be used for the development and maintenance of a juvenile justice information system. These amounts include salaries and wages for an additional 4 full-time-equivalent positions included in the agency's bill pattern in each fiscal year for the maintenance of the juvenile justice information system. This system shall be designed to share juvenile data between juvenile probation departments, JPC, and TYC.

These funds shall not be used by local juvenile probation departments for salary increases or costs associated with the employment of staff hired prior to September 1, 2009. These funds shall not be used to supplant existing expenditures associated with programs, services, and residential placement of youth within the local juvenile probation departments.

From funds appropriated above, JPC shall provide funding for mental health services through an interagency contract with the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI). The juvenile probation departments participating in the diversion program shall report to JPC regarding the use of funds within thirty days after the end of each quarter. JPC shall report to the Legislative Budget Board regarding the use of the funds within thirty days after receipt of each county's quarterly report. Items to be included in the report include, but are not limited to, the amount of funds expended, the number of youth served by the program, the percent of youth successfully completing the program, the types of programming for which the funds were used, the types of services provided to youth served by the program, the average actual cost per youth participating in the program, the rates of recidivism of program participants, the number of youth who receive mental health services through TCOOMMI, the amount of funds provided to TCOOMMI for mental health services for youth, the number of youth committed to TYC, any consecutive length of time over six months a juvenile served by the diversion program resides in a secure corrections facility, and the number of juveniles transferred to criminal court under Family Code, §54.02.

If admissions to TYC during fiscal year 2010 exceed 1,783 and upon approval of the Legislative Budget Board, the Comptroller of Public Accounts shall transfer appropriations equal to $51,100 for each commitment over 1,783 in fiscal year 2010 from JPC to TYC in fiscal year 2011.

JPC shall develop a mechanism for tracking youth served by the diversion program to determine the long-term success for diverting youth from TYC and the adult criminal justice system. A report on the program's results shall be submitted to the Legislative Budget Board by December 1 of each year.

22. **Juvenile Mental Health Facility.** From funds appropriated above, $1,000,000 in General Revenue Funds in fiscal year 2010 shall be used for the operation of a juvenile mental health facility. Funds shall be used for "make ready" maintenance of the facility; for hiring, training, and licensing of staff; and for one month of operations at the facility. This appropriation is contingent upon the Juvenile Probation Commission providing a detailed plan for the use of the funds and the approval of the plan by the Legislative Budget Board.

COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 101,855	$ 101,855
General Revenue Fund - Dedicated		
Law Enforcement Officer Standards and Education Account No. 116	2,890,006	2,894,747
Texas Peace Officer Flag Account No. 5059	20,000	1,000
Subtotal, General Revenue Fund - Dedicated	$ 2,910,006	$ 2,895,747
Appropriated Receipts	358,000	358,000
Total, Method of Financing	$ 3,369,861	$ 3,355,602
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	46.0	46.0
Schedule of Exempt Positions:		
Executive Director, Group 2	$88,000	$88,000
Items of Appropriation:		
A. Goal: LICENSE AND APPROVE COURSES		
Licensing and Course Development.		
A.1.1. Strategy: LICENSING	$ 1,079,362	$ 1,079,203
A.1.2. Strategy: COURSE DEVELOPMENT	$ 464,740	$ 465,435
Course Development and Academy Evaluations.		
Total, Goal A: LICENSE AND APPROVE COURSES	$ 1,544,102	$ 1,544,638
B. Goal: REGULATION		
Regulate Licensed Law Enforcement Population.		
B.1.1. Strategy: ENFORCEMENT	$ 635,763	$ 636,454
Enforce through License Revoc, Suspension, Reprimand, or Cancellation.		
B.1.2. Strategy: TECHNICAL ASSISTANCE	$ 839,297	$ 821,672
Total, Goal B: REGULATION	$ 1,475,060	$ 1,458,126
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: INDIRECT ADMINISTRATION	$ 350,699	$ 352,838
Grand Total, COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION	$ 3,369,861	$ 3,355,602

COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION
(Continued)

Object-of-Expense Informational Listing:		
Salaries and Wages	$ 2,092,386	$ 2,092,386
Other Personnel Costs	77,001	78,500
Professional Fees and Services	209,450	209,450
Consumable Supplies	19,231	19,631
Utilities	29,000	29,800
Travel	199,378	199,378
Rent - Building	236,076	242,686
Other Operating Expense	422,738	409,171
Capital Expenditures	84,601	74,600
Total, Object-of-Expense Informational Listing	$ 3,369,861	$ 3,355,602
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 111,171	$ 112,838
Group Insurance	433,018	474,893
Social Security	153,458	155,760
Benefits Replacement	10,097	9,592
Subtotal, Employee Benefits	$ 707,744	$ 753,083
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 707,744	$ 753,083

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Commission on Law Enforcement Officer Standards and Education. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Commission on Law Enforcement Officer Standards and Education. In order to achieve the objectives and service standards established by this Act, the Commission on Law Enforcement Officer Standards and Education shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: LICENSE AND APPROVE COURSES		
Outcome (Results/Impact):		
Percent of Licensees with No Criminal Misconduct Dispositions	99.9%	99.9%
A.1.1. Strategy: LICENSING		
Output (Volume):		
Number of New Licenses Issued to Individuals	12,500	12,500
A.1.2. Strategy: COURSE DEVELOPMENT		
Output (Volume):		
Number of TCLEOSE Approved Courses Maintained	28	28
Number of On-site Training Provider Evaluations	172	172
B. Goal: REGULATION		
B.1.1. Strategy: ENFORCEMENT		
Output (Volume):		
Complaints Resolved	550	525
B.1.2. Strategy: TECHNICAL ASSISTANCE		
Output (Volume):		
Number of Administrative Violations	75	75

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Distance Learning Program	$ 318,000	$ 318,000
(2) Cycled Replacement/Upgrade of Computers and Servers	63,250	54,000
(3) Telephone System Upgrade	$ 65,000	$ 65,000
Total, Acquisition of Information Resource Technologies	$ 446,250	$ 437,000
Total, Capital Budget	$ 446,250	$ 437,000
Method of Financing (Capital Budget):		
General Revenue Fund	$ 14,355	$ 14,355
GR Dedicated - Law Enforcement Officer Standards and Education Account No. 116	431,895	422,645
Total, Method of Financing	$ 446,250	$ 437,000

3. **Appropriation: Proficiency Certificate Fees.** The Commission on Law Enforcement Officer Standards and Education is hereby appropriated revenues collected for the processing of proficiency certificates pursuant to Occupations Code § 1701.154 (estimated to be $268,000 in fiscal year 2010 and $268,000 in fiscal year 2011 from Appropriated Receipts and included in the amounts appropriated above).

4. **Appropriation: Reinstatement Fees.** The Commission on Law Enforcement Officer Standards and Education is hereby appropriated fees collected to establish a person's eligibility to reinstate a license that has lapsed (estimated to be $104,000 in fiscal year 2010 and $104,000 in fiscal year 2011 from the GR-Dedicated Account No. 116 and included in the amounts appropriated above).

5. **Appropriation: State Flag Fund for Deceased Texas Peace Officers.** The Commission on Law Enforcement Officer Standards and Education is hereby appropriated all contributions and earned interest collected during the 2010-11 biennium and any unexpended and unencumbered balances from the biennium ending August 31, 2009, from the Texas Peace Officer Flag Account No. 5059 as provided by Occupations Code § 1701.161 and Government Code § 615.105 (estimated to be $20,000 in fiscal year 2010 and $1,000 in fiscal year 2011 and included in the amounts appropriated above). These appropriations are to be deposited in the state treasury to the credit of the GR-Dedicated Texas Peace Officer Flag Account No. 5059. These appropriations shall be used to provide state flags to families of deceased Texas peace officers pursuant to Occupations Code § 1701.161 and Government Code § 615.105. None of these appropriations shall be used by the commission for administration and support costs.

6. **Distance Learning Program.** From funds appropriated above, the Commission on Law Enforcement Officer Standards and Education shall continue to maintain, update, and upgrade its internet training system, the Distance Learning Program.

7. **Limitation on Employment.** None of the funds appropriated above shall be expended by the Commission on Law Enforcement Officer Standards and Education to employ anyone who, in the course of his official duties, conducts business with individuals, firms or educational institutions with which the employee has either a direct or indirect financial interest.

8. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 for the Commission on Law Enforcement Officer Standards and Education are made contingent on the continuation of the Commission on Law Enforcement Officer Standards and Education by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

DEPARTMENT OF PUBLIC SAFETY[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[2]	$ 120,815,594	$ 120,257,497
GR Dedicated - Operators and Chauffeurs License Account No. 099[3]	47,048,617	6,373,271
Federal Funds	184,305,130	175,355,132
Other Funds		
Appropriated Receipts	21,591,066	21,591,064
Interagency Contracts	2,498,124	2,498,124
Bond Proceeds - General Obligation Bonds	147,686,135	UB
Criminal Justice Grants	439,000	439,000
State Highway Fund No. 006	449,437,228	432,669,720
Subtotal, Other Funds	$ 621,651,553	$ 457,197,908
Total, Method of Financing	$ 973,820,894	$ 759,183,808
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 949,943	$ 1,001,058
This bill pattern represents an estimated 99.3% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[4]	8,513.9	8,532.9
Number of FTEs in Riders:	86.0	86.0
Schedule of Exempt Positions:		
Director, Group 6 (Department of Public Safety)	$162,000	$162,000
Executive Officer, Group 1 (Polygraph Examiners Board)	49,080	49,080
Items of Appropriation:		
A. Goal: LAW ENFORCEMENT ON HIGHWAYS		
A.1.1. Strategy: HIGHWAY PATROL	$ 177,991,207	$ 157,775,431
A.1.2. Strategy: COMMERCIAL VEHICLE ENFORCEMENT	$ 54,713,215	$ 54,713,215
A.1.3. Strategy: VEHICLE INSPECTION PROGRAM	$ 21,443,246	$ 21,443,246
A.1.4. Strategy: FORENSIC BREATH ALCOHOL LAB SERVICE	$ 2,334,495	$ 2,334,495
Forensic Breath Alcohol Laboratory Service.		
A.1.5. Strategy: CAPITOL COMPLEX SECURITY	$ 13,449,906	$ 13,449,906
Total, Goal A: LAW ENFORCEMENT ON HIGHWAYS	$ 269,932,069	$ 249,716,293
B. Goal: DRIVER SAFETY AND RECORDS		
B.1.1. Strategy: DRIVER LICENSE AND RECORDS	$ 86,697,667	$ 86,696,168
B.1.2. Strategy: DRIVER LICENSE REENGINEERING	$ 4,291,344	$ 4,291,344

[1] Does not include appropriations in Article IX, § 17.01, of this Act, totaling $9,667,727 each fiscal year in All Funds for Schedule C pay raises for commissioned peace officers.
[2] Incorporates Article IX, § 17.93, of this Act, due to the enactment of SB 727, 81st Legislature, Regular Session, relating to the creation of DNA records for the DNA database system, resulting in an increase in General Revenue Funds of $2,053,286 in FY 2010 and $1,706,224 in FY 2011.
[3] Incorporates Article IX, § 17.70, of this Act, due to the enactment of HB 3594, 81st Legislature, Regular Session, relating to the preservation of evidence that contains biological material, resulting in an increase of $500,000 in FY 2010 and $500,000 in FY 2011; Article IX, § 17.100, of this Act, due to the enactment of SB 1005, 81st Legislature, Regular Session, relating to the regulation of polygraph examiners by the Texas Department of Licensing and Regulation and the abolition of the Polygraph Examiners Board, resulting in a decrease of $106,040 in FY 2011; and the passage of HB 4586, 81st Legislature, Regular Session, which reduces appropriations by $5,500,000 in FY 2010 for the Governor's Regional Center for Operations and Intelligence.
[4] Incorporates Article IX, § 17.70, of this Act, which increases the FTE cap by 2 each fiscal year of the biennium; Article IX, § 17.93, of this Act, which increases the FTE cap by 6 each fiscal year of the biennium; Article IX, § 17.100, of this Act, which decreases the FTE cap by 2 in FY 2011; and HB 4586, 81st Legislature, Regular Session, which increases the FTE cap by 29 each fiscal year of the biennium.

B.1.3. Strategy: MOTORCYCLE OPERATOR TRAINING	$ 955,679	$ 939,479
Total, Goal B: DRIVER SAFETY AND RECORDS	$ 91,944,690	$ 91,926,991
C. Goal: PREVENT AND REDUCE CRIME		
C.1.1. Strategy: NARCOTICS ENFORCEMENT Narcotics Enforcement Program.	$ 40,280,074	$ 41,380,075
C.1.2. Strategy: VEHICLE THEFT ENFORCEMENT Motor Vehicle Theft Enforcement.	$ 12,608,458	$ 12,609,537
C.1.3. Strategy: CRIMINAL INTELLIGENCE SERVICE	$ 15,948,533	$ 15,858,428
C.1.4. Strategy: TEXAS RANGERS	$ 12,322,071	$ 12,322,670
C.1.5. Strategy: CRIME LABS[5]	$ 26,291,574	$ 28,728,629
C.1.6. Strategy: INFORMATION ANALYSIS	$ 9,048,488	$ 9,048,488
Total, Goal C: PREVENT AND REDUCE CRIME	$ 116,499,198	$ 119,947,827
D. Goal: EMERGENCY MANAGEMENT		
D.1.1. Strategy: EMERGENCY PREPAREDNESS Emergency Management Training and Preparedness.	$ 104,799,152	$ 105,004,642
D.1.2. Strategy: RESPONSE COORDINATION Emergency and Disaster Response Coordination.	$ 1,348,188	$ 1,360,172
D.1.3. Strategy: RECOVERY AND MITIGATION Disaster Recovery and Hazard Mitigation.	$ 32,546,921	$ 32,564,856
D.1.4. Strategy: EMERGENCY OPERATIONS CTR Emergency Operations Center.	$ 1,591,113	$ 1,599,693
D.1.5. Strategy: LOCAL BORDER SECURITY	$ 40,804,714	$ 0
Total, Goal D: EMERGENCY MANAGEMENT	$ 181,090,088	$ 140,529,363
E. Goal: REGULATORY PROGRAMS		
E.1.1. Strategy: CONCEALED HANDGUNS	$ 4,971,418	$ 4,946,623
E.2.1. Strategy: POLYGRAPH EXAMINERS BOARD[6] Administer and Enforce the Polygraph Examiners Act.	$ 106,041	$ 0
E.3.1. Strategy: PSB INVESTIGATIONS Private Security Board-Investigations.	$ 2,981,224	$ 2,798,418
E.3.2. Strategy: PSB ENFORCEMENT Private Security Board-Enforcement.	$ 249,161	$ 249,161
E.3.3. Strategy: PSB LICENSES AND REGISTRATION Private Security Board-Licenses and Registration.	$ 639,008	$ 621,854
E.4.1. Strategy: TEXASONLINE TexasOnline. Estimated and Nontransferable.	$ 631,000	$ 631,000
Total, Goal E: REGULATORY PROGRAMS	$ 9,577,852	$ 9,247,056
F. Goal: INDIRECT ADMINISTRATION AND SUPPORT		
F.1.1. Strategy: CENTRAL ADMINISTRATION	$ 11,885,164	$ 11,781,876
F.1.2. Strategy: INFORMATION RESOURCES	$ 55,379,745	$ 45,553,113
F.1.3. Strategy: REGIONAL ADMINISTRATION	$ 9,908,461	$ 9,908,462
F.1.4. Strategy: COMMUNICATIONS SERVICE	$ 9,684,613	$ 9,684,613
F.1.5. Strategy: CRIME RECORDS	$ 33,961,374	$ 34,872,534
F.1.6. Strategy: PHYSICAL PLANT[7]	$ 159,912,825	$ 12,226,689

[5] Incorporates Article IX, § 17.70, of this Act, due to the enactment of HB 3594, 81st Legislature, Regular Session, relating to the preservation of evidence that contains biological material, resulting in an increase in General Revenue-Dedicated Operators and Chauffeurs License Account No. 99 of $500,000 and 2 FTEs in FY 2010 and $500,000 and 2 FTEs in FY 2011; and Article IX, § 17.93, of this Act, due to the enactment of SB 727, 81st Legislature, Regular Session, relating to the creation of DNA records for the DNA database system, resulting in an increase in General Revenue Funds of $2,053,286 and 6 FTEs in FY 2010 and $1,706,224 and 6 FTEs in FY 2011.

[6] Incorporates Article IX, § 17.100, of this Act, due to the enactment of SB 1005, 81st Legislature, Regular Session, relating to the regulation of polygraph examiners by the Texas Department of Licensing and Regulation and the abolition of the Polygraph Examiners Board, resulting in a decrease in General Revenue-Dedicated Operators and Chauffeurs License Account No. 99 of $106,040 and 2.0 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Polygraph Examiners Board will be transferred to the Texas Department of Licensing and Regulation by January 1, 2010.

[7] Incorporates the passage of HB 4586, 81st Legislature, Regular Session, which reduces appropriations by $5,500,000 in General Revenue-Dedicated Operators and Chauffeurs License Account No. 99 in FY 2010 for the Governor's Regional Center for Operations and Intelligence.

F.1.7. Strategy: TRAINING ACADEMY EDUCATION COURSES	$ 3,727,086	$ 3,502,205
F.1.8. Strategy: RECRUIT SCHOOLS	$ 2,591,296	$ 2,591,296
F.1.9. Strategy: FLEET OPERATIONS	$ 2,547,927	$ 2,536,257
F.1.10. Strategy: AIRCRAFT OPERATIONS	$ 9,613,968	$ 9,613,968
F.1.11. Strategy: OTHER SUPPORT SERVICES	$ 5,564,538	$ 5,545,265
Total, Goal F: INDIRECT ADMINISTRATION AND SUPPORT	$ 304,776,997	$ 147,816,278
Grand Total, DEPARTMENT OF PUBLIC SAFETY	$ 973,820,894	$ 759,183,808
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 393,162,879	$ 388,299,133
Other Personnel Costs	13,610,304	13,682,675
Professional Fees and Services	23,916,369	23,878,976
Fuels and Lubricants	13,129,558	12,827,439
Consumable Supplies	11,085,440	11,186,545
Utilities	9,514,931	9,515,750
Travel	5,841,445	5,785,688
Rent - Building	3,500,139	3,509,552
Rent - Machine and Other	1,369,657	1,381,643
Other Operating Expense	129,194,291	98,485,437
Grants	128,029,128	130,240,545
Capital Expenditures	241,466,753	60,390,425
Total, Object-of-Expense Informational Listing	$ 973,820,894	$ 759,183,808
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 22,941,881	$ 23,618,574
Group Insurance	69,753,319	76,501,025
Social Security	30,777,075	31,465,305
Benefits Replacement	2,685,171	2,550,913
Subtotal, Employee Benefits	$ 126,157,446	$ 134,135,817
Debt Service		
TPFA GO Bond Debt Service	$ 15,129,118	$ 23,764,971
Lease Payments	166,413	132,240
Subtotal, Debt Service	$ 15,295,531	$ 23,897,211
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 141,452,977	$ 158,033,028

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Public Safety. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of Public Safety. In order to achieve the objectives and service standards established by this Act, the Department of Public Safety shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: LAW ENFORCEMENT ON HIGHWAYS		
Outcome (Results/Impact):		
Annual Texas Rural Traffic Death Rate	1	1
A.1.1. Strategy: HIGHWAY PATROL		
Output (Volume):		
Traffic Law Violator Contacts	3,400,000	3,400,000
A.1.2. Strategy: COMMERCIAL VEHICLE ENFORCEMENT		
Output (Volume):		
Commercial Traffic Law Violator Contacts	1,600,000	1,600,000
A.1.4. Strategy: FORENSIC BREATH ALCOHOL LAB SERVICE		
Output (Volume):		
Number of Breath Alcohol Tests Supervised	44,000	44,000

B. Goal: DRIVER SAFETY AND RECORDS		
B.1.1. Strategy: DRIVER LICENSE AND RECORDS		
Output (Volume):		
Number of Examinations Administered	6,000,000	6,000,000
C. Goal: PREVENT AND REDUCE CRIME		
Outcome (Results/Impact):		
Annual Texas Index Crime Rate	4,600	4,600
C.1.1. Strategy: NARCOTICS ENFORCEMENT		
Output (Volume):		
Number of Arrests for Narcotics Violations	2,000	2,000
C.1.2. Strategy: VEHICLE THEFT ENFORCEMENT		
Output (Volume):		
Number of Arrests for Motor Vehicle Theft	1,700	1,700
C.1.3. Strategy: CRIMINAL INTELLIGENCE SERVICE		
Output (Volume):		
Number of Criminal Intelligence Service Arrests	1,500	1,500
C.1.4. Strategy: TEXAS RANGERS		
Output (Volume):		
Number of Arrests	2,200	2,200
C.1.5. Strategy: CRIME LABS		
Output (Volume):		
Number of Drug Cases Examined	57,000	57,000
D. Goal: EMERGENCY MANAGEMENT		
Outcome (Results/Impact):		
Percentage of Local Governments Achieving Basic Emergency Preparedness	90%	90%
D.1.2. Strategy: RESPONSE COORDINATION		
Output (Volume):		
Number of Emergency Incidents Coordinated	5,000	5,000
D.1.3. Strategy: RECOVERY AND MITIGATION		
Output (Volume):		
Number of Counties Provided Disaster Financial Assistance	220	220
E. Goal: REGULATORY PROGRAMS		
Outcome (Results/Impact):		
Percent of Polygraph Licensees with No Recent Violations[8]	100%	100%
Percent of Private Security Board Documented Complaints Resolved within Six Months	99%	99%
Percent of Private Security Board Licensees with No Recent Violations	99%	99%
E.1.1. Strategy: CONCEALED HANDGUNS		
Output (Volume):		
Number of Original Handgun Licenses Issued	42,000	42,000
Number of Renewal Handgun Licenses Issued	41,000	41,000
E.2.1. Strategy: POLYGRAPH EXAMINERS BOARD		
Output (Volume):		
Number of Examination Sessions Conducted[8]	8	8
E.3.1. Strategy: PSB INVESTIGATIONS		
Output (Volume):		
Number of Investigations Conducted	10,000	10,000
Efficiencies:		
Average Time for Case Resolution	24	24
E.3.2. Strategy: PSB ENFORCEMENT		
Efficiencies:		
Average Cost Per Disciplinary Action	400	400
E.3.3. Strategy: PSB LICENSES AND REGISTRATION		
Output (Volume):		
Number of New Licenses Issued to Individuals	36,000	36,000
Efficiencies:		
Average Licensing Cost Per Individual License Issued	2	2

2. **Capital Budget.**[9] The capital budget authority provided below in paragraphs a, b, c, d, and e is specific to the Department of Public Safety and exclusive of the Texas Division of Emergency Management. The capital budget authority provided below in paragraphs f, g, and h is specific to the Texas Division of Emergency Management and exclusive of the remainder of the Department

[8] SB 1005, 81st Legislature, Regular Session, transfers the duties of the Polygraph Examiners Board to the Texas Department of Licensing and Regulation by January 1, 2010.
[9] Modified to include additional capital budget authority associated with contingency appropriations; to reduce capital budget authority associated with appropriation reductions in HB 4586, 81st Legislature, Regular Session; and to correct errors. Incorporates the passage of HB 2730, 81st Legislature, Regular Session, which changed the name of the Governor's Division of Emergency Management to the Texas Division of Emergency Management.

of Public Safety. None of the funds appropriated above to the Department of Public Safety and the Texas Division of Emergency Management may be expended for capital budget items except as listed below. The transfer authority provided under Article IX, § 14.03 (c) of this Act for the Department of Public Safety shall be limited to paragraphs a, b, c, d, and e, listed below. The transfer authority provided under Article IX, § 14.03 (c) of this Act for the Texas Division of Emergency Management shall be limited to paragraphs f, g, and h, listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to Government Code § 1232.103.

	2010	2011
a. Construction of Buildings and Facilities		
(1) New Regional Office and Crime Lab in Lubbock; New Offices in McAllen and Rio Grande City; Crime Lab Expansions; and Emergency Vehicle Operations Course	$ 131,586,135	$ UB
(2) Laredo Crime Lab	6,100,000	UB
(3) Crime Lab Warehouse	431,016	431,016
Total, Construction of Buildings and Facilities	$ 138,117,151	$ 431,016
b. Repair or Rehabilitation of Buildings and Facilities		
(1) Repair or Rehabilitation of Buildings and Facilities	12,625,000	2,625,000
c. Acquisition of Information Resource Technologies		
(1) Lease Payments (MLPP) for 1998-99 NCIC/TLETS Upgrade	1,554,483	397,445
(2) AFIS Image Archive Enhancements	1,147,500	1,147,500
(3) Computer Equipment Replacement	5,230,172	5,230,172
(4) Highway Patrol Vehicle Automation	2,178,000	3,283,500
(5) Communications Interoperability Project	2,950,000	0
(6) Enterprise Architecture and Information Technology Upgrade	12,386,680	2,144,040
(7) Other Information Resource Projects	4,222,562	3,717,775
Total, Acquisition of Information Resource Technologies	$ 29,669,397	$ 15,920,432
d. Transportation Items		
(1) Vehicles (Approximately 2,242)	31,187,559	21,320,711
(2) Training Motorcycles (Approximately 180)	199,875	200,003
Total, Transportation Items	$ 31,387,434	$ 21,520,714
e. Acquisition of Capital Equipment and Items		
(1) Radios	4,952,077	3,424,891
(2) Crime Lab Equipment - New Crime Labs	79,750	3,082,500
(3) In-Car Video Camera Replacement	2,144,942	1,222,273
(4) Statewide Trunked Radio System	7,100,000	0
(5) Laredo Crime Lab Equipment	0	350,000
(6) DNA Equipment	263,479	0
(7) Other Capital Equipment and Items	2,707,927	1,135,275
Total, Acquisition of Capital Equipment and Items	$ 17,248,175	$ 9,214,939
f. Emergency Management: Acquisition of Information Resource Technologies		
(1) State Operations Center Upgrade	1,985,000	0
(2) Staging Sites - IT Equipment	8,000	0

(3) LCD Projectors	25,000	0
(4) Special Needs Tracking System Update	374,500	0
Total, Emergency Management: Acquisition of Information Resource Technologies	$ 2,392,500	$ 0
g. Emergency Management: Transportation Items		
(1) Staging Sites - Vehicles	58,000	0
(2) Regional Liaison Officer Vehicles	25,000	50,000
Total, Emergency Management: Transportation Items	$ 83,000	$ 50,000
h. Emergency Management: Acquisition of Capital Equipment and Items		
(1) Staging Sites - Other Equipment	819,000	0
(2) Satellite Radio System	0	210,000
Total, Emergency Management: Acquisition of Capital Equipment and Items	$ 819,000	$ 210,000
Total, Capital Budget	$ 232,341,657	$ 49,972,101
Method of Financing (Capital Budget):		
General Revenue Fund	$ 15,332,179	$ 13,749,778
GR Dedicated - Operators and Chauffeurs License Account No. 099	2,028,462	431,016
Federal Funds	13,344,500	260,000
Other Funds		
Appropriated Receipts	902,454	902,454
Bond Proceeds - General Obligation Bonds	147,686,135	UB
State Highway Fund No. 006	53,047,927	34,628,853
Subtotal, Other Funds	$ 201,636,516	$ 35,531,307
Total, Method of Financing	$ 232,341,657	$ 49,972,101

3. **Additional Capital Budget Authority.** In addition to the provisions of Rider 2, Capital Budget, the Department of Public Safety is authorized to make the following capital purchases at the following amounts from federal funds appropriated by this Act:

	2010	2011
a. Replacement Aircraft and Helicopter	$ 2,990,010	$ UB
Total, Additional Capital Budget	$ 2,990,010	$ UB

4. **Marked Vehicles.** None of the funds appropriated hereinabove may be expended for the salaries of personnel operating motor vehicles used to stop and actually arrest offenders of highway speed laws unless such vehicles are black, white, or a combination thereof and plainly marked with the department's insignia.

5. **Aviator Reimbursement.** From the amounts appropriated above, an amount not to exceed $10,000 each fiscal year of the biennium may be used for reimbursement of costs related to aviator assistance to state agencies, such as search and rescue or disaster-related functions. Reimbursements may include actual costs of aircraft operation including fuel, oil, maintenance, and routine costs incurred by trained and certified private volunteer aviators using privately owned aircraft in state-authorized flight operations and training exercises associated with disaster-related activities. The reimbursement shall not exceed the rate approved by the state per flying hour, when such aircraft costs are not reimbursable by other governmental agencies in accordance with Chapter 418, Government Code.

6. **Disposition of Seized Funds.** The Department of Public Safety is hereby directed to deposit all funds currently held, or obtained in the future pursuant to seizure actions or judicial forfeiture, according to rules and procedures developed by the Comptroller of Public Accounts. The

department shall cooperate with the Comptroller of Public Accounts in developing agreements and procedures for the deposit of seized state funds in accounts in the State Treasury.

7. **Controlled Substances.** Included in the amounts appropriated above in Strategy C.1.1, Narcotics Enforcement, is $6.5 million in fiscal year 2010 and $7.6 million in fiscal year 2011 from Federal Funds. All revenues in excess of these amounts collected under federal forfeiture programs are hereby appropriated to the Department of Public Safety to be used for law enforcement purposes (estimated to be $0). Any funds unexpended at the close of each fiscal year are appropriated for the following year. Funding priority shall be given to the purchase of new equipment for field employees.

8. **Witness Fees.** From the appropriations made herein, the Department of Public Safety may pay the witness fees and travel expenses of out-of-state witnesses, subject to the advance, written approval of the District Attorney for the county having venue over the law violation under investigation.

9. **Purchase of Evidence.** From the amounts appropriated above to the Department of Public Safety, an amount not to exceed one million dollars ($1,000,000) each fiscal year of the biennium, exclusive of amounts forfeited to the Department of Public Safety by any court of competent jurisdiction and amounts received from the United States government derived from the forfeiture of monies and property, is hereby designated for the purchase of evidence and/or information and surveillance expenses deemed necessary by the Department of Public Safety; and accountability for expenditures as set forth above shall be governed by such rules and regulations as the director of the Department of Public Safety may recommend and are subject to audit by the State Auditor. Such amounts may be maintained in cash to facilitate the purchase of evidence, information, and/or surveillance expense.

10. **Seized Assets Report.** The Department of Public Safety shall file with the Governor and the Legislative Budget Board, no later than the first Friday of October of each year, a report disclosing information on seized/forfeited assets. The report shall contain a summary of receipts, disbursements, and fund balances for the fiscal year derived from both federal and state sources and supporting detail. The detail information shall, at a minimum, include the following:

    a. Regarding receipts: the court in which the case was adjudicated, the nature of the assets, the value of the assets, and the specific, intended use of the assets; and

    b. Regarding disbursements: the departmental control number, the departmental category, the division making the request, the specific item and amount requested, the amount the department approved, and the actual amount expended per item.

11. **Academy Costs.** The Department of Public Safety (DPS) may charge employees and students of the DPS Academy for tuition, lodging, and meals at such prices as to recover actual costs. Such funds as received are hereby appropriated to cover the expenses entailed in providing such students and employees their lodging, meals, incidental expenses, and to pay visiting instructors.

12. **Medical and Funeral Costs.** Funds appropriated above may be expended for drugs, medical, hospital, laboratory, and funeral costs of law enforcement employees or other employees performing duties involving unusual risk when injury or death occurs in the performance of such duties. Funds appropriated above shall not be expended for drugs, medical, hospital, laboratory, or funeral costs of employees who are not actively engaged in the performance of law enforcement or other hazardous duties or for law enforcement employees when injury or death occurs in the performance of clerical or office duties as distinguished from law enforcement or other duties involving unusual risk. Funds appropriated above may also be expended for physical examinations and testing when such examinations and tests are a condition of employment or exposure to infectious diseases or hazardous materials occurs in the line of duty.

13. **Authorization of Funeral Travel Reimbursement.** The Department of Public Safety may reimburse a commissioned peace officer or communications officer in its employ the costs for lodging, transportation, and meals, in accordance with Article IX travel regulations of this Act, when such travel is for the purpose of representing the department at the funeral of a fallen peace officer. The reimbursement authorized by this provision applies to out-of-state, as well as, in-state travel. The department may provide reimbursement for only a small delegation to any single out-of-state funeral.

14. **Moving Expenses.** Notwithstanding any other provision of this Act, and with the approval of the Director, the department may use appropriated funds to pay the reasonable, necessary, and

resulting costs of moving the household goods and effects of a commissioned peace officer employed by the department who is transferred from one designated headquarters to another so long as the department determines that the best interests of the State will be served by such transfer.

15. Travel for Security Personnel. Notwithstanding other provisions of this Act, commissioned Department of Public Safety personnel when transporting and providing security for the Governor or Governor-elect and his or her spouse and immediate family; other members of the executive, legislative, and judicial branches of state government; and visiting governors from other states when assigned, shall be reimbursed for their actual meals, lodging, and incidental expenses when on official travel in or out of the state.

16. Historical Museum. The Department of Public Safety is authorized to allow the Department of Public Safety Historical Museum to utilize department property for the purpose of a historical museum. No state funds are appropriated for this purpose.

17. Polygraph Examinations. None of the funds appropriated to the Department of Public Safety may be expended for polygraph testing of commissioned law enforcement officers of the Department of Public Safety, unless requested by the officer.

18. Supply and Inventory Cost Allocation. The Department of Public Safety is hereby authorized to establish a supply and inventory cost pool to which appropriations may be transferred from any strategy item. These transfers shall be restricted to the purchase of supplies and inventory items. Expenditures from the cost pool shall be allocated back to the applicable strategies of the Department of Public Safety within 30 days following the close of each fiscal quarter.

19. Stranded Motorist Assistance. The Department of Public Safety is designated as the lead state agency to help motorists whose vehicles are disabled on state and federal roads. The department shall use funds appropriated by this Act to obtain the cooperation of all relevant state agencies, especially the Texas Department of Transportation, and coordinate its efforts with all local law enforcement agencies and interested private businesses. As part of this initiative, the Department of Public Safety shall establish and publicize a toll free number and a universal distress signal for motorists that are in need of assistance.

20. Criminal History Checks to Specified Licensing Agencies. The Department of Public Safety shall provide to the agencies listed in § 60.061, Code of Criminal Procedure, a system for checking at least annually, but not more than quarterly, or as otherwise provided by § 60.061, the existing licensees of these agencies against information in criminal history files. The Department of Public Safety may not charge or assess a fee to an agency providing information to the department that is in excess of the actual direct cost incurred by the department.

21. Appropriations of Receipts - Parking Violation Revenues. All revenue received from parking violations under Government Code § 411.067 shall be deposited to the General Revenue Fund and is hereby appropriated for use by the Department of Public Safety for Capitol Police Security and parking for the 2010-11 biennium (estimated to be $79,000 annually included in the amounts appropriated above).

22. Contingency Appropriation Reduction. The funds appropriated above to the department are hereby reduced by an equal amount from the General Revenue Fund, State Highway Fund 006, or a combination of the two funds in the event the Department of Public Safety expends any funds not authorized by the General Appropriations Act, any provision within this Act which places a limitation on expenditures, or an affirmative action by the Legislature.

23. Appropriation Transfers. Notwithstanding any other provision of this bill, the Department of Public Safety may not transfer funds between items of appropriation in excess of 25 percent and shall provide 45-days notification to the Governor and the Legislative Budget Board any time the department plans to transfer an amount of $100,000 or more between items of appropriation. No later than the first Friday of October of each year, the department shall report to the Governor and the Legislative Budget Board the total number and amount of transfers during the previous fiscal year. The report shall include the amount transferred, the strategies involved, and justification for the transfer. In addition, the Department of Public Safety is hereby prohibited from transferring any and all appropriations from Strategy C.1.4, Texas Rangers, into any other strategies without consent of the Governor and the Legislative Budget Board.

24. Complex Crime Unit. From monies appropriated above, the Department of Public Safety shall maintain a Complex Crime Unit to investigate offenses involving theft or misapplication of

government property, the investigation of which requires a level of expertise in disciplines such as accounting, computer technology, or another that is not readily available to local law enforcement agencies.

a. The total cost of assistance including administrative costs shall not exceed $500,000 in fiscal year 2010 and $500,000 in fiscal year 2011.

b. The director of the department shall employ commissioned peace officers and noncommissioned employees to perform duties required of the unit. To be eligible for employment by the Complex Crime Unit, a peace officer must have not less than four years of experience as a peace officer; and a degree from an accredited institution of higher education in law, accounting, or computer science; or two or more years of experience in the investigation of complex criminal offenses or similar law. To be eligible for employment under this section, a noncommissioned employee must meet the experience, training, and educational qualifications set by the director as requirements for investigating or assisting in the investigation of a crime.

c. On the request of an attorney representing the state and with approval of the director, the Complex Crime Unit of the department may assist local law enforcement in the investigation of crime. On the request of the Governor and with the approval of the director, the Complex Crime Unit of the department may investigate a crime involving harm to the interests of a state agency.

25. Appropriation: Automobile Emission Inspections. Included in amounts appropriated above in Strategy A.1.3, Vehicle Inspection Program, is $7,353,749 in fiscal year 2010 ($5,064,268 in State Highway Funds and $2,289,481 in General Revenue - Dedicated Operators and Chauffeurs License Account No. 099) and $7,353,749 in fiscal year 2011 ($5,064,268 in State Highway Funds and $2,289,481 in General Revenue - Dedicated Operators and Chauffeurs License Account No. 099) for the operation of the vehicle emissions inspection and maintenance program pursuant to § 382.202, Health and Safety Code, and Executive Order GWB96-1.

If additional counties are brought into the vehicle emissions inspection and maintenance program, 80 percent of revenues generated from the vehicle emissions and inspections fee in excess of the Comptroller's Biennial Revenue Estimate in each fiscal year 2010 and 2011 and deposited into the General Revenue Fund are hereby appropriated to the agency for the purpose of developing, administering, evaluating, and maintaining the vehicle emissions inspection and maintenance program in the additional counties.

26. Clothing Provisions.

a. A commissioned officer who received a $1,200 clothing allowance pursuant to the General Appropriations Act during the 2008-09 biennium shall receive a $1,200 clothing allowance in the 2010-11 biennium.

b. A commissioned officer who received a $500 cleaning allowance pursuant to the General Appropriations Act for the 2008-09 biennium shall receive a $500 cleaning allowance in the 2010-11 biennium irrespective of promotion to any rank.

c. No person shall receive a $1,200 clothing allowance unless eligible in subsection (a).

d. An individual who is newly hired or newly commissioned after September 1, 1997, is eligible to receive a $500 cleaning allowance.

e. All noncommissioned personnel required to wear uniforms are entitled to a $500 cleaning allowance.

27. Recruit Schools. Recruits participating in the recruit school of the Department of Public Safety shall not be counted toward the limit on the number of full-time-equivalent positions (FTEs) for the agency until their graduation. Upon graduation, the additional officers shall not cause the department to exceed the department's limit on FTEs. The number of participants in the recruit schools shall be included in all required reports concerning FTEs and vacancies, but the recruits shall be reported as a separate total from the agency's other FTEs.

28. Reporting Procedure for Land Acquisition and Construction Projects. The Department of Public Safety shall report to the Governor, the House Appropriations Committee, the Senate Finance Committee, and the Legislative Budget Board if a department project managed by the Texas Facilities Commission and funded through appropriations by the Legislature lags six months or more behind the project's original timeline and/or exceeds the original budget by more than 25 percent. Reports should not include delays or cost overruns caused by acts of nature or other factors outside the control of the Texas Facilities Commission.

29. Hardship Stations. Out of funds appropriated above, the Department of Public Safety is authorized to designate 40 hardship stations across the state based on excessive vacancies in the Texas Highway Patrol Division. The department shall provide incentives to commissioned peace officers accepting positions at these posts.

30. Response to Bomb or Other Terrorist Threats in the Capitol Complex. The Department of Public Safety shall review the procedures for responding to a bomb or other terrorist threat in the Capitol Complex, determine what changes, if any, would ensure a more effective response to a threat, and adopt necessary changes.

The Department of Public Safety shall also provide written procedures and guidance for responding to a bomb or other terroristic threat to each agency director in the Capitol Complex as well as any individual in charge of risk management for such agency.

31. Security Services in the Capitol Complex. The Department of Public Safety shall periodically review the security services provided by each law enforcement agency or security agency in the Capitol Complex (including the law enforcement services provided by the Internal Investigations Division of the Office of the Attorney General in the Capitol Complex) and adopt rules to coordinate these services and insure maximum effectiveness. The review and adopted rules should aim to eliminate any duplication of services.

32. Contingency Personnel, DNA Analyses. Contingent on the receipt of federal funds for DNA analyses or DNA backlog elimination purposes in an amount sufficient to cover the costs related to the additional personnel authorized by this rider, the "Number of Full-Time-Equivalents (FTE)" figure indicated above is hereby increased by 12 each fiscal year. Seven of these authorized FTEs are to be assigned to the department's primary DNA facility, while the remaining five are to be assigned to field laboratories.

33. Authorized Trooper Strength. From funds appropriated, the Department of Public Safety shall maintain the number of highway patrol trooper positions at no less than 1,929.

34. Contingency Personnel, North Texas Tollway Authority Contract. The department is authorized 25 highway patrol service positions contingent upon continuing an interlocal cooperation contract with the North Texas Tollway Authority to police the Dallas North Tollway Systems. The "Number of Full-Time-Equivalents (FTE)" figure indicated above is hereby increased by eight each fiscal year. The eight FTEs authorized by this rider may not be added until the department reaches the number of troopers patrolling Texas highways in accordance with the goals as outlined in Rider Number 33, Authorized Trooper Strength.

The contract shall include salaries, retirement, group insurance, auto operation costs, operational expenses, and amortization of equipment, including, but not limited to, vehicles. The expenses to be covered must also include expenses related to radio communications, office space and furniture, printing, postage, personnel moving expenses, telephone services, patrol car equipment, and secretarial and clerical services. Upon termination of the contract, the department must notify the Governor, Legislative Budget Board, and the State Auditor's Office of the termination and phase out the additional FTEs.

35. Unsolved Crimes Investigation Team. Included in the amounts appropriated above in Strategy C.1.4, Texas Rangers, is $775,199 in fiscal year 2010 and $775,199 in fiscal year 2011 for the purpose of providing assistance to Texas law enforcement agencies with the investigation of unsolved murders and serial or linked criminal transactions. Also included above are 13 full-time-equivalent positions (FTEs) that are provided specifically for the staffing of the unsolved crimes investigation team with the intent that at least nine of the FTEs are commissioned personnel.

36. Interagency Contract for Legal Services. Out of funds appropriated above, $1.3 million for the 2010-11 biennium is for an interagency contract with the Office of the Attorney General for legal services provided by the Office of the Attorney General to the Department of Public Safety. Any interagency contract funded by appropriated funds may not exceed reasonable attorney fees for

similar legal services in the private sector, shall not jeopardize the ability of the Department of Public Safety to carry out its legislative mandates, and shall not affect the budget for the Department of Public Safety such that employees must be terminated in order to pay the amount of the interagency contract.

37. Polygraph Examiner Fee Rates.[10] The Polygraph Examiners Board shall establish reasonable fees pursuant to Government Code § 316.043, to be effective during the biennium beginning on the effective date of this Act, not to exceed:

a.	Polygraph Examiners License	$	500.00
b.	Internship License Application Fee		300.00
c.	Duplicate License		100.00
d.	Renewal Fee for Examiners License		500.00
e.	Extension or Renewal of an Internship License		150.00
f.	Examination Fee		200.00
g.	Late Fee		200.00

38. Appropriations Limited to Revenue Collections. Fees and other miscellaneous revenues as authorized and generated by the Private Security Board shall cover, at a minimum, the cost of the appropriations made above in Strategies E.3.1, E.3.2, and E.3.3, as well as the "other direct and indirect costs" indicated above (the amounts are solely related to the Private Security Board). 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 in Strategies E.3.1, E.3.2, and E.3.3. to be within the amount of revenue expected to be available.

39. Selective Traffic Enforcement Program. Funds appropriated above to Strategy A.1.1, Highway Patrol, include $10,000,000 in fiscal year 2010 and $10,000,000 in fiscal year 2011 from the State Highway Fund No. 006 and shall be used for the Selective Traffic Enforcement Program at the Department of Public Safety.

40. Appropriations Limited to Revenue Collections: Driver Responsibility Program. Included in the amounts appropriated above in Strategy B.1.1, Driver License and Records, pursuant to § 780.002, Health and Safety Code, and estimated to be $1,690,000 in fiscal year 2010 and $1,690,000 in fiscal year 2011 from the General Revenue Fund, is one percent of the surcharges collected by the driver responsibility program. These funds are appropriated above for the administration of the driver responsibility program.

Also included in the amounts appropriated above in Strategy B.1.1, Driver License and Records, pursuant to § 708.155, Transportation Code, are amounts collected in excess of surcharge amounts of the driver responsibility program as vendor base compensation and related costs for the collection of the surcharges. These amounts are estimated to be $11,434,337 in fiscal year 2010 and $11,432,837 in fiscal year 2011 from the General Revenue Fund. All funds collected for vendor base compensation and related costs shall be processed in accordance with procedures established by the Comptroller of Public Accounts. The amount of vendor compensation shall not exceed rates specified in statute.

41. Staffing Patterns - Private Security Board. From funds appropriated above, the Private Security Board shall achieve greater compliance with the Private Security Act by strategically locating its investigators across the state to maximize the use of Department of Public Safety regional offices, minimize travel related costs, and support/represent a significant number of companies and persons regulated in the region. None of the funds appropriated above shall be expended to maintain or support offices that are located in the homes of any employees.

42. Private Security Board Vehicles. From funds appropriated above, the Department of Public Safety shall maintain a minimum fleet of five vehicles for the Private Security Board. The vehicles are to be maintained in accordance with the State Vehicle Fleet Management Plan. The vehicles are for the sole use of the Private Security Board and are intended for use by investigators and are prohibited for use for commuting to and from work.

---

[10] SB 1005, 81st Legislature, Regular Session, transfers the duties of the Polygraph Examiners Board to the Texas Department of Licensing and Regulation by January 1, 2010.

43. Appropriation Transfers Between Fiscal Years - Gasoline Contingency. In addition to the transfer authority provided elsewhere in this Act, the Department of Public Safety (DPS) may transfer appropriations from the State Highway Fund No. 006 for fiscal year 2011 to fiscal year 2010, subject to the following conditions provided by this section:

a. Transfers under this section may be requested only if the average price per gallon of gasoline paid by the agency during the first six months of fiscal year 2010 exceeds $3.00 per gallon.

b. A request to transfer appropriations for fiscal year 2011 to fiscal year 2010 shall be submitted in writing to the Governor and the Legislative Budget Board. The request shall include a justification for the amount of funds to be transferred based on an estimate of the total gallons of gasoline consumed by the agency in a year and the average price per gallon paid over $3.00 per gallon during the first six months of fiscal year 2010.

c. A transfer authorized by this section must receive the prior approval of the Governor and the Legislative Budget Board.

d. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.

44. Estimates of Future Federal Funds. The Department of Public Safety (DPS) shall include estimates of future federal funding and 100 percent federally funded full-time-equivalents in the agency's Legislative Appropriations Request (LAR) based on historical amounts for all non-disaster related federal funds unless there is a specific indication that a federally funded project will be added, eliminated, or changed significantly. As part of the agency submission of the LAR, DPS shall notify the Governor and the Legislative Budget Board in writing of any such indication of federal funding changes including the Catalog of Federal Domestic Assistance number, the anticipated amount of the change, and the cause of the change.

45. Appropriation: Unexpended Balances of Construction Bonds. Any unexpended balances as of August 31, 2009, for the Department of Public Safety (DPS) in the general obligation bond appropriations made by the Eightieth Legislature for construction appropriations are hereby appropriated to DPS for the biennium beginning September 1, 2009. Unexpended balances appropriated for the 2010-11 biennium may be used only for previously approved construction of additional facilities and shall not be used for new construction of additional facilities (fiscal year 2009 unexpended balance estimated to be $131,586,135 and included in the amounts appropriated above).

46. Physical Fitness Standards. Out of funds appropriated above, the Department of Public Safety shall develop criteria that include physical fitness and appearance standards that must be met prior to any commissioned peace officer receiving a pay increase or promotion as authorized by Article IX, Section 2.01, Schedule C Classification Salary Schedule of this Act.

47. Estimates of Future Appropriated Receipts. The Department of Public Safety (DPS) shall include estimates of future appropriated receipts in the agency's Legislative Appropriations Request (LAR) based on historical amounts unless there is a specific indication that the amount of appropriated receipts will change significantly.

48. Estimates of Future Criminal Justice Grants. The Department of Public Safety (DPS) shall include estimates of future criminal justice grants in the agency's Legislative Appropriations Request (LAR) based on historical amounts unless there is a specific indication that the amount of criminal justice grants will change significantly.

49. Border Security. From funds appropriated above, the Department of Public Safety shall use $13,691,474 in fiscal year 2010 and $9,671,199 in fiscal year 2011 from State Highway Fund 6 for enhanced border security operations including:

a. Highway Patrol: $6,014,367 in fiscal year 2010 and $3,835,802 in fiscal year 2011 for salaries, training, operating costs, and equipment for 61 staff including 56 commissioned officers.

b. Narcotics Enforcement: $1,301,354 in fiscal year 2010 and $974,697 in fiscal year 2011 for salaries, training, operating costs, and equipment for 15 staff including nine commissioned officers.

c. Vehicle Theft Enforcement: $1,063,258 in fiscal year 2010 and $726,392 in fiscal year 2011 for salaries, training, operating costs, and equipment for ten staff including nine commissioned officers.

d. Criminal Intelligence Service: $1,110,173 in fiscal year 2010 and $727,992 in fiscal year 2011 for salaries, training, operating costs, and equipment for ten staff including nine commissioned officers.

e. Texas Rangers: $579,342 in fiscal year 2010 and $375,888 in fiscal year 2011 for salaries, training, operating costs, and equipment for five commissioned officers.

f. Aircraft Operations: $3,622,980 in fiscal year 2010 and $3,030,428 in fiscal year 2011 for salaries, training, operating costs, and equipment for 19 staff including 18 commissioned officers.

50. Databases and Clearinghouses Related to Missing Persons and Children. From funds appropriated above in Strategy C.1.6, Information Analysis, the Department of Public Safety (DPS) shall use $1,250,000 in fiscal year 2010 and $1,250,000 in fiscal year 2011 from General Revenue - Dedicated Operators and Chauffeurs License Account No. 099, for the administration and support of the University of North Texas Health Science Center at Fort Worth Missing Persons DNA Database and the Missing Children and Missing Persons Information Clearinghouse established under the Code of Criminal Procedure, Chapter 63. The "Number of Full-Time-Equivalents" indicated above includes 5 FTEs in both fiscal years for the administration and support of the programs. DPS shall use $825,000 per year to make interagency contract payments to the University of North Texas Health Science Center at Fort Worth to administer the Missing Persons DNA Database. DPS shall use $425,000 per year to pay department expenses associated with the Missing Persons DNA Database and the administration of the Missing Children and Missing Persons Information Clearinghouse.

51. Sunset Contingency. Funds appropriated above for fiscal year 2011 for the Department of Public Safety, the Private Security Board, and the Polygraph Examiners Board are made contingent on the continuation of the Department of Public Safety, the Private Security Board, and the Polygraph Examiners Board by the Eighty-first Legislature. In the event that one of the agencies is not continued, the funds appropriated for that agency for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

52. Local Border Security.[11] From funds appropriated above, the Texas Division of Emergency Management in Strategy D.1.5, Local Border Security, within the Department of Public Safety's bill pattern, is appropriated $40,804,714 in fiscal years 2010-11 in General Revenue - Dedicated Operators and Chauffeurs License Account No. 099, for the following border security expenditures:

(a) $7,000,000 to the Department of Public Safety to fund DPS troopers along the border; in addition to the amount of full-time-equivalent positions listed elsewhere in this Act the number of full-time-equivalent positions for the Department of Public Safety is increased by 56;

(b) $1,853,676 to the Department of Public Safety to fund Texas Ranger positions; in addition to the amount of full-time-equivalent positions listed elsewhere in this Act the number of full-time-equivalent positions for the Department of Public Safety is increased by 10;

(c) $21,951,038 for overtime and operational costs for increased patrol and investigative capacity for certified peace officers (DPS and local) following the DPS overtime policy; and operational costs, per diem, and travel expenses for Texas Military Forces.

(d) $9,000,000 shall be used for the operations of the Border Operations Center and the Joint Operations and Intelligence Centers; and

(e) $1,000,000 shall be used for the operations of the Rio Grande Valley Border Security and Technology Training Center.

---

[11] Incorporates the passage of HB 2730, 81st Legislature, Regular Session, which changed the name of the Governor's Division of Emergency Management to the Texas Division of Emergency Management.

Out of funds appropriated, on or before December 15th of each year, the Department of Public Safety and the Texas Division of Emergency Management shall submit a report to the Legislative Budget Board and the Governor's Office on the expenditure of funds provided to local law enforcement agencies.

Prior to the execution of a significant border security or homeland security operation, the Director of the Department of Public Safety, the Director of the Division of Emergency Management, and the Director of Homeland Security shall be notified. As soon as possible after the execution of a significant border security or homeland security operation, the Director of the Department of Public Safety, the Director of the Division of Emergency Management, and the Director of Homeland Security shall receive written notification on the operational plans.

Any unexpended balances from appropriations listed above that are remaining as of August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010 for the same purpose(s).

53. License Plate Reader Project. The Texas Department of Public Safety may not spend funds appropriated by this Act for a license plate reader project or to purchase and deploy a license plate reader unless:

a. the department establishes a policy and procedures requiring the immediate and systematic destruction of all license plate information collected through the project that is not linked in the database system to a stolen motor vehicle; and

b. the unlinked license plate information is being systematically purged from the database system.

54. Additional Border Security Funds.[12] From funds appropriated above, $11,600,000 in fiscal year 2010 and $800,000 in fiscal year 2011 is appropriated for the following border security expenditures:

(a) $5,500,000 in General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 in fiscal year 2010 may only be used to contract with the City of Laredo for construction of the Governor's Regional Center for Operations and Intelligence. From funds appropriated, the Department of Public Safety shall assign three full-time-equivalent positions from the Laredo District to staff the Governor's Regional Center for Operations and Intelligence.

(b) $6,100,000 in General Obligation Bond Proceeds in fiscal year 2010 and $800,000 in State Highway Fund 6 in fiscal year 2011 may only be expended to construct, equip, and operate a Department of Public Safety Crime Lab in Laredo. The Department is also authorized one additional technical DNA leader, two additional DNA Forensic Scientists, two Firearm Forensic Scientists, and one Evidence Technician. The "Number of Full-Time-Equivalent Positions (FTE)" figure indicated above includes six additional FTEs in fiscal year 2011 for this purpose. If Texas A&M International University provides the necessary land for the crime lab, then the Crime Lab in Laredo shall be built on the donated land.

55. Texas Task Force II. From funds appropriated above in Strategy D.1.2, Response Coordination, $700,000 in fiscal year 2010 and $700,000 in fiscal year 2011 in General Revenue - Dedicated Operators and Chauffeurs License Account No. 099, may only be expended to upgrade Texas Task Force II in Dallas to a Type I Urban Search and Rescue Team.

56. Additional Capital Budget - Helicopter.[13] In addition to the provisions of Rider 3, Additional Capital Budget Authority, the Department of Public Safety is authorized to make the capital purchase of one additional helicopter in the amount of $4,284,032 to be stationed in Longview utilizing seized asset funds. From funds appropriated above in Strategy F.1.10, Aircraft Operations, $300,000 in fiscal year 2010 and $300,000 in fiscal year 2011 in General Revenue Dedicated Fund No. 99 shall be used for the operations of the helicopter. From funds appropriated, the Department of Public Safety shall provide three full-time-equivalent positions to support the additional helicopter.

---

[12] HB 4586, § 91, 81st Legislature, Regular Session, directs that Subsection (a) of Rider 54 has no effect.
[13] Modified to correct reference error.

57. Appropriation Authority for General Obligation Bond Proceeds.[14] Appropriated above in Strategy F.1.6, Physical Plant, in fiscal year 2010 is $16,100,000 in general obligation bond proceeds for projects for the Department of Public Safety as described in Article IX, Sec. 17.11, Informational Listing General Obligation Bond Proceeds.

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 purpose(s).

58. State Disaster Resource Support and Staging Sites.[15] From funds appropriated above in Goal D, Emergency Management, the Texas Division of Emergency Management is authorized to spend no more than $3,687,250 during the 2010-11 biennium for the creation and operation of no more than two state disaster resource support and staging sites. Funds used under this provision may be expended for capital budget purposes notwithstanding limitations on capital budget expenditures elsewhere in this Act.

59. Texas Data Exchange. It is the intent of the Legislature that $12,447,104 in State Highway Fund 6 appropriated to the Department of Public Safety in Strategy F.1.5, Crime Records, for the Texas Data Exchange (TDEx) in the 2010-11 biennium shall be used to fund support fees, deployment of TDEx adapters, and ongoing operation expenses, including the renewal of the TDEx enterprise license. It is further the intent of the Legislature that, to the extent allowed by federal law and the availability of funds, the Office of the Governor shall give priority to providing $12,200,000 in one-time funding from federal and other grants and any other sources available to the Office of the Governor for the same purposes over the 2010-11 biennium.

---

[14] Modified to correct reference error.
[15] Incorporates the passage of HB 2730, 81st Legislature, Regular Session, which changed the name of the Governor's Division of Emergency Management to the Texas Division of Emergency Management.

YOUTH COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 209,606,186	$ 205,531,087
Federal Funds	10,599,450	10,063,955
Other Funds		
Appropriated Receipts	404,024	390,637
Interagency Contracts	1,172,250	1,172,250
Bond Proceeds - General Obligation Bonds	5,556,651	0
Interagency Contracts - Transfer from Foundation School Fund No. 193	5,852,939	5,534,593
Subtotal, Other Funds	$ 12,985,864	$ 7,097,480
Total, Method of Financing	$ 233,191,500	$ 222,692,522
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	3,933.9	3,704.9
Schedule of Exempt Positions:		
Executive Director, Group 6	$160,000	$160,000

Items of Appropriation:

A. Goal: SECURE CORRECTIONAL ENVIRONMENT Provide a Safe and Secure Correctional Environment for Youth.				
A.1.1. Strategy: ASSESSMENT AND ORIENTATION Assess & Orient Youth for Appropriate Treatment and Placement.	$	4,128,383	$	4,360,635
A.1.2. Strategy: INSTITUTIONAL SERVICES Provide TYC-operated Secure Correctional Programs.	$	112,499,858	$	106,595,000
A.1.3. Strategy: CONTRACTED CAPACITY Provide Additional Secure and Nonsecure Residential Capacity.	$	9,255,991	$	10,950,912
A.1.4. Strategy: HALFWAY HOUSE SERVICES Provide TYC-operated Nonsecure Correctional Programs.	$	9,565,967	$	9,806,112
A.1.5. Strategy: HEALTH CARE SERVICES Provide a System of Health Care.	$	17,369,121	$	15,860,644
A.1.6. Strategy: MENTAL HEALTH SERVICES	$	1,947,154	$	1,851,785
A.1.7. Strategy: HEALTH CARE OVERSIGHT	$	1,816,119	$	1,816,119
A.1.8. Strategy: OFFICE OF INSPECTOR GENERAL	$	2,208,796	$	2,208,797
A.1.9. Strategy: OFFICE OF INDEPENDENT OMBUDSMAN	$	300,000	$	300,000
A.1.10. Strategy: CONSTRUCT AND RENOVATE FACILITIES Construct & Renovate TYC Facilities for Sufficient Capacity.	$	5,556,651	$	0
Total, Goal A: SECURE CORRECTIONAL ENVIRONMENT	$	164,648,040	$	153,750,004
B. Goal: EDUCATION AND WORKFORCE Enable TYC Youth to Become Productive and Responsible Citizens.				
B.1.1. Strategy: EDUCATION AND WORKFORCE PROGRAMS[1] Provide Academic, GED, and Workforce Preparation Programs.	$	26,119,471	$	25,803,330
C. Goal: REHABILITATION AND REINTEGRATION Reduce Delinquent and Criminal Behavior of Youth Released from TYC.				
C.1.1. Strategy: CORRECTIONAL TREATMENT Provide Correctional Treatment Programs.	$	14,412,955	$	13,811,741
C.1.2. Strategy: SPECIALIZED CORRECTIONAL TREATMENT Trtmnt for Capital/Sex Crimes, Drug Abuse, Emotional & Mental Problems.	$	5,542,458	$	6,447,584
C.1.3. Strategy: PAROLE SERVICES Provide a System of Parole Services.	$	9,056,082	$	9,429,062
C.1.4. Strategy: INTERSTATE AGREEMENT Interstate Agreement on Supvsn of Runaways, Probationers, and Parolees.	$	300,995	$	300,995
Total, Goal C: REHABILITATION AND REINTEGRATION	$	29,312,490	$	29,989,382
D. Goal: INDIRECT ADMINISTRATION				
D.1.1. Strategy: CENTRAL ADMINISTRATION	$	6,998,907	$	6,998,906
D.1.2. Strategy: INFORMATION RESOURCES	$	4,363,498	$	4,403,607
D.1.3. Strategy: OTHER SUPPORT SERVICES	$	1,749,094	$	1,747,293
Total, Goal D: INDIRECT ADMINISTRATION	$	13,111,499	$	13,149,806
Grand Total, YOUTH COMMISSION	$	233,191,500	$	222,692,522

Object-of-Expense Informational Listing:

Salaries and Wages	$	148,682,651	$	145,961,576
Other Personnel Costs		5,422,879		4,678,650

[1] The passage of HB 4586, 81st Legislature, Regular Session, appropriates $375,000 in General Revenue Funds in each fiscal year to the Texas Education Agency (TEA) contingent on the enactment of SB 1362 or similar legislation (SB 1362, 81st Legislature, Regular Session, did not pass. See HB 3689, 81st Legislature, Regular Session, which did pass). HB 4586 directs TEA to transfer these funds to the Youth Commission (TYC) upon TYC's development of a comprehensive plan to improve student reading skills and behavior.

Professional Fees and Services	21,932,570	20,504,163
Fuels and Lubricants	736,898	670,246
Consumable Supplies	1,892,645	1,762,458
Utilities	6,389,140	5,624,365
Travel	2,139,171	2,106,639
Rent - Building	1,835,068	1,873,198
Rent - Machine and Other	588,873	550,977
Other Operating Expense	29,923,939	31,555,040
Client Services	3,056,807	2,982,739
Food for Persons - Wards of State	1,866,560	1,769,562
Capital Expenditures	8,724,299	2,652,909
Total, Object-of-Expense Informational Listing	$ 233,191,500	$ 222,692,522
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 8,096,413	$ 8,235,600
Group Insurance	24,694,382	26,669,126
Social Security	10,928,605	11,113,575
Benefits Replacement	584,362	555,144
Subtotal, Employee Benefits	$ 44,303,762	$ 46,573,445
Debt Service		
TPFA GO Bond Debt Service	$ 17,486,081	$ 17,227,569
Lease Payments	957,350	928,597
Subtotal, Debt Service	$ 18,443,431	$ 18,156,166
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 62,747,193	$ 64,729,611

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Youth Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Youth Commission. In order to achieve the objectives and service standards established by this Act, the Youth Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: SECURE CORRECTIONAL ENVIRONMENT		
Outcome (Results/Impact):		
Turnover Rate of Juvenile Correctional Officers	35%	35%
A.1.1. Strategy: ASSESSMENT AND ORIENTATION		
Output (Volume):		
Average Daily Population: Assessment and Orientation	296	296
A.1.2. Strategy: INSTITUTIONAL SERVICES		
Output (Volume):		
Average Daily Population: Institutional Programs	1,996	1,900
Efficiencies:		
Capacity Cost in Institutional Programs Per Youth Day	154.42	153.71
A.1.3. Strategy: CONTRACTED CAPACITY		
Output (Volume):		
Average Daily Population: Contract Programs	200	200
Efficiencies:		
Capacity Cost in Contract Programs Per Youth Day	126.79	150.01
A.1.4. Strategy: HALFWAY HOUSE SERVICES		
Output (Volume):		
Average Daily Population: Halfway House Programs	218	218
Efficiencies:		
Capacity Cost in Halfway Houses Per Youth Day	120.22	123.24
A.1.5. Strategy: HEALTH CARE SERVICES		
Efficiencies:		
Cost of Health Care Services Per Youth Day	19.71	18.75
A.1.6. Strategy: MENTAL HEALTH SERVICES		
Efficiencies:		
Cost of Mental Health Services Per Youth Day	2.21	2.19

B. Goal: EDUCATION AND WORKFORCE		
Outcome (Results/Impact):		
Diploma or GED Rate (TYC-operated Schools)	49%	49%
Percent Reading at Grade Level at Release	21%	21%
B.1.1. Strategy: EDUCATION AND WORKFORCE PROGRAMS		
Output (Volume):		
Average Daily Attendance in TYC-operated Schools	1,896	1,805
Percent of Math Level Gain	71%	71%
Percent of Reading Level Gain	72%	72%
C. Goal: REHABILITATION AND REINTEGRATION		
Outcome (Results/Impact):		
One-year Rearrest Rate	54%	54%
One-year Rearrest Rate for Violent Offenses	8.6%	8.6%
One-year Reincarceration Rate: Total	19%	19%
Three-year Reincarceration Rate: Total	43%	43%
C.1.1. Strategy: CORRECTIONAL TREATMENT		
Output (Volume):		
Average Daily Population: Correctional Treatment	2,073	1,977
Efficiencies:		
Correctional Treatment Cost Per Youth Day	19.05	19.14
C.1.2. Strategy: SPECIALIZED CORRECTIONAL TREATMENT		
Output (Volume):		
Average Daily Population: Specialized Correctional Treatment	874	960
Efficiencies:		
Specialized Correctional Treatment Cost Per Youth Day	17.37	18.4
C.1.3. Strategy: PAROLE SERVICES		
Output (Volume):		
Average Daily Population: Parole	1,443	1,346
Efficiencies:		
Parole Cost Per Youth Day	17.19	19.19

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	2010	2011
a. Repair or Rehabilitation of Buildings and Facilities		
(1) Repair and Rehabilitation of Existing TYC Facilities	$ 5,556,651	$ 0
b. Acquisition of Information Resource Technologies		
(1) Computer Workstation and Infrastructure Equipment Replacement - Business	270,590	381,422
(2) Computer Workstation and Infrastructure Equipment Replacement - Education	838,000	838,000
(3) Data Center Consolidation	2,092,296	1,981,464
(4) Automated Risk Assessment and Data Sharing Systems	$ 1,173,000	$ 827,000
Total, Acquisition of Information Resource Technologies	$ 4,373,886	$ 4,027,886
c. Transportation Items		
(1) Vehicle Replacement (104 Cargo/Passenger Vehicles)	$ 1,116,391	$ 1,116,391
Total, Capital Budget	$ 11,046,928	$ 5,144,277
Method of Financing (Capital Budget):		
General Revenue Fund	$ 4,652,277	$ 4,306,277
Federal Funds	838,000	838,000

Bond Proceeds - General Obligation Bonds	5,556,651	0
Total, Method of Financing	$ 11,046,928	$ 5,144,277

3. **Appropriation of Other Agency Funds.** Any unexpended balances remaining in Independent School District Funds (not to exceed $155,000 and included in the amounts above), the Student Benefit Fund (not to exceed $140,000 and included in the amounts above), the Canteen Revolving Funds (not to exceed $7,500 and included in the amounts above), any gifts, grants, and donations as of August 31, 2009, and August 31, 2010 (estimated to be $0), and any revenues accruing to those funds are appropriated to those funds for the succeeding fiscal years. Funds collected by vocational training shops at Youth Commission institutions, including unexpended balances as of August 31, 2009 (not to exceed $21,000 and included in the amounts above), are hereby appropriated for the purpose of purchasing and maintaining parts, tools, and other supplies necessary for the operation of those shops.

4. **Revolving Funds.** The Youth Commission may establish out of any funds appropriated herein a revolving fund not to exceed $10,000 in the Central Office, and $10,000 in each institution, field office, or facility under its direction. Payments from these revolving funds may be made as directed by the commission. Reimbursement to such revolving funds shall be made out of appropriations provided for in this Article.

5. **Student Employment.** Subject to the approval of the Youth Commission, students residing in any Youth Commission facility may be assigned necessary duties in the operations of the facility and be paid on a limited basis out of any funds available to the respective institutions or facility not to exceed $50,000 a year for each institution and $10,000 a year for any other facility.

6. **Support Payment Collections.** The Youth Commission shall annually report to the Governor and to the Legislative Budget Board the number of active accounts, including the amounts owed to the state pursuant to the Texas Family Code, § 54.06 (a) court orders, and the total amount of funds collected.

7. **Federal Foster Care Claims.** Within the appropriations made above, the Texas Department of Family and Protective Services, the Youth Commission, and the Juvenile Probation Commission shall document possible foster care claims for children in juvenile justice programs and maintain an interagency agreement to implement strategies and responsibilities necessary to claim additional federal foster care funding; and consult with juvenile officials from other states and national experts in designing better foster care funding initiatives.

8. **Employee Medical Care.** Appropriations made in this Act for the Youth Commission not otherwise restricted in use may also be expended to provide medical attention by medical staff and infirmaries at Youth Commission facilities, or to pay necessary medical expenses, including the cost of broken eyeglasses and other health aids, for employees injured while performing the duties of any hazardous position which is not reimbursed by workers' compensation and/or employees' state insurance. For the purpose of this section, "hazardous position" shall mean one for which the regular and normal duties inherently involve the risk or peril of bodily injury or harm. Appropriations made in this Act not otherwise restricted in use may also be expended for medical tests and procedures on employees that are required by federal or state law or regulations when the tests or procedures are required as a result of the employee's job assignment or when considered necessary due to potential or existing litigation.

9. **Fire Prevention and Safety.** In instances in which regular employees of facilities operated by the Youth Commission are assigned extra duties on fire prevention teams or on special tactics and response teams, supplementary payments, not to exceed $125 per month for team leaders and $100 per month for team members, are authorized in addition to the salary rates stipulated by the provisions of Article IX of this Act relating to the position classifications and assigned salary ranges.

10. **Charges to Employees and Guests.**

    a. Collections for services rendered Youth Commission employees and guests shall be made by a deduction from the recipient's salary or by cash payment in advance. Such deductions and other receipts for these services from employees and guests are hereby appropriated to the facility. Refunds of excess collections shall be made from the appropriation to which the collection was deposited.

b. As compensation for services rendered and notwithstanding any other provision in this Act, any facility under the jurisdiction of the Youth Commission may provide free meals for food service personnel and volunteer workers and may furnish housing facilities, meals, and laundry service in exchange for services rendered by interns, chaplains in training, and student nurses.

11. Specialized Treatment Report. The Youth Commission shall, in its annual report, provide an assessment of the effectiveness of specialized treatment, emphasizing re-arrest rates of offenders receiving treatment.

12. Salaries, Education Professionals.

a. Each principal, supervisor, and classroom teacher employed in an institution operated by the Youth Commission shall receive a monthly salary to be computed as follows: The applicable monthly salary rate specified in § 21.402, Texas Education Code, as amended, shall be multiplied by ten to arrive at a ten month salary rate. Such rate shall be divided by the number of days required in § 21.401, Texas Education Code, for 10-month employees, and the resulting daily rate shall be multiplied by the number of on-duty days required of Youth Commission educators, resulting in the adjusted annual salary. The adjusted annual salary is to be divided by 12 to arrive at the monthly rate. Salary rates for educational aides commencing employment before September 1, 1999, shall be calculated in the same manner, using 60 percent of the salary rate specified in § 21.402, Texas Education Code.

b. The Youth Commission may authorize salary rates at amounts above the adjusted annual salary determined in the preceding formula, but such rates, including longevity for persons commencing employment on September 1, 1983, or thereafter, and excluding hazardous duty pay, shall never exceed the rates of pay for like positions paid in the public schools of the city in which the Youth Commission institution is located. Any authorized local increments will be in addition to adjusted annual salaries.

c. There is hereby appropriated to the Youth Commission from any unexpended balances on hand as of August 31, 2010, funds necessary to meet the requirements of this section in fiscal year 2011 in the event adjustments are made in the salary rates specified in the Texas Education Code or in salary rates paid by the public schools where Youth Commission facilities are located.

13. State-owned Housing Authorized. As of September 1, 1998, the chief superintendent, assistant superintendent, and the director of security are authorized to live in state-owned housing at a rate determined by the commission. Notwithstanding general provisions of this Act, commission employees first employed at the West Texas State School on or after September 1, 1999, are authorized to live in state-owned housing at the same rate as persons employed prior to September 1, 1999. Employees at West Texas State School are only authorized to live in state-owned housing until August 31, 2010. Other commission employees may live in state-owned housing as set forth in Article IX, § 11.05, State Owned Housing - Recover Housing Costs, of this Act. Fees for employee housing are hereby appropriated to be used for maintaining employee housing.

14. Appropriation Transfers Between Fiscal Years. In addition to the transfer authority provided elsewhere in this Act, the Youth Commission may transfer appropriations in an amount not to exceed $20,000,000 made for fiscal year 2011 to fiscal year 2010 subject to the following conditions provided by this section:

a. Transfers under this section may be made only if (1) juvenile correctional populations exceed appropriated areas of daily population targets or (2) for any other emergency expenditure, including expenditures necessitated by public calamity.

b. A transfer authorized by this section must receive prior approval from the Governor and the Legislative Budget Board.

c. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending under this section.

15. Project RIO. From the funds appropriated above and to ensure the efficient use of state resources, the Texas Workforce Commission, the Texas Department of Criminal Justice, and the Youth Commission together shall enhance the effectiveness of Project RIO by improving cohesive program delivery among the three agencies. The agencies shall together develop and implement a

biennial strategic plan for the implementation of a more cohesive and effective Project RIO program which will emphasize necessary skill development, rehabilitation, and appropriate assessment of the offender prior to release. Not later than March 1, 2010, the biennial strategic plan, jointly prepared by the three agencies, and including specific strategies, measures, timeframes for program improvement, and a methodology for program evaluation, shall be submitted to the Legislative Budget Board and the Governor. The Texas Workforce Commission shall maintain interagency contracts at $446,250 in each year of the biennium to the Youth Commission to fund Project RIO. The agencies shall enter into interagency contracts for the 2010-11 biennium to include the reporting of performance levels.

16. **Training for GED and Reading Skills.** From the funds appropriated above in Strategy B.1.1, Education and Workforce Programs, the Youth Commission shall prioritize reading at grade level and preparation for the GED in its educational program. A report containing statistical information regarding student performance on the Test of Adult Basic Education (TABE) shall be submitted to the Legislative Budget Board and the Governor on or before December 1, 2010.

17. **Salary Adjustment Authorized.** Notwithstanding other provisions of this Act, the Youth Commission is authorized to adjust salaries of Juvenile Correctional Officers I, Juvenile Correctional Officers II, Juvenile Correctional Officers III, Juvenile Correctional Officers IV, Juvenile Correctional Officers V, and Juvenile Correctional Officers VI to rates within the designated salary group for the purpose of recruiting, employing, and retaining career juvenile correctional personnel. Merit raises are prohibited for all Juvenile Correctional Officers who are receiving or are eligible to receive step adjustments in the career ladder system.

18. **Human Resources Management Plan.** From funds appropriated above, the Youth Commission shall develop a Human Resources Management Plan designed to improve employee morale and retention. The plan must focus on reducing employee turnover through better management. The Youth Commission shall report, by October 1 of each year of the biennium, to the Legislative Budget Board and the Governor the employee turnover rate, by job category, at the agency during the preceding fiscal year. The effectiveness of an agency's plan shall be measured by whether or not there is a reduction in annual employee turnover rates at the agency, specifically by the reduction in the turnover rates for juvenile correctional officers.

19. **Appropriation: Unexpended Balances of General Obligation Bond Proceeds.** Any unexpended balances of general obligation bond proceeds that have been approved under the provisions of Article IX, Section 19.70 or Article IX, Section 19.71 of House Bill 1, Eightieth Legislature, Regular Session, 2007, as of August 31, 2009, for the Youth Commission (TYC) are hereby appropriated to TYC for the biennium beginning September 1, 2009 for the purposes for which they were approved (fiscal year 2009 unexpended balance estimated to be $0).

20. **Appropriations Prohibited for Purposes of Payment to Certain Employees.** None of the appropriations made by this Act to the Youth Commission (TYC) may be distributed to or used to pay an employee of TYC who is required to register as a sex offender under Chapter 62, Code of Criminal Procedure, or has been convicted of an offense described in Article 42.12, Section 3g, Code of Criminal Procedure.

21. **Managed Health Care and Mental Health Services Contract(s).** From funds appropriated above, the Youth Commission (TYC) shall develop and manage a provider contract, or contracts, to deliver the most effective managed health care and mental health services for the best value. Potential service providers shall not be entitled to pass-through funding from TYC appropriations.

22. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 are made contingent on the continuation of the Youth Commission by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated in fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

23. **West Texas State School and Victory Field Correctional Academy.** Funds appropriated by this Act in fiscal year 2010 may only be used for the operation of the Victory Field Correctional Academy if the Youth Commission certifies to the Legislative Budget Board no later than September 1, 2009, that the facility is safe for use as a juvenile residential facility. Funds appropriated by this Act shall not be used for the operation of West Texas State School or Victory Field Correctional Academy after August 31, 2010.

24. Appropriation Authority for General Obligation Bond Proceeds.[2] Appropriated above in Strategy A.1.10, Construct and Renovate Facilities, in fiscal year 2010 is $5,556,651 in general obligation bond proceeds for projects for the Youth Commission as described in Article IX, §17.11, Informational Listing General Obligation Bond Proceeds.

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 purpose(s).

25. Shared Use of Vehicle with the Juvenile Probation Commission. Contingent upon availability of a vehicle in the Youth Commission (TYC) vehicle fleet, TYC may enter into an agreement for the temporary shared use of a TYC vehicle with the Juvenile Probation Commission to support collaboration between the two agencies. Any agreement must specify responsibilities of the respective agencies for vehicle maintenance, damage and repair, and fleet reporting requirements.

26. Prohibition of Payment to Youth Services International. None of the funds appropriated above shall be used for payment to Youth Services International without prior approval of the Legislative Budget Board and the Office of the Attorney General.

27. Interagency Contracts Authorized, West Texas State School. The Youth Commission is authorized to lease from The University of Texas for a term of years and upon conditions that are mutually agreeable to the Youth Commission and The University of Texas, under authority of the Interagency Cooperation Act, certain facilities situated at Pyote Air Force Base, in Ward County, Texas (same being located in Block 16, University Lands). The Youth Commission is authorized to pay to The University of Texas as rental for such a lease a sum not to exceed $3,000 per year. Funds appropriated by this Act shall not be used for costs associated with West Texas State School after August 31, 2010.

[2] Modified to correct reference error.

RETIREMENT AND GROUP INSURANCE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1, 2, 3, 4]		
General Revenue Fund, estimated	$ 425,212,478	$ 452,463,467
General Revenue Dedicated Accounts, estimated	4,911,957	5,261,132

[1] Incorporates Article IX, § 17.02(a), of this Act, relating to additional appropriations for employee benefits, which decreases Retirement benefits proportionally with the number of FTEs decreased in agency bill patterns, resulting in a decrease of $888,552 in General Revenue Funds, and increases of $140,868 in General Revenue-Dedicated Funds and $82,044 in Other Funds in FY 2010, and a decrease of $790,512 in General Revenue Funds, and increases of $187,824 in General Revenue-Dedicated Funds and $152,736 in Other Funds in FY 2011.

[2] Incorporates Article IX, § 17.02(b), of this Act, relating to appropriations for employee benefits corresponding with the salary funding source of FTEs at the Department of Public Safety, resulting in an increase of $3,653,280 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2010; and an increase of $3,653,280 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2011 for Retirement contributions.

[3] Incorporates Article IX, § 17.02(a), of this Act, relating to additional appropriations for employee benefits, which decreases Group Insurance benefits proportionally with the number of FTEs decreased in agency bill patterns, resulting in a decrease of $2,342,950 in General Revenue Funds, and increases of $371,444 in General Revenue-Dedicated Funds and $216,335 in Other Funds in FY 2010; and a decrease of $2,226,179 in General Revenue Funds, and increases of $528,935 in General Revenue-Dedicated Funds and $430,123 in Other Funds in FY 2011.

[4] Incorporates Article IX, § 17.02(b), of this Act, relating to appropriations for employee benefits corresponding with the salary funding source of FTEs at the Department of Public Safety, resulting in an increase of $7,705,872 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2010, and an increase of $8,229,792 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2011 for Group Insurance contributions.

RETIREMENT AND GROUP INSURANCE
(Continued)

Federal Funds, estimated	6,709,252	7,009,360
State Highway Fund No. 006, estimated	80,126,842	86,352,323
Total, Method of Financing	$ 516,960,529	$ 551,086,282
Items of Appropriation:		
A. Goal: EMPLOYEES RETIREMENT SYSTEM		
A.1.1. Strategy: RETIREMENT CONTRIBUTIONS[5, 6] Retirement Contributions. Estimated.	$ 114,011,068	$ 116,404,274
A.1.2. Strategy: GROUP INSURANCE[7, 8] Group Insurance. Estimated.	$ 375,890,437	$ 407,622,984
A.1.3. Strategy: PUBLIC SAFETY BENEFITS Public Safety Benefits. Estimated.	$ 6,592,165	$ 6,592,165
A.1.4. Strategy: LECOS RETIREMENT PROGRAM LECOS Retirement Program. Estimated.	$ 20,466,859	$ 20,466,859
Total, Goal A: EMPLOYEES RETIREMENT SYSTEM	$ 516,960,529	$ 551,086,282
Grand Total, RETIREMENT AND GROUP INSURANCE	$ 516,960,529	$ 551,086,282

[5] Incorporates Article IX, § 17.02(a), of this Act, relating to additional appropriations for employee benefits, which decreases Retirement benefits proportionally with the number of FTEs decreased in agency bill patterns, resulting in a decrease of $888,552 in General Revenue Funds, and increases of $140,868 in General Revenue-Dedicated Funds and $82,044 in Other Funds in FY 2010, and a decrease of $790,512 in General Revenue Funds, and increases of $187,824 in General Revenue-Dedicated Funds and $152,736 in Other Funds in FY 2011.

[6] Incorporates Article IX, § 17.02(b), of this Act, relating to appropriations for employee benefits corresponding with the salary funding source of FTEs at the Department of Public Safety, resulting in an increase of $3,653,280 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2010; and an increase of $3,653,280 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2011 for Retirement contributions.

[7] Incorporates Article IX, § 17.02(a), of this Act, relating to additional appropriations for employee benefits, which decreases Group Insurance benefits proportionally with the number of FTEs decreased in agency bill patterns, resulting in a decrease of $2,342,950 in General Revenue Funds, and increases of $371,444 in General Revenue-Dedicated Funds and $216,335 in Other Funds in FY 2010; and a decrease of $2,226,179 in General Revenue Funds, and increases of $528,935 in General Revenue-Dedicated Funds and $430,123 in Other Funds in FY 2011.

[8] Incorporates Article IX, § 17.02(b), of this Act, relating to appropriations for employee benefits corresponding with the salary funding source of FTEs at the Department of Public Safety, resulting in an increase of $7,705,872 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2010, and an increase of $8,229,792 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2011 for Group Insurance contributions.

SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1, 2]		
General Revenue Fund, estimated	$ 133,255,039	$ 134,969,026
General Revenue Dedicated Accounts, estimated	878,484	886,755

[1] Incorporates Article IX, § 17.02(a), of this Act, relating to additional appropriations for employee benefits, which decreases Social Security benefits proportionally with the number of FTEs decreased in agency bill patterns, resulting in a decrease of $937,584 in General Revenue Funds, and an increase of $222,768 in General Revenue-Dedicated Funds and $129,744 in Other Funds in FY 2010, and a decrease of $937,584 in General Revenue Funds, and an increase of $222,768 in General Revenue-Dedicated Funds and $181,152 in Other Funds in FY 2011.

[2] Incorporates Article IX, § 17.02(b), of this Act, relating to appropriations for employee benefits corresponding with the salary funding source of FTEs at the Department of Public Safety, resulting in an increase of $4,332,960 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2010; and an increase of $4,332,960 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2011 for Social Security contributions.

SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY
(Continued)

Federal Funds, estimated	2,334,206	2,320,953
Other Funds		
Other Special State Funds, estimated	83,622	85,212
State Highway Fund No. 006, estimated	27,891,682	28,436,727
Subtotal, Other Funds	$ 27,975,304	$ 28,521,939
Total, Method of Financing	$ 164,443,033	$ 166,698,673
Items of Appropriation:		
A. Goal: SOCIAL SECURITY/BENEFIT REPLACEMENT		
Comptroller - Social Security.		
A.1.1. Strategy: STATE MATCH -- EMPLOYER[3, 4]	$ 150,955,370	$ 153,885,391
State Match — Employer. Estimated.		
A.1.2. Strategy: BENEFIT REPLACEMENT PAY	$ 13,487,663	$ 12,813,282
Benefit Replacement Pay. Estimated.		
Total, Goal A: SOCIAL SECURITY/BENEFIT REPLACEMENT	$ 164,443,033	$ 166,698,673
Grand Total, SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY	$ 164,443,033	$ 166,698,673

[3] Incorporates Article IX, § 17.02(a), of this Act, relating to additional appropriations for employee benefits, which decreases Social Security benefits proportionally with the number of FTEs decreased in agency bill patterns, resulting in a decrease of $937,584 in General Revenue Funds, and an increase of $222,768 in General Revenue-Dedicated Funds and $129,744 in Other Funds in FY 2010, and a decrease of $937,584 in General Revenue Funds, and an increase of $222,768 in General Revenue-Dedicated Funds and $181,152 in Other Funds in FY 2011.

[4] Incorporates Article IX, § 17.02(b), of this Act, relating to appropriations for employee benefits corresponding with the salary funding source of FTEs at the Department of Public Safety, resulting in an increase of $4,332,960 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2010; and an increase of $4,332,960 in General Revenue Funds, and an equal reduction of State Highway Fund 6 Funds in FY 2011 for Social Security contributions.

BOND DEBT SERVICE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 243,170,775	$ 247,750,318
Total, Method of Financing	$ 243,170,775	$ 247,750,318
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: BOND DEBT SERVICE	$ 243,170,775	$ 247,750,318 & UB
To Texas Public Finance Authority for Payment of Bond Debt Service.		
Grand Total, BOND DEBT SERVICE PAYMENTS	$ 243,170,775	$ 247,750,318

LEASE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 2,041,515	$ 1,975,185
Total, Method of Financing	$ 2,041,515	$ 1,975,185
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: LEASE PAYMENTS	$ 2,041,515	$ 1,975,185 & UB
To TFC for Payment to TPFA.		
Grand Total, LEASE PAYMENTS	$ 2,041,515	$ 1,975,185

SPECIAL PROVISIONS RELATING TO PUBLIC SAFETY AND CRIMINAL JUSTICE AGENCIES

Sec. 2. Federally Funded Projects. Consistent with the provisions in Article IX, § 6.10, state public safety and criminal justice agencies may exceed the limitations on full-time equivalent employees (FTEs) indicated in their appropriations only if the number of FTEs whose salaries, benefits, and other expenses related to employment that are 100 percent federally funded exceed the numbers indicated below which are included in the agencies' appropriations.

		2010	2011
a.	Adjutant General's Department	395	395
b.	Alcoholic Beverage Commission	0	0
c.	Department of Criminal Justice	5	5
d.	Commission on Fire Protection	0	0
e.	Commission on Jail Standards	0	0
f.	Juvenile Probation Commission	6	6
g.	Commission on Law Enforcement Officer Standards and Education	0	0
h.	Department of Public Safety	313	313
i.	Youth Commission	34.5	34.5

RECAPITULATION - ARTICLE V
PUBLIC SAFETY AND CRIMINAL JUSTICE
(General Revenue)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Adjutant General's Department	$ 15,500,653	$ 15,535,862
Alcoholic Beverage Commission	44,601,770	43,192,719
Department of Criminal Justice	2,911,443,066	2,995,236,427
Commission on Fire Protection	3,444,739	3,420,369
Commission on Jail Standards	1,046,848	1,046,848
Juvenile Probation Commission	150,743,963	147,727,384
Commission on Law Enforcement Officer Standards and Education	101,855	101,855
Department of Public Safety	120,815,594	120,257,497
Youth Commission	209,606,186	205,531,087
Subtotal, Public Safety and Criminal Justice	$ 3,457,304,674	$ 3,532,050,048
Retirement and Group Insurance	425,212,478	452,463,467
Social Security and Benefit Replacement Pay	133,255,039	134,969,026
Subtotal, Employee Benefits	$ 558,467,517	$ 587,432,493
Bond Debt Service Payments	243,170,775	247,750,318
Lease Payments	2,041,515	1,975,185
Subtotal, Debt Service	$ 245,212,290	$ 249,725,503
TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE	$ 4,260,984,481	$ 4,369,208,044

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE V
PUBLIC SAFETY AND CRIMINAL JUSTICE
(General Revenue - Dedicated)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Criminal Justice	$ 3,326,805	$ 3,326,805
Commission on Law Enforcement Officer Standards and Education	2,910,006	2,895,747
Department of Public Safety	47,048,617	6,373,271
Subtotal, Public Safety and Criminal Justice	$ 53,285,428	$ 12,595,823
Retirement and Group Insurance	4,911,957	5,261,132
Social Security and Benefit Replacement Pay	878,484	886,755
Subtotal, Employee Benefits	$ 5,790,441	$ 6,147,887
TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE	$ 59,075,869	$ 18,743,710

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE V
PUBLIC SAFETY AND CRIMINAL JUSTICE
(Federal Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Adjutant General's Department	$ 103,785,372	$ 38,998,952
Alcoholic Beverage Commission	351,200	351,200
Department of Criminal Justice	18,601,740	18,601,739
Juvenile Probation Commission	19,209,156	19,209,156
Department of Public Safety	184,305,130	175,355,132
Youth Commission	10,599,450	10,063,955
Subtotal, Public Safety and Criminal Justice	$ 336,852,048	$ 262,580,134
Retirement and Group Insurance	6,709,252	7,009,360
Social Security and Benefit Replacement Pay	2,334,206	2,320,953
Subtotal, Employee Benefits	$ 9,043,458	$ 9,330,313
TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE	$ 345,895,506	$ 271,910,447

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE V
PUBLIC SAFETY AND CRIMINAL JUSTICE
(Other Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Adjutant General's Department	$ 7,705,761	$ 5,202,123
Alcoholic Beverage Commission	153,750	153,750
Department of Criminal Justice	125,548,901	95,748,890
Commission on Fire Protection	35,000	35,000
Commission on Jail Standards	28,500	28,500
Juvenile Probation Commission	12,821,023	12,879,404
Commission on Law Enforcement Officer Standards and Education	358,000	358,000
Department of Public Safety	621,651,553	457,197,908
Youth Commission	12,985,864	7,097,480
Subtotal, Public Safety and Criminal Justice	$ 781,288,352	$ 578,701,055
Retirement and Group Insurance	80,126,842	86,352,323
Social Security and Benefit Replacement Pay	27,975,304	28,521,939
Subtotal, Employee Benefits	$ 108,102,146	$ 114,874,262
Less Interagency Contracts	$ 70,610,436	$ 70,350,469
TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE	$ 818,780,062	$ 623,224,848

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE V
PUBLIC SAFETY AND CRIMINAL JUSTICE
(All Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Adjutant General's Department	$ 126,991,786	$ 59,736,937
Alcoholic Beverage Commission	45,106,720	43,697,669
Department of Criminal Justice	3,058,920,512	3,112,913,861
Commission on Fire Protection	3,479,739	3,455,369
Commission on Jail Standards	1,075,348	1,075,348
Juvenile Probation Commission	182,774,142	179,815,944
Commission on Law Enforcement Officer Standards and Education	3,369,861	3,355,602
Department of Public Safety	973,820,894	759,183,808
Youth Commission	233,191,500	222,692,522
Subtotal, Public Safety and Criminal Justice	$ 4,628,730,502	$ 4,385,927,060
Retirement and Group Insurance	516,960,529	551,086,282
Social Security and Benefit Replacement Pay	164,443,033	166,698,673
Subtotal, Employee Benefits	$ 681,403,562	$ 717,784,955
Bond Debt Service Payments	243,170,775	247,750,318
Lease Payments	2,041,515	1,975,185
Subtotal, Debt Service	$ 245,212,290	$ 249,725,503
Less Interagency Contracts	$ 70,610,436	$ 70,350,469
TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE	$ 5,484,735,918	$ 5,283,087,049
Number of Full-Time-Equivalents (FTE)	53,324.1	53,263.1

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

ARTICLE VI

NATURAL RESOURCES

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated natural resources agencies.

DEPARTMENT OF AGRICULTURE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund[2, 3]	$ 83,535,644	$ 60,506,491
General Revenue Fund - Dedicated		
Young Farmer Loan Guarantee Account No. 5002	106,584	106,584
GO TEXAN Partner Program Account No. 5051	1,081,333	81,334
Subtotal, General Revenue Fund - Dedicated	$ 1,187,917	$ 187,918
Federal Funds	351,960,400	374,531,748
Other Funds		
Farm and Ranch Finance Program Fund Account No. 575	82,669	82,669
Appropriated Receipts[4]	4,631,587	3,763,383
Texas Agricultural Fund No. 683	423,044	416,044
Interagency Contracts	709,582	709,582
Subtotal, Other Funds	$ 5,846,882	$ 4,971,678
Total, Method of Financing	$ 442,530,843	$ 440,197,835
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 479,662	$ 504,384
This bill pattern represents an estimated 81% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[2, 3]	666.0	666.0
Schedule of Exempt Positions:		
Commissioner of Agriculture, Group 5	$137,500	$137,500
Items of Appropriation:		
A. Goal: MARKETS & PUBLIC HEALTH		
Expand Markets While Protecting Public Health & Natural Resources.		
A.1.1. Strategy: GENERATE MARKETING OPPORTUNITIES[3]	$ 48,728,161	$ 24,254,854
Generate Marketing Opportunities for Texas Agriculture.		

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency, Article XII includes a Federal Funds increase of $22,800,000 in FY 2010 resulting in a net All Funds appropriation of $465,330,873 in FY 2010.
[2] Incorporates Article IX, § 17.84, of this Act, due to the enactment of SB 282, 81st Legislature, Regular Session, relating to grant and outreach programs to provide nutrition education to children, resulting in an increase in General Revenue Funds of $500,000 and 0.5 FTEs in each fiscal year.
[3] Incorporates Article IX, § 17.103, of this Act, due to the enactment of SB 1016, 81st Legislature, Regular Session, relating to the continuation and functions of the Department of Agriculture, resulting in an increase in General Revenue Funds of $62,519 in FY 2010 and $54,519 in FY 2011, an increase from the Texas Agricultural Fund No. 683 of $150,988 in FY 2010 and $143,988 in FY 2011, and an increase of 3.0 FTEs in each fiscal year.
[4] Incorporates Rider 28, due to the enactment of HB 2925, 81st Legislature, Regular Session, relating to conducting fuel quality testing and enforcement, resulting in an increase in Appropriated Receipts of $500,000 in each fiscal year.

A.1.2. Strategy: REGULATE PESTICIDE USE[5]	$ 6,472,299	$ 6,472,296
A.1.3. Strategy: INTEGRATED PEST MANAGEMENT Reduce Pesticide Use through Integrated Pest Management Practices.	$ 17,569,140	$ 17,569,140
A.1.4. Strategy: CERTIFY PRODUCE Certify Fruits, Vegetables and Peanuts to Enhance Their Marketability.	$ 148,159	$ 148,159
Total, Goal A: MARKETS & PUBLIC HEALTH	$ 72,917,759	$ 48,444,449
B. Goal: ENFORCE STANDARDS Protect Consumers by Establishing and Enforcing Standards.		
B.1.1. Strategy: SURVEILLANCE/BIOSECURITY EFFORTS Implement Surveillance and Biosecurity Efforts for Pests/Diseases.	$ 2,657,783	$ 2,463,638
B.1.2. Strategy: VERIFY SEED QUALITY Verify the Quality and Type of Seed Desired.	$ 3,217,669	$ 3,217,669
B.1.3. Strategy: AGRICULTURAL COMMODITY REGULATION Regulate Commodity through Verification, Licensing, Inspect, & Enfmnt.	$ 1,335,546	$ 1,335,545
B.1.4. Strategy: STRUCTURAL PEST CONTROL	$ 1,833,051	$ 1,812,552
Total, Goal B: ENFORCE STANDARDS	$ 9,044,049	$ 8,829,404
C. Goal: ENSURE PROPER MEASUREMENT Increase Likelihood That Goods Offered for Sale Are Properly Measured.		
C.1.1. Strategy: INSPECT MEASURING DEVICES[6] Inspect Weighing and Measuring Devices/Reduce Violations.	$ 4,892,387	$ 4,675,985
D. Goal: FOOD AND NUTRITION Provide Funding and Assistance on Food and Nutrition Programs.		
D.1.1. Strategy: SUPPORT NUTRITION PROGRAMS Support Nutrition Programs in Schools.	$ 24,013,960	$ 25,184,686
D.2.1. Strategy: NUTRITION ASSISTANCE[7]	$ 327,061,845	$ 348,462,467
Total, Goal D: FOOD AND NUTRITION	$ 351,075,805	$ 373,647,153
E. Goal: FOOD AND FIBERS COMMISSION Support and Coordinate Fibers and Food Protein Research.		
E.1.1. Strategy: RESEARCH AND DEVELOPMENT Review, Coordinate, and Fund Research and Development Programs.	$ 4,600,843	$ 4,600,844
Grand Total, DEPARTMENT OF AGRICULTURE	$ 442,530,843	$ 440,197,835
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 23,974,033	$ 23,974,033
Other Personnel Costs	1,090,852	1,158,770
Professional Fees and Services	3,631,249	3,739,249
Fuels and Lubricants	643,341	653,341
Consumable Supplies	360,466	248,466
Utilities	766,489	766,489
Travel	987,008	987,008
Rent - Building	992,136	992,136
Rent - Machine and Other	211,479	211,479
Other Operating Expense	41,568,045	25,574,458

[5] The passage of HB 1530, 81st Legislature, Regular Session, transfers the regulation of health-related pest control from the Department of State Health Services (DSHS) to the Department of Agriculture (TDA) on September 1, 2009. Any funds appropriated for this purpose to DSHS will be transferred to Strategy A.1.2, Regulate Pesticide Use, of TDA's bill pattern through an Interagency Contract.
[6] Incorporates Rider 28, due to the enactment of HB 2925, 81st Legislature, Regular Session, relating to conducting fuel quality testing and enforcement, resulting in an increase in Appropriated Receipts of $500,000 in each fiscal year.
[7] Incorporates Article IX, § 17.84, of this Act, due to the enactment of SB 282, 81st Legislature, Regular Session, relating to grant and outreach programs to provide nutrition education to children, resulting in an increase in General Revenue Funds of $500,000 and 0.5 FTEs in each fiscal year.

Client Services	341,012,616	362,216,912
Grants	24,271,236	17,956,100
Capital Expenditures	3,021,893	1,719,394
Total, Object-of-Expense Informational Listing	$ 442,530,843	$ 440,197,835
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,655,412	$ 1,680,244
Group Insurance	5,032,422	5,471,441
Social Security	2,068,805	2,099,837
Benefits Replacement	210,679	200,145
Subtotal, Employee Benefits	$ 8,967,318	$ 9,451,667
Debt Service		
TPFA GO Bond Debt Service	$ 3,968	$ 3,851
Lease Payments	87,603	69,824
Subtotal, Debt Service	$ 91,571	$ 73,675
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 9,058,889	$ 9,525,342

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Agriculture. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of Agriculture. In order to achieve the objectives and service standards established by this Act, the Department of Agriculture shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: MARKETS & PUBLIC HEALTH		
Outcome (Results/Impact):		
Percent Increase in the Number of Sales Facilitated	7%	7%
Percent of Ag Pesticide Inspections in Compliance with Pesticide Laws and Regulations	92%	92%
Percent of Rural Communities Assisted	59%	59%
A.1.1. Strategy: GENERATE MARKETING OPPORTUNITIES		
Output (Volume):		
Number of Acres Inspected for Seed Certification	182,000	182,000
Number of Rural Community Projects in Which TDA Provided Assistance	652	652
Rural Development Activities and Events in Which TDA Participated	175	175
Businesses Assisted with Expansion, Recruitment, and Retention Prospects in Rural Texas	1,055	1,055
A.1.2. Strategy: REGULATE PESTICIDE USE		
Output (Volume):		
Number of Agricultural Pesticide Complaint Investigations Conducted	225	225
A.1.3. Strategy: INTEGRATED PEST MANAGEMENT		
Output (Volume):		
Hours Spent Informing Producers and Surveying Cotton for Compliance with Cotton Stalk Destruction Deadlines	11,500	11,500
Number of Inspections to Verify Compliance for Organic or Other Crop Production Certification Programs	400	400
A.1.4. Strategy: CERTIFY PRODUCE		
Output (Volume):		
Number of Pounds of Fruits, Vegetables, Peanuts and Nuts Inspected (In Billions)	2.67	2.67
B. Goal: ENFORCE STANDARDS		
Outcome (Results/Impact):		
Percent of Seed Samples Found to Be in Full Compliance with State and Federal Standards	97%	97%
Percent of Licensees, Individuals, and Businesses Who Renew Online	29.94%	29.94%

Percent of New Individual and Business Licenses Applied for Online	42.63%	42.63%
Percent of Complaints Resolved Within Six Months	75%	75%
Percent of Independent School Districts Inspected Found to be in Compliance	92%	92%
B.1.1. Strategy: SURVEILLANCE/BIOSECURITY EFFORTS		
Output (Volume):		
Number of Nursery and Floral Establishment Inspections Conducted	9,500	9,500
Number of Hours Spent at Inspections of Plant Shipments and Regulated Articles	9,900	9,900
B.1.2. Strategy: VERIFY SEED QUALITY		
Output (Volume):		
Number of Official Seed Inspection Samples Drawn & Submitted for Analysis	5,157	5,157
B.1.3. Strategy: AGRICULTURAL COMMODITY REGULATION		
Output (Volume):		
Number of Egg Packer, Dealer, Wholesaler, and Retailer Inspections Conducted	2,100	2,100
Number of Grain Warehouse Inspections, Re-inspections, and Audits Conducted	275	275
B.1.4. Strategy: STRUCTURAL PEST CONTROL		
Output (Volume):		
Number of New Individual and Business Licenses Issued	6,038	6,038
Number of Licenses Renewed (Individuals and Businesses)	14,100	14,100
Number of Complaints Resolved	210	210
Number of Structural Business License Inspections Conducted	950	950
Number of School Inspections Performed	200	200
Efficiencies:		
Average Licensing Cost Per Individual and Business License Issued	17	17
C. Goal: ENSURE PROPER MEASUREMENT		
Outcome (Results/Impact):		
Percent of Total Weights and Measures Device Inspections Found in Full Compliance with State and Federal Standards	96%	96%
C.1.1. Strategy: INSPECT MEASURING DEVICES		
Output (Volume):		
Number of Weights and Measures Device Inspections Conducted[8]	132,982	132,982
D. Goal: FOOD AND NUTRITION		
Outcome (Results/Impact):		
Percent of School Districts in Compliance with Nutrition Regulations	89.7%	89.7%
D.1.1. Strategy: SUPPORT NUTRITION PROGRAMS		
Output (Volume):		
Number of School District Staff Trained	20,682	20,682
D.2.1. Strategy: NUTRITION ASSISTANCE		
Output (Volume):		
Average Number of Children and Adults Served Meals through Child and Adult Care Food Program Per Day	287,178	292,921
E. Goal: FOOD AND FIBERS COMMISSION		
E.1.1. Strategy: RESEARCH AND DEVELOPMENT		
Output (Volume):		
Number of Research and Development Projects	41	41
Number of Formal Published Research Reports	156	156
Efficiencies:		
Cumulative Accrual of Supporting Research Funds	3,649,649	3,649,649

2. **Capital Budget.** Funds appropriated above may be expended for capital budget items as listed below. The amounts identified for each item may be adjusted or expended on other capital expenditures, subject to the aggregate dollar restrictions on capital budget expenditures provided in the General Provisions of this Act.

[8] Measure modified to reflect funding adjustments made by Rider 28, due to the enactment of HB 2925, 81st Legislature, Regular Session.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Computer Equipment and Software[9]	$ 383,937	$ 177,938
(2) Data Center Consolidation[9]	629,620	629,620
(3) Food and Nutrition Information and Payment Systems	$ 1,809,600	$ 717,600
Total, Acquisition of Information Resource Technologies	$ 2,823,157	$ 1,525,158
b. Transportation Items		
(1) Fleet Vehicles[9]	$ 554,752	$ 469,752
c. Acquisition of Capital Equipment and Items		
(1) Octane Analyzers	$ 40,000	$ 40,000
d. Other Lease Payments to the Master Lease Purchase Program (MLPP)		
(1) Lease Payments - Metrology Laboratory	$ 147,978	$ 147,606
Total, Capital Budget	$ 3,565,887	$ 2,182,516
Method of Financing (Capital Budget):		
General Revenue Fund	$ 1,756,287	$ 1,464,916
Federal Funds	1,809,600	717,600
Total, Method of Financing	$ 3,565,887	$ 2,182,516

3. **Fee Increase Authority and Limitation.** The Texas Department of Agriculture shall collect fee amounts which offset, when feasible, the direct and indirect costs of administering its regulatory activities. The department is hereby authorized to and shall increase fees by a percentage sufficient to offset costs associated with its regulatory activities. It is the intent of the Legislature that the cost offset percentage shall be 100 percent for regulatory activities in the following strategies: A.1.1, Generate Marketing Opportunities; A.1.2, Regulate Pesticide Use; A.1.3, Integrated Pest Management; B.1.1, Surveillance/Biosecurity Efforts; B.1.3, Agricultural Commodity Regulation; B.1.4, Structural Pest Control; and C.1.1, Inspect Measuring Devices. The following activities are exempt from this requirement: Seed Testing; Quarantine Enforcement/Education; Piece Rate Crop Survey; Pest Management Program; Agriculture Hazard Communication Act; Boll Weevil Control Act; and Predatory Management Program.

4. **Appropriation: Land Donations.** In connection with the performance of its various responsibilities and programs the Texas Department of Agriculture is hereby authorized to use funds appropriated by this Act to lease and/or accept the donation of land or the use of land from: (1) governmental agencies;(2) private firms; (3) corporations; (4)individuals; (5) or other persons.

5. **Pay for Regular Compensatory Time: Livestock Export Pen Operations.** It is expressly provided that the Texas Department of Agriculture, to the extent permitted by law, may pay Fair Labor Standards Act (FLSA) nonexempt employees in classified positions who are stationed at Texas Department of Agriculture livestock export pens for compensatory time hours on a straight-time basis when the taking of compensatory time off would be disruptive to normal working activities and other critical functions relating to livestock export pen operations.

6. **Transfer Authority.** Notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the Texas Department of Agriculture is hereby authorized to direct agency resources, and transfer such amounts appropriated above between strategy line items.

7. **Appropriation: Young Farmer Loan Guarantee Program.** Out of the Young Farmer Loan Guarantee Account No. 5002, the Texas Agricultural Finance Authority is hereby appropriated for fiscal years 2010 and 2011, all necessary amounts required to cover any defaults on loans referenced under § 58.055, Texas Agriculture Code, or for payments for the purpose of providing reduced interest rates on loans guaranteed to borrowers as authorized by § 58.052(e), Texas Agriculture Code.

[9] Amounts allocated for the "Computer Equipment and Software" ($56,000 in FY 2010), "Data Center Consolidation" ($17,600 in FY 2010 and FY 2011), and "Fleet Vehicles" ($85,000 in FY 2010) Capital Budget Items were inadvertently left out of the listing of Capital Budget projects in previous versions of SB 1.

8. **Unexpended Balances Within the Biennium.** Any unexpended balances as of August 31, 2010, in the appropriations made herein to the Texas Department of Agriculture are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

9. **Appropriations Limited to Revenue Collections: Octane Testing.** Included in amounts appropriated above to the Texas Department of Agriculture in Strategy C.1.1, Inspect Measuring Devices, the amount of $355,137 from Appropriated Receipts (Revenue Object Code 3015) in each fiscal year of the biennium is contingent on the collection of fees, in accordance with Article 8614, § 9, Vernon's Texas Civil Statutes, to be used solely for the purpose of administering an octane testing program.

10. **Appropriations: License Plate Receipts.** Included in the amounts appropriated above in Strategy A.1.1, Generate Marketing Opportunities, are all balances and revenue collected on or after September 1, 2009 (estimated to be $4,000 in GO TEXAN Partner Program Account No. 5051 in each fiscal year) from the sale of license plates as provided by Texas Transportation Code § 504.625. Any unexpended balances as of August 31, 2010, out of the appropriations made herein are appropriated to the Texas Department of Agriculture for the fiscal year beginning September 1, 2010.

11. **Interagency Contract: Oyster Promotions and Education.** Contingent upon sufficient funds in the Oyster Sales Account No. 5022, the Texas Department of Agriculture shall enter into an interagency contract with the Texas Department of State Health Services for oyster industry advertising and promotion efforts and to provide information, education and/or training to wholesalers, retailers, and consumers on the safe and proper handling of oysters, in accordance with Texas Agriculture Code § 47.

12. **Master Lease Purchase Program (MLPP) Payments for the Metrology Laboratory.** Included in the amounts appropriated above to the Texas Department of Agriculture in Strategy C.1.1, Inspect Measuring Devices, out of the General Revenue Fund, are amounts required in fiscal years 2010 and 2011 to make lease payments to the Texas Public Finance Authority for the revenue bonds issued to finance construction of the metrology laboratory. The amount of the required lease payments are estimated to be $147,978 in fiscal year 2010 and $147,606 in fiscal year 2011.

    The Texas Department of Agriculture shall set fees for the metrology program to recover an amount equal to the amount of the appropriations made herein for lease payments, and maintain the fee rate in such an amount during the term of any revenue obligations authorized herein.

13. **Appropriation: GO TEXAN Partner Program.** Included in amounts appropriated above to the Texas Department of Agriculture in Strategy A.1.1, Generate Marketing Opportunities, is $1,000,000 out of the GO TEXAN Partner Program Account No. 5051 in fiscal year 2010, for the purpose of promoting Texas agricultural products. This amount consists of $1,000,000 out of the General Revenue Fund to be transferred to the GO TEXAN Partner Program Account No. 5051.

    Also included in amounts appropriated above in Strategy A.1.1, Generate Marketing Opportunities, is $1,000,000 in Appropriated Receipts received as matching funds from program participants including gifts. All appropriations shall be transferred to the GO TEXAN Partner Program Account No. 5051 and are appropriated for the purpose of administering the program.

14. **Contingency to Increase the Full-Time-Equivalents (FTE) Cap for New Initiatives.** Contingent upon the receipt of federal funds above those appropriated herein for programs related to surveying, controlling or eradicating invasive pests or disease, the Texas Department of Agriculture is hereby authorized to increase its number of FTEs to the extent that federal funds are allocated for salary costs. These FTEs shall not be counted in the agency's "Number of Full-Time-Equivalents (FTE)" cap.

    The Texas Department of Agriculture shall report all additional FTEs authorized by this provision to the Comptroller of Public Accounts, Legislative Budget Board and the Governor prior to filling such positions.

15. **Appropriations Limited to Revenue Collections: Prescribed Burn Manager Certification Program.** In addition to amounts appropriated above, the Texas Department of Agriculture is hereby appropriated fees collected (estimated to be $0) in accordance with § 153.048, Natural Resources Code, to be used solely for the purpose of administering a prescribed burn manager certification program in Strategy A.1.2, Regulate Pesticide Use.

16. **Agricultural Sustainability Programs.** Out of funds appropriated above, the Texas Department of Agriculture may study, develop, and implement, creative technology and innovative solutions to mitigate agricultural non-point source pollution in the state from confined animal feeding operations and improve total resource management of agricultural and wildlife resources in the state.

17. **Appropriation of Receipts: Yardage Fees.** Included in the amounts appropriated above pursuant to Agriculture Code § 146.021 and included above in Strategy A.1.1, Generate Marketing Opportunities, and identified above in the method of finance as General Revenue in an amount not to exceed $200,000 for each fiscal year is yardage fee revenue collected by the Texas Department of Agriculture for maintenance and operating expenses for livestock export pens.

18. **Texas Capital Fund.** All grants awarded by the Texas Department of Agriculture for infrastructure development and real estate development under the federal Community Development Block Grant Program shall be distributed with a priority on assisting manufacturers and value-added processors. To the greatest extent practicable, these funds are to be distributed equitably to all regions of this state.

19. **Food and Nutrition Programs.** Included in the amounts appropriated above to the Texas Department of Agriculture for the 2010-11 biennium is $47,999,772 out of Federal Funds and $398,248 out of the General Revenue Fund in Strategy D.1.1, Support Nutrition Programs, to administer the Food and Nutrition Programs.

    In Strategy D.2.1, Nutrition Assistance, $669,944,222 in Federal Funds and $110,958 in General Revenue Funds are used to administer the Child and Adult Care Food Program audit funds, the Summer Food Service Program, the Emergency Food Assistance Program, and to make payments to providers participating in the Child and Adult Care Food Program, the Commodity Distribution Programs, the Summer Food Service Program, the Fresh Fruit and Vegetable Program and private and nonprofit institutions participating in the Special Milk Program, National School Lunch Program, and the School Breakfast Program.

    The Child Nutrition Program (CNP) payments to independent school districts shall be budgeted at the Texas Education Agency and the CNP shall be administered by the Texas Department of Agriculture pursuant to a waiver from the United States Department of Agriculture (USDA). Included in the amounts appropriated elsewhere in this Act to the Texas Education Agency for the 2010-11 biennium is $2,978,564,501 out of Federal Funds and $29,278,000 out of the General Revenue Fund to provide reimbursement for the National School Lunch Program, the After School Care Program, the Seamless Summer Option, and the School Breakfast Program.

20. **Texas Wine Marketing Assistance Program.** Included in the amounts appropriated above out of the General Revenue Fund is $250,000 each fiscal year in Strategy A.1.1, Generate Marketing Opportunities, from fee revenue transferred from the Texas Alcoholic Beverage Commission pursuant to Texas Alcoholic Beverage Code § 5.56 for the purpose of administering the Texas Wine Marketing program.

21. **Texas Shrimp Marketing Assistance Program.** Included in the amounts appropriated above out of the General Revenue Fund in Strategy A.1.1, Generate Marketing Opportunities, is $25,000 each fiscal year from fees collected pursuant to Agriculture Code § 134.014(b) and the fee revenue transferred from the Texas Parks and Wildlife Department pursuant to Parks and Wildlife Code § 77.002(c) for the purpose of administering the Texas Shrimp Marketing program, estimated to be $156,867 each fiscal year.

22. **Appropriation: GO TEXAN Rural Community Program.** Included in amounts appropriated above to the Texas Department of Agriculture in Strategy A.1.1, Generate Marketing Opportunities, is $1,000,000 out of the General Revenue Fund in fiscal year 2010 for the GO TEXAN Rural Community Program.

23. **Appropriation: Feral Hog Abatement Program.** Included in the amounts appropriated above out of the General Revenue Fund in Strategy A.1.1, Generate Marketing Opportunities, is $1,000,000 in fiscal year 2010 to be used to implement feral hog abatement technologies.

    The Texas Department of Agriculture shall submit a report to the Legislative Budget Board and the Governor no later than September 1, 2010 providing information on the number of feral hogs abated and the cost per abatement using certain technologies.

24. Appropriation: Surplus Agricultural Product Grant Program. Included in the amounts appropriated above out of the General Revenue Fund in Strategy A.1.1, Generate Marketing Opportunities, is $1,500,000 in fiscal year 2010 to be used to fund the Surplus Agricultural Product Grant Program to offset the costs of harvesting, gleaning and transporting agricultural products to Texas food banks.

25. Appropriations Limited to Revenue Collections: Structural Pest Control. It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the Department of Agriculture cover, at a minimum, the cost of the appropriations made above for strategy item B.1.4, Structural Pest Control, as well as the "Other direct and indirect costs" associated with this strategy, appropriated elsewhere in this Act. "Other direct and indirect costs" for Strategy B.1.4, Structural Pest Control, are estimated to be $479,662 for fiscal year 2010 and $504,384 for fiscal year 2011. 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.

26. TexasOnline Authority Appropriation. The Texas Department of Agriculture (TDA) is authorized in accordance with § 2054.252 of the Government Code to increase the occupational license, permit, and registration fees imposed on licensees by an amount sufficient to cover the cost of the subscription fee charged by the TexasOnline Authority.

Amounts appropriated above to TDA include $103,150 in each fiscal year in fee revenue in Strategy B.1.4, Structural Pest Control, for the purpose of paying TexasOnline Authority subscription fees.

27. Sunset Contingency. Funds appropriated above for fiscal year 2011 for the Department of Agriculture are made contingent on the continuation of the Department of Agriculture by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010, or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

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, and any related capital budget authority, 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. Commodity Programs. Included in the amounts appropriated above out of the General Revenue Fund is $137,500 in Strategy A.1.3, Integrated Pest Management, in each fiscal year of the 2010-11 biennium, and $60,000 in Strategy B.1.3, Agricultural Commodity Regulation, in each fiscal year of the 2010-11 biennium for the purposes of funding two Program Specialists to process applications in the Organics Program and one Grain Warehouse Audit Specialist in the Grain Warehouse Program. This funding is contingent upon the Department of Agriculture assessing fees sufficient to generate, during the 2010-11 biennium, $464,140 in excess of the amounts contained in the Comptroller of Public Accounts 2010-11 Biennial Revenue Estimate for revenue generated by the Department of Agriculture in fiscal years 2010 and 2011 that is collected and deposited into the General Revenue Fund as Comptroller revenue object codes 3795, 3414, and 3400. Also, the "Number of Full-time Equivalent Positions (FTE)" figure indicated above includes 3.0 FTEs in each fiscal year contingent upon the Department of Agriculture generating the amount of revenue indicated above. The Department of Agriculture, 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 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, a finding of fact to that effect shall be issued and the contingent appropriations shall be made available for the intended purposes.

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.

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.

32. 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.

33. 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 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.

34. GO TEXAN Certified Retirement Communities. Included in the amounts appropriated above, out of the General Revenue Fund, to the Department of Agriculture in fiscal year 2010 in Strategy A.1.1, Generate Marketing Opportunities, is an amount equal to the revenue deposited to the credit of the Comptroller revenue object code 3428 related to Certified Retirement Communities in the 2008-09 biennium (estimated to be $240,312). The amounts appropriated above, out of the General Revenue Fund, to the Department of Agriculture in Strategy A.1.1, Generate Marketing Opportunities, also include the revenue deposited to the credit of the Comptroller revenue object code 3428 related to Certified Retirement Communities in each fiscal year of the 2010-11 biennium (estimated to be $150,000 each fiscal year).

35. Unexpended Balances Carried Forward Between Biennia. Included in the amounts appropriated above, for use during the 2010-11 Biennium, are all unexpended balances (due to efficiencies or other cost savings of the Department), not to exceed the lesser of (1) $1,208,267; or (2) 1 percent of all monies appropriated and/or allocated to the Texas Department of Agriculture from the 2008-09 biennium. The appropriations herein are for ensuring the continuation of high priority programs within the Texas Department of Agriculture.

36. One-time Uncollectible Debt Payoff and Boll Weevil Eradication.[10] Included in amounts appropriated elsewhere in this Act to the Department of Agriculture is $14,700,000 in fiscal year 2010 from the General Revenue Fund in Strategy A.1.1, Generate Marketing Opportunities, to be used to retire the debt of the Texas Agricultural Finance Authority. Up to $10,000,000 of this amount may alternatively be used for boll weevil eradication with prior notification of the Legislative Budget Board and the Governor.

---

[10] Rider is duplicated from Article IX, § 17.19, of this Act.

ANIMAL HEALTH COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 10,820,568	$ 10,684,568
Federal Funds	4,571,563	4,571,563
Total, Method of Financing	$ 15,392,131	$ 15,256,131
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	214.0	214.0
Schedule of Exempt Positions:		
Executive Director, Group 4	$120,000	$120,000
Items of Appropriation:		
A. Goal: PROTECT/ENHANCE TEXAS ANIMAL HEALTH		
Protect/Enhance Health of Texas Animal Populations.		
A.1.1. Strategy: FIELD OPERATIONS	$ 11,167,871	$ 11,165,871
Field Operations for Animal Health Management and Assurance Programs.		
A.1.2. Strategy: DIAGNOSTIC/EPIDEMIOLOGICAL SUPPORT	$ 2,037,134	$ 2,031,134
Diagnostic/Epidemiological Support Services.		
A.1.3. Strategy: PROMOTE COMPLIANCE	$ 371,495	$ 368,495
Promote Compliance and Resolve Violations.		
Total, Goal A: PROTECT/ENHANCE TEXAS ANIMAL HEALTH	$ 13,576,500	$ 13,565,500
B. Goal: INDIRECT ADMINISTRATION		
B.1.1. Strategy: CENTRAL ADMINISTRATION	$ 996,110	$ 990,610
B.1.2. Strategy: INFORMATION RESOURCES	$ 467,695	$ 355,695
B.1.3. Strategy: OTHER SUPPORT SERVICES	$ 351,826	$ 344,326
Total, Goal B: INDIRECT ADMINISTRATION	$ 1,815,631	$ 1,690,631
Grand Total, ANIMAL HEALTH COMMISSION	$ 15,392,131	$ 15,256,131
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 8,214,896	$ 8,219,621
Other Personnel Costs	364,130	364,130
Professional Fees and Services	49,676	46,676
Fuels and Lubricants	93,147	93,147
Consumable Supplies	765,012	765,012
Utilities	192,611	192,611
Travel	990,179	990,179
Rent - Building	381,532	381,532
Rent - Machine and Other	50,787	50,787
Other Operating Expense	4,063,286	4,055,936
Capital Expenditures	226,875	96,500
Total, Object-of-Expense Informational Listing	$ 15,392,131	$ 15,256,131
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 507,528	$ 515,141
Group Insurance	2,095,832	2,287,212
Social Security	624,874	634,247
Benefits Replacement	83,786	79,597
Subtotal, Employee Benefits	$ 3,312,020	$ 3,516,197
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 3,312,020	$ 3,516,197

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Animal Health Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Animal Health Commission. In order to achieve the objectives and service standards established by this Act, the Animal Health Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: PROTECT/ENHANCE TEXAS ANIMAL HEALTH		
Outcome (Results/Impact):		
Percent Change in Known Prevalence of Bovine Brucellosis from the 1994 Level	(100)%	(100)%
A.1.1. Strategy: FIELD OPERATIONS		
Output (Volume):		
Number of Livestock Shipments Inspected	4,500	4,500
A.1.2. Strategy: DIAGNOSTIC/EPIDEMIOLOGICAL SUPPORT		
Output (Volume):		
Number of Specimens Processed through the State/Federal Cooperative Laboratory System	2,700,000	2,700,000
A.1.3. Strategy: PROMOTE COMPLIANCE		
Output (Volume):		
Number of Compliance Actions Completed	407	407

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Technology Refresh	$ 365,116	$ 229,115
b. Transportation Items		
(1) Fleet Vehicles	91,875	73,500
c. Acquisition of Capital Equipment and Items		
(1) Fever Tick Equipment	165,000	UB
Total, Capital Budget	$ 621,991	$ 302,615
Method of Financing (Capital Budget):		
General Revenue Fund	$ 621,991	$ 302,615
Total, Method of Financing	$ 621,991	$ 302,615

3. **Unexpended Balance Authority: Within the Biennium.** The Texas Animal Health Commission is hereby authorized to carry forward and is hereby appropriated any unexpended balances from fiscal year 2010 to fiscal year 2011.

4. **Laboratory Testing.** It is the intent of the Legislature that laboratory testing for animal diseases be performed at the Texas Veterinary Medical Diagnostic Lab (TVMDL) to the extent of its capabilities, unless the Texas Animal Health Commission (TAHC) State-Federal Laboratory can perform the testing for TAHC programs more cost effectively. Furthermore, the TAHC will use funds appropriated by this Act to enter into an interagency memorandum of understanding to work with TVMDL to reduce duplication and ensure that all testing is performed in Texas to the extent possible.

5. **Testing and Immunization of Employees.** Funds appropriated above may be expended for any immunization or testing, which is required of employees at risk in the performance of their duties.

6. **Fee Revenue: Poultry Registration.** Included in the amounts appropriated above out of the General Revenue Fund is $37,705 each fiscal year in Strategy A.1.1, Field Operations, from fees collected pursuant to Agriculture Code § 161.0411 for the purpose of administering the poultry registration program.

7. **Contingency to Increase the Full-Time-Equivalents (FTE) Cap for Federally Funded Programs.** Contingent upon the receipt of federal funds above those appropriated in this Act for programs related to animal identification or surveillance, control, or eradication of animal health pests or diseases, the Texas Animal Health Commission is hereby authorized to increase its number of FTEs to the extent that federal funds are allocated for salary costs. These FTEs shall not be counted against the agency's "Number of Full-Time-Equivalents (FTE)" cap.

   The Texas Animal Health Commission shall report all additional FTEs authorized by this provision to the Comptroller of Public Accounts, the Legislative Budget Board, and the Governor prior to filling a position described by this rider.

8. **Fee Revenue: Premises Registration.** Any fees collected by the Animal Health Commission pursuant to Agriculture Code §161.056 for the purpose of administering the premises registration program on or after September 1, 2009 (estimated to be $0) are hereby appropriated to the agency for the biennium ending August 31, 2011.

9. **Allowance for Personally-Owned Horses.** Funds appropriated above may be expended to provide an allowance not to exceed fifty dollars ($50) per employee per day for each Commission employee whose duties required the use of a personally-owned horse.

10. **Contingency for Capital Budget Items.** Included in amounts appropriated above out of the General Revenue Fund in Strategies A.1.1, Field Operations, A.1.2, Diagnostic/ Epidemiological Support, A.1.3, Promote Compliance and the three strategies in Goal B: Indirect Administration, is collected revenue (Earned Federal Fund receipts) in the amount of $229,366 in fiscal year 2010 and $210,990 in fiscal year 2011 to purchase certain items identified in the Capital Budget (Rider No. 2). A portion of the funding for the Acquisition of Information Resource Technologies ($137,491 in fiscal year 2010 and $137,490 in fiscal year 2011) and all of the funding for the Transportation Items ($91,875 in fiscal year 2010 and $73,500 in fiscal year 2011) is contingent upon the receipt of earned federal funds of at least $229,366 in fiscal year 2010 and $210,990 in fiscal year 2011. In the event that actual receipts, as of August 31st of fiscal year 2010 and fiscal year 2011, do not equal the revenue targets established by this provision, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority specified above to be within the amount of actual collections.

COMMISSION ON ENVIRONMENTAL QUALITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund	$ 15,559,747	$ 13,936,272
General Revenue Fund - Dedicated		
Low Level Waste Account No. 088	2,124,323	1,330,323
Used Oil Recycling Account No. 146	957,839	945,807
Clean Air Account No. 151[2]	106,465,157	99,436,539

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency, Article XII includes a Federal Funds increase of $12,509,000 in FY 2010, resulting in a net All Funds appropriation of $505,707,133 in FY 2010.
[2] Incorporates Article IX, § 17.81, of this Act, due to the enactment of HB 1796, 81st Legislature, Regular Session, relating to the development of carbon dioxide capture and sequestration in this state, which is similar to SB 16, which did not pass. The contingency provision increased appropriations out of the Texas Emissions Reduction Plan Account No. 5071 by $521,074 in each fiscal year of the biennium; increased appropriations out of the Clean Air Account No. 151 by $250,000 in each fiscal year of the biennium; increased the agency's FTE cap by 9.0 in each fiscal year of the biennium; and modified the allocation of funds out of the TERP Account No. 5071 to programs receiving TERP funding based on the legislation.

Water Resource Management Account No. 153[3]	53,269,452	52,494,735
Watermaster Administration No. 158	1,188,250	1,188,250
TCEQ Occupational Licensing Account No. 468	1,780,776	1,670,776
Waste Management Account No. 549	34,193,462	33,246,419
Hazardous and Solid Waste Remediation Fee Account No. 550	31,042,319	30,527,981
Petroleum Storage Tank Remediation Account No. 655	29,867,350	22,420,320
Solid Waste Disposal Account No. 5000	12,186,324	10,986,324
Environmental Testing Laboratory Accreditation Account No. 5065	456,842	456,842
Texas Emissions Reduction Plan Account No. 5071[4]	117,003,925	117,003,925
Dry Cleaning Facility Release Account No. 5093	7,228,932	7,224,222
Operating Permit Fees Account No. 5094	30,892,855	31,249,781
Subtotal, General Revenue Fund - Dedicated	$ 428,657,806	$ 410,182,244
Federal Funds	40,128,274	40,013,274
Other Funds		
Appropriated Receipts	1,145,348	1,145,348
Interagency Contracts	7,706,958	7,496,958
Subtotal, Other Funds	$ 8,852,306	$ 8,642,306
Total, Method of Financing	$ 493,198,133	$ 472,774,096
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 420,339	$ 430,828
This bill pattern represents an estimated 99% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[4]	2,980.3	3,001.3
Schedule of Exempt Positions:		
Executive Director, Group 6	$145,200	$145,200
Commissioner, (Chair), Group 6	150,000	150,000
Commissioner, Group 6	(2) 150,000	(2) 150,000
Red River Compact Commissioner	24,225	24,225
Rio Grande Compact Commissioner	41,195	41,195
Sabine River Compact Commissioner	(2) 8,787	(2) 8,487
Canadian River Compact Commissioner	10,767	10,767
Pecos River Compact Commissioner	32,247	32,247
Items of Appropriation:		
A. Goal: ASSESSMENT, PLANNING AND PERMITTING		
A.1.1. Strategy: AIR QUALITY ASSESSMENT AND PLANNING[4]	$ 213,267,102	$ 206,599,320
A.1.2. Strategy: WATER ASSESSMENT AND PLANNING[3] Water Resource Assessment and Planning.	$ 31,522,561	$ 31,454,887
A.1.3. Strategy: WASTE ASSESSMENT AND PLANNING Waste Management Assessment and Planning.	$ 13,984,382	$ 13,690,266
A.2.1. Strategy: AIR QUALITY PERMITTING	$ 14,438,970	$ 14,599,507
A.2.2. Strategy: WATER RESOURCE PERMITTING	$ 14,502,396	$ 14,420,161
A.2.3. Strategy: WASTE MANAGEMENT AND PERMITTING	$ 10,650,689	$ 10,563,331
A.2.4. Strategy: OCCUPATIONAL LICENSING	$ 3,231,725	$ 3,121,725
A.3.1. Strategy: RADIOACTIVE MATERIALS MGMT Radioactive Materials Management.	$ 4,028,402	$ 2,734,402
Total, Goal A: ASSESSMENT, PLANNING AND PERMITTING	$ 305,626,227	$ 297,183,599

[3] Incorporates Article IX, § 17.96, of this Act, due to the enactment of SB 876, relating to the performance of annual soil tests for certain concentrated animal feeding operations, which increased appropriations out of the Water Resource Management Account No. 153 by $166,583 in FY 2010 and by $108,083 in FY 2011.
[4] Incorporates Article IX, § 17.81, of this Act, due to the enactment of HB 1796, 81st Legislature, Regular Session, relating to the development of carbon dioxide capture and sequestration in this state, which is similar to SB 16, which did not pass. The contingency provision increased appropriations out of the Texas Emissions Reduction Plan Account No. 5071 by $521,074 in each fiscal year of the biennium; increased appropriations out of the Clean Air Account No. 151 by $250,000 in each fiscal year of the biennium; increased the agency's FTE cap by 9.0 in each fiscal year of the biennium; and modified the allocation of funds out of the TERP Account No. 5071 to programs receiving TERP funding based on the legislation.

COMMISSION ON ENVIRONMENTAL QUALITY
(Continued)

B. Goal: DRINKING WATER AND WATER UTILITIES		
B.1.1. Strategy: SAFE DRINKING WATER Safe Drinking Water Oversight.	$ 10,974,817	$ 10,737,642
B.1.2. Strategy: WATER UTILITIES OVERSIGHT	$ 4,318,930	$ 4,231,430
Total, Goal B: DRINKING WATER AND WATER UTILITIES	$ 15,293,747	$ 14,969,072
C. Goal: ENFORCEMENT AND COMPLIANCE SUPPORT Enforcement and Compliance Assistance.		
C.1.1. Strategy: FIELD INSPECTIONS & COMPLAINTS Field Inspections and Complaint Response.	$ 42,589,803	$ 41,393,202
C.1.2. Strategy: ENFORCEMENT & COMPLIANCE SUPPORT Enforcement and Compliance Support.	$ 12,439,184	$ 12,196,562
C.1.3. Strategy: POLLUTION PREVENTION RECYCLING Pollution Prevention, Recycling and Innovative Programs.	$ 6,210,638	$ 4,947,638
Total, Goal C: ENFORCEMENT AND COMPLIANCE SUPPORT	$ 61,239,625	$ 58,537,402
D. Goal: POLLUTION CLEANUP Pollution Cleanup Programs to Protect Public Health & the Environment.		
D.1.1. Strategy: STORAGE TANK ADMIN & CLEANUP Storage Tank Administration and Cleanup.	$ 27,111,646	$ 19,664,616
D.1.2. Strategy: HAZARDOUS MATERIALS CLEANUP	$ 35,190,092	$ 35,154,308
Total, Goal D: POLLUTION CLEANUP	$ 62,301,738	$ 54,818,924
E. Goal: RIVER COMPACT COMMISSIONS Ensure Delivery of Texas' Equitable Share of Water.		
E.1.1. Strategy: CANADIAN RIVER COMPACT	$ 19,622	$ 19,622
E.1.2. Strategy: PECOS RIVER COMPACT	$ 126,761	$ 126,761
E.1.3. Strategy: RED RIVER COMPACT	$ 31,167	$ 31,167
E.1.4. Strategy: RIO GRANDE RIVER COMPACT	$ 144,991	$ 144,991
E.1.5. Strategy: SABINE RIVER COMPACT	$ 59,654	$ 59,654
Total, Goal E: RIVER COMPACT COMMISSIONS	$ 382,195	$ 382,195
F. Goal: INDIRECT ADMINISTRATION		
F.1.1. Strategy: CENTRAL ADMINISTRATION	$ 20,775,163	$ 20,614,793
F.1.2. Strategy: INFORMATION RESOURCES	$ 16,845,473	$ 15,549,746
F.1.3. Strategy: OTHER SUPPORT SERVICES	$ 10,733,965	$ 10,718,365
Total, Goal F: INDIRECT ADMINISTRATION	$ 48,354,601	$ 46,882,904
Grand Total, COMMISSION ON ENVIRONMENTAL QUALITY	$ 493,198,133	$ 472,774,096
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 156,609,809	$ 157,655,637
Other Personnel Costs	7,084,132	6,937,092
Professional Fees and Services	73,919,052	69,922,726
Fuels and Lubricants	812,009	812,109
Consumable Supplies	1,163,795	1,190,312
Utilities	2,422,882	2,494,906
Travel	2,474,291	2,474,291
Rent - Building	5,297,646	5,297,646
Rent - Machine and Other	1,179,056	1,179,056
Other Operating Expense	133,431,246	122,990,508
Client Services	65,631,930	65,631,930
Grants	35,308,143	31,043,633
Capital Expenditures	7,864,142	5,144,250
Total, Object-of-Expense Informational Listing	$ 493,198,133	$ 472,774,096

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 9,447,435	$ 9,589,146
Group Insurance	20,485,547	22,124,310
Social Security	11,566,672	11,740,172
Benefits Replacement	1,072,649	1,019,016
Subtotal, Employee Benefits	$ 42,572,303	$ 44,472,644
Debt Service		
Lease Payments	$ 3,533,699	$ 3,369,686
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 46,106,002	$ 47,842,330

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Commission on Environmental Quality. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Commission on Environmental Quality. In order to achieve the objectives and service standards established by this Act, the Commission on Environmental Quality shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ASSESSMENT, PLANNING AND PERMITTING		
Outcome (Results/Impact):		
Annual Percent of Stationary and Mobile Source Pollution Reductions in Nonattainment Areas	6%	6%
Nitrogen Oxides (NOx) Emissions Reduced through the Texas Emissions Reduction Plan (TERP)	64.8	70.8
Annual Percent Reduction in Pollution from Permitted Wastewater Facilities Discharging to the Waters of the State	0.1%	0.1%
Percent of Texas Surface Water Meeting or Exceeding Water Quality Standards	65%	65%
Annual Percent Decrease in the Toxic Releases in Texas	2%	2%
A.1.1. Strategy: AIR QUALITY ASSESSMENT AND PLANNING		
Output (Volume):		
Number of Point Source Air Quality Assessments	2,300	2,300
Number of Area Source Air Quality Assessments	2,500	2,500
Number of Mobile Source On-road Air Quality Assessments	1,500	1,500
Number of Tons of Nitrogen Oxides Reduced Per Year through Texas Emissions Reduction Plan Expenditures[5]	14,803	11,246
Number of Vehicles Repaired and/or Replaced through LIRAP Assistance	17,000	17,000
Efficiencies:		
Average Cost of Low Income Repair Assistance Program (LIRAP) Vehicle Emissions Repairs/Retrofits	525	525
Average Cost Per Ton of Nitrous Oxides Reduced through Texas Emissions Reduction Plan Expenditures	7,500	7,500
A.1.2. Strategy: WATER ASSESSMENT AND PLANNING		
Output (Volume):		
Number of Surface Water Assessments	70	98
Number of Groundwater Assessments	60	60
Number of Dam Safety Assessments	730	1,030
A.1.3. Strategy: WASTE ASSESSMENT AND PLANNING		
Output (Volume):		
Number of Municipal Solid Waste Facility Capacity Assessments	250	250
A.2.1. Strategy: AIR QUALITY PERMITTING		
Output (Volume):		
Number of State and Federal New Source Review Air Quality Permit Applications Reviewed	5,600	5,600
Number of Federal Air Quality Operating Permits Reviewed	800	800

[5] Incorporates passage of HB 1796 by the 81st Legislature, Regular Session, which modified the allocation of funding out of the Texas Emissions Reduction Plan Account No. 5071.

A.2.2. Strategy: WATER RESOURCE PERMITTING		
Output (Volume):		
Number of Applications to Address Water Quality Impacts Reviewed	18,984	23,921
Number of Concentrated Animal Feeding Operation (CAFO) Authorizations Reviewed	893	145
A.2.3. Strategy: WASTE MANAGEMENT AND PERMITTING		
Output (Volume):		
Number of Nonhazardous Waste Permit Applications Reviewed	236	236
Number of Hazardous Waste Permit Applications Reviewed	160	160
A.2.4. Strategy: OCCUPATIONAL LICENSING		
Output (Volume):		
Number of Examinations Processed	12,200	12,200
B. Goal: DRINKING WATER AND WATER UTILITIES		
Outcome (Results/Impact):		
Percent of Texas Population Served by Public Water Systems Which Meet Drinking Water Standards	91%	93%
B.1.1. Strategy: SAFE DRINKING WATER		
Output (Volume):		
Number of Public Drinking Water Systems Which Meet Primary Drinking Water Standards	6,300	6,300
Number of Drinking Water Samples Collected	39,200	36,200
B.1.2. Strategy: WATER UTILITIES OVERSIGHT		
Output (Volume):		
Number of Utility Rate Reviews Performed	80	80
C. Goal: ENFORCEMENT AND COMPLIANCE SUPPORT		
Outcome (Results/Impact):		
Percent of Inspected or Investigated Air Sites in Compliance	98%	98%
Percent of Inspected or Investigated Water Sites and Facilities in Compliance	97%	97%
Percent of Inspected or Investigated Waste Sites in Compliance	97%	97%
Percent of Identified Noncompliant Sites and Facilities for Which Timely and Appropriate Enforcement Action Is Taken	85%	85%
Percent of Administrative Penalties Collected	88%	88%
C.1.1. Strategy: FIELD INSPECTIONS & COMPLAINTS		
Output (Volume):		
Number of Inspections and Investigations of Air Sites	11,475	11,950
Number of Inspections and Investigations of Water Rights Sites	34,000	34,000
Number of Inspections and Investigations of Water Sites and Facilities	8,800	8,800
Number of Inspections and Investigations of Livestock and Poultry Operation Sites	400	400
Number of Inspections and Investigations of Waste Sites	7,358	7,358
C.1.2. Strategy: ENFORCEMENT & COMPLIANCE SUPPORT		
Output (Volume):		
Number of Environmental Laboratories Accredited	250	250
Number of Small Businesses and Local Governments Assisted	60,000	60,000
D. Goal: POLLUTION CLEANUP		
Outcome (Results/Impact):		
Percent of Leaking Petroleum Storage Tank Sites Cleaned up	86%	85%
Percent of Superfund Sites Cleaned up	63.5%	64.1%
Percent of Voluntary and Brownfield Cleanup Properties Made Available for Commercial, Industrial and Community Redevelopment, or Other Economic Reuse	66%	67%
D.1.1. Strategy: STORAGE TANK ADMIN & CLEANUP		
Output (Volume):		
Number of Petroleum Storage Tank Reimbursement Applications Processed	1,400	900
D.1.2. Strategy: HAZARDOUS MATERIALS CLEANUP		
Output (Volume):		
Number of Voluntary and Brownfield Cleanups Completed	90	90
Number of Superfund Sites in Texas Undergoing Evaluation and Cleanup	51	51
Number of Superfund Cleanups Completed	4	5

E. Goal: RIVER COMPACT COMMISSIONS
Outcome (Results/Impact):

The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Canadian River Compact	100%	100%
The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Pecos River Compact	100%	100%
The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Red River Compact	100%	100%
The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Rio Grande River Compact	100%	100%
The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Sabine River Compact	100%	100%

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code, § 1232.103.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Data Center Consolidation	$ 10,879,760	$ 9,119,760
(2) Personal Computer and Printer Replacement	1,087,000	1,087,500
(3) Software	167,473	167,473
(4) Integrated Billing and Accounts Receivable System	165,000	165,000
(5) Data Network and Security	790,000	786,000
(6) Texas Emission Reduction Plan Database	500,000	500,000
(7) Permitting and Registration Information System	1,700,001	1,699,999
(8) Photochemical Modeling Computing System	320,000	0
(9) Dam Safety CCEDS	250,000	0
(10) Air Permits Allowable Emissions Database	$ 554,000	$ 699,600
Total, Acquisition of Information Resource Technologies	$ 16,413,234	$ 14,225,332
b. Transportation Items		
(1) Replacement Boats	97,285	32,000
(2) Replacement Vehicles for Agency Fleet	$ 1,632,249	$ 559,679
Total, Transportation Items	$ 1,729,534	$ 591,679
c. Acquisition of Capital Equipment and Items		
(1) Air Monitoring Equipment	1,196,010	1,195,269
(2) Water Monitoring and Analysis Equipment	637,500	637,500
(3) Eight Hour Ozone Regulations Monitoring Equipment	$ 573,500	$ 0
Total, Acquisition of Capital Equipment and Items	$ 2,407,010	$ 1,832,769
Total, Capital Budget	$ 20,549,778	$ 16,649,780
Method of Financing (Capital Budget):		
General Revenue Fund	$ 4,409,220	$ 2,587,275
General Revenue Fund - Dedicated		
Low Level Waste Account No. 088	40,000	0
Used Oil Recycling Account No. 146	29,441	17,409
Clean Air Account No. 151	6,322,148	5,173,077
Water Resource Management Account No. 153	3,077,157	2,535,686
TCEQ Occupational Licensing Account No. 468	46,160	46,160

Waste Management Account No. 549	3,360,530	3,046,030
Hazardous and Solid Waste Remediation Fee Account No. 550	1,988,496	1,845,707
Petroleum Storage Tank Remediation Account No. 655	394,384	447,354
Texas Emissions Reduction Plan Account No. 5071	501,171	501,171
Dry Cleaning Facility Release Account	4,710	0
Operating Permit Fees Account No. 5094	376,361	449,911
Subtotal, General Revenue Fund - Dedicated	$ 16,140,558	$ 14,062,505
Total, Method of Financing	$ 20,549,778	$ 16,649,780

3. **Contingency Cash Flow.** If the Legislative Budget Board (LBB) and Governor determine after review of relevant information that cash flow difficulties will occur as a result of the appropriations made above, the LBB and Governor may authorize the Texas Commission on Environmental Quality (TCEQ) to temporarily expend General Revenue funds for the purpose of meeting the temporary cash flow needs of the TCEQ, limited to the amounts appropriated above. The transfer of funds shall be repaid to the General Revenue Fund by the end of the biennium in which the funds were transferred under procedures and standards established by the Comptroller of Public Accounts.

4. **Authorization: Aircraft Chartering.** Notwithstanding any other provision of this Act, the Texas Commission on Environmental Quality is authorized to spend appropriated funds for the chartering of aircraft for the purposes of monitoring environmental quality and the enforcement of environmental and water rights laws of the State.

5. **Local Air Pollution Grants Allocation.** Out of the amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, an amount not less than $2,800,000 in each year of the biennium shall be utilized to fund grants or cooperative agreements with eligible local air pollution programs under Health and Safety Code, § 382.0622. It is provided, however, that the combined federal and state share of the funding for any such local air pollution programs shall not exceed 67 percent of the total allocation to the programs, with the local share being based on the local dollars allocated pursuant to maintenance-of-effort requirements for federal air pollution grants.

6. **Fee Revenue: Pollution Control Equipment Exemptions.** Pursuant to Tax Code, § 11.31, included in amounts appropriated above out of the General Revenue Fund in Strategy C.1.3, Pollution Prevention, Recycling, and Innovative Programs, is $221,000 each fiscal year from fee revenue collected beginning with the effective date of this Act for the purpose of determining whether pollution control equipment is exempt from taxation.

   In addition to amounts appropriated above, any amounts collected by the Texas Commission on Environmental Quality pursuant to Tax Code, § 11.31 on or after September 1, 2009, in excess of $221,000 in each fiscal year of the biennium are hereby appropriated to the agency.

7. **Authorization: Operating Fund.** The Texas Commission on Environmental Quality (TCEQ) is hereby authorized to make transfers from any appropriation made to TCEQ into a single account in the General Revenue Fund known as the "Texas Commission on Environmental Quality Operating Fund" for the purpose of making expenditures for which appropriations were made in this Act. After the expenditures have been made from the fund and as soon as the proper strategies have been identified, TCEQ shall process adjustments to the Comptroller in summary accounts to facilitate accurate cost allocations; provided, however, that each special account and fund shall be used for the purposes as now described by law and nothing shall be done to jeopardize or divert the special accounts and funds or any portion thereof including federal aid.

8. **Appropriation: Air Quality Planning.** Included in amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $7,075,000 for the biennium for air quality planning activities to reduce ozone in areas as approved by the Texas Commission on Environmental Quality (TCEQ). These areas may include Waco, El Paso, Beaumont, Austin, Corpus Christi, Longview-Tyler-Marshall, San Antonio, and Victoria. These activities may include identifying, inventorying, and monitoring of pollution levels; modeling pollution levels; and the identification, quantification, and implementation of appropriate pollution reduction controls. The TCEQ shall allocate these funds in such a way as to channel the funds to those projects most useful for the State Implementation Plan (SIP). The areas receiving funds shall submit work plans for TCEQ approval describing the work they will complete with those funds.

9. **Appropriations Limited to Revenue Collections: Occupational Licensing.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues deposited to the TCEQ Occupational Licensing Account No. 468 as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made above for strategy item A.2.4, Occupational Licensing, as well as the "Other direct and indirect costs" associated with this strategy, appropriated elsewhere in this Act. "Other direct and indirect costs" for strategy A.2.4, Occupational Licensing, are estimated to be $267,279 for fiscal year 2010 and $274,122 for fiscal year 2011. 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.

10. **Contract with the State Office of Administrative Hearings.** Included in the amounts appropriated above is $938,860 in fiscal year 2010 and $938,860 in fiscal year 2011 to cover the cost of contracting with the State Office of Administrative Hearings for funding the Natural Resources Division for the purpose of conducting administrative hearings and for related expenses. The Texas Commission on Environmental Quality (TCEQ) and the State Office of Administrative Hearings may not enter into a contract for an amount less than the amounts specified herein. If the State Office of Administrative Hearings determines, at the end of each fiscal year, that the amount paid under the contract exceeds the necessary funding, it shall refund the difference to TCEQ. If the State Office of Administrative Hearings determines that the amounts are insufficient to fund the Natural Resources Division, the State Office of Administrative Hearings may enter into negotiations with TCEQ in order to renegotiate the interagency contract to provide additional funds for administrative hearings. The State Office of Administrative Hearings is not appropriated any state funds from such renegotiated contracts until it gives written notice to the Legislative Budget Board and the Governor, together with written permission of the agency.

11. **Petroleum Storage Tank Administration.** Out of funds appropriated above not more than $12,000,000 each fiscal year out of the Petroleum Storage Tank (PST) Remediation Account No. 655 in Strategy D.1.1, Storage Tank Administration and Cleanup, Strategy C.1.1, Field Inspections and Complaints, and Strategy C.1.2, Enforcement and Compliance Support, may be used for the PST regulatory program and for necessary administrative expenses associated with the PSTR Account No. 655 and the groundwater protection cleanup program, in accordance with Water Code, § 26.3573 (d)-(e). For the purposes of implementing activities identified in Water Code,§ 26.3573 (d)-(e), the TCEQ is exempt from provisions of Article IX relating to the inclusion of temporary or contract workers in the calculation of the number of Full-Time Equivalent (FTE) positions by a state agency.

12. **Texas Parks and Wildlife Environmental Special Investigations Unit.** Included in amounts appropriated above in Strategy C.1.2, Enforcement and Compliance Support, is $250,000 out of Waste Management Account No. 549 for each fiscal year of the biennium for the purpose of supporting the Texas Parks and Wildlife Department's Environmental Special Investigations Unit to enforce state and federal laws on illegal dumping. This appropriation is contingent on a memorandum of understanding and an interagency transfer of the funds between the Texas Parks and Wildlife Department and the Texas Commission on Environmental Quality to jointly administer the program. Any unexpended balance of this appropriation from fiscal year 2010 is appropriated for the same purpose for fiscal year 2011.

13. **Federal Funds and Capital Budget Expenditures.** To comply with the legislative intent to maximize the use of federal funds and to fulfill grant requirements required for the receipt and expenditure of federal funds, the Texas Commission on Environmental Quality (TCEQ) is hereby exempted from the Capital Budget Rider Provisions contained in Article IX of this Act, "Limitations on Expenditures - Capital Budget", when federal funds are received in excess of amounts identified in the agency's Capital Budget Rider and such funds are federally designated solely for the purchase of specific capital items. In addition, TCEQ also is hereby exempted from the Capital Budget Rider provisions within Article IX of this Act when funds are received in the form of gifts to the agency in excess of amounts identified in the agency's Capital Budget Rider and such funds are designated solely for the purchase of specific capital items. The TCEQ shall notify the Legislative Budget Board and the Governor upon receipt of such federal funds or gift proceeds, of the amount received and items to be purchased.

14. **Appropriation: Refinement and Enhancement of Modeling to Demonstrate Attainment with the Clean Air Act.** Included in amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $1,500,000 in fiscal year 2010 for

research to obtain the data and information to refine and enhance any model used to demonstrate attainment with the National Ambient Air Quality Standard (NAAQS) for ozone and other pollutants under the Federal Clean Air Act during the biennium beginning on September 1, 2009. These funds may also be used to collect data and for modeling to demonstrate attainment with the National Ambient Air Quality Standard for Ozone and other pollutants. The Commission on Environmental Quality may contract as necessary to carry out these activities.

15. **Reallocation of Revenue and Balances for Certain Accounts.** Pursuant to Water Code, § 5.707, and notwithstanding provisions relating to Appropriation Transfers within the General Appropriations Act, the Texas Commission on Environmental Quality is hereby authorized to reallocate not more than 7 percent of the All Funds amount identified in the Method of Finance above from the following accounts (consisting of revenues and balances) to be used for purposes identified in the above strategies.

    Used Oil Recycling Account No. 146
    Clean Air Account No. 151
    Water Resource Management Account No. 153
    Watermasters Administration Account No. 158
    Occupational Licensing Account No. 468
    Waste Management Account No. 549
    Hazardous and Solid Waste Remediation Fee Account No. 550
    Petroleum Storage Tank Remediation Account No. 655
    Solid Waste Disposal Account No. 5000
    Dry Cleaning Facility Release Account No. 5093
    Operating Permit Fee Account No. 5094

    The Commission shall notify the Governor and the Legislative Budget Board of any decision to reallocate funds between accounts prior to any such reallocations.

16. **Appropriation: Low-income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP).** Included in the amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $45,000,000 in each fiscal year of the 2010-11 biennium in estimated fee revenues from vehicle inspection and maintenance fees generated pursuant to Health and Safety Code, §§ 382.202 and 382.302, to fund the Low-income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP). Of the amounts, not more than $323,000 in each fiscal year shall be used by the Texas Commission on Environmental Quality (TCEQ) for costs associated with administering the LIRAP as authorized in Health and Safety Code, § 382.202, and all remaining funds shall be used as LIRAP grants to local governments.

    Also included in the amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, is $5,000,000 in each fiscal year of the 2010-11 biennium in unexpended balances in the Clean Air No. 151 to be used only for purposes authorized in Chapter 382 of the Health and Safety Code for county-implemented local initiatives projects to reduce air emissions, including but not limited to the following: the expansion of AirCheck Texas Repair and Replacement Assistance Program; development and implementation of remote emissions-sensing systems, the Texas Commission on Environmental Quality's (TCEQ) Smoking Vehicle program, and the enhancement of transportation system improvements; and coordination with local law enforcement to reduce counterfeit inspection stickers.

    In addition to the amounts appropriated above, there is hereby appropriated to the TCEQ for the biennium beginning on September 1, 2009 any additional revenues from vehicle inspection and maintenance fees generated from additional counties participating in the LIRAP beginning on or after September 1, 2009. Such funds shall be used to provide grants to local governments and to cover administrative costs of the TCEQ in administering the LIRAP.

17. **Waste Tires.** Out of amounts appropriated above, the Texas Commission on Environmental Quality (TCEQ) shall enforce statutory requirements relating to waste, scrap, or used tires. It is the intent of the Legislature that funds appropriated by this Act be used in such a manner so that all reasonable steps are taken to minimize the illegal storage, transport, or disposal of waste or scrap tires. The TCEQ shall use funds appropriated by this Act to audit or otherwise monitor businesses that sell, transport, or store such tires and identify illegal or improper activities as well as study methods for achieving a greater level of compliance for tire disposal within the State of Texas. The TCEQ also shall use funds appropriated by this Act to seek opportunities for coordination with other agencies, such as the Comptroller of Public Accounts, through interagency agreements

or contracts. Cooperating agencies shall use funds appropriated by this Act to use routine contracts with taxpayers during audits or other activity to obtain copies of tire manifests or other information relating to tire transport or storage in accordance with Health and Safety Code, § 361.112. Such agreements shall provide that the cooperating agency transmit such records to the Commission for review and analysis and should be designed to have minimal costs for the cooperating agency. The TCEQ shall submit a report not later than December 1, 2010, to the Legislative Budget Board and the Governor detailing the TCEQ's efforts and findings in accordance with this provision.

18. Appropriations Limited to Revenue Collections: Automobile Emission Inspections. Included in amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $2,106,828 in each fiscal year for the operation of the vehicle emissions inspection and maintenance program pursuant to § 382.202, Health and Safety Code. These funds are for the purpose of developing, administering, evaluating, and maintaining the vehicle emissions inspection and maintenance program, including federally required reporting measures to demonstrate compliance with applicable federal and state laws.

In addition, if additional counties enter the vehicle emissions inspection and maintenance program during fiscal years 2010-11, 20 percent of revenues generated from the vehicle emissions and inspections fee in the additional counties in each fiscal year are hereby appropriated to the Texas Commission on Environmental Quality for the same purposes.

It is the intent of the Legislature that 20 percent of the fees authorized and generated by the operation of the vehicle emissions inspection and maintenance program cover, at a minimum, the costs of the appropriations made above, as well as the "Other direct and indirect costs" associated with the program, appropriated elsewhere in this Act. "Other direct and indirect costs" for the vehicle emissions inspection and maintenance program are estimated to be $153,060 for fiscal year 2010 and $156,706 for fiscal year 2011. 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.

19. Bosque River Water Quality Monitoring. Out of funds appropriated above in Strategy A.1.2, Water Assessment and Planning, the Texas Commission on Environmental Quality shall conduct water quality monitoring of the Bosque River.

20. Appropriation: Administration Costs for the Texas River Compact Commissions. Out of the amounts appropriated above, and in addition to amounts appropriated above in Goal E, River Compact Commissions, the Texas Commission on Environmental Quality shall allocate at least $43,750 for fiscal year 2010 and $49,750 for fiscal year 2011 to provide for operating costs for the Texas River Compact Commissions. In addition, out of amounts appropriated above, $10,700 each fiscal year shall be used for support and administrative services for the commissions.

21. Appropriation: Perpetual Care Account. In the event of an incident involving the release of radioactive material at a disposal, source material recovery, processing, or storage facility licensed by the Texas Commission on Environmental Quality (TCEQ), the TCEQ is hereby appropriated any revenues from the TCEQ licensee, including the proceeds of securities and interest earned, deposited to the credit of the Perpetual Care Account pursuant to Health and Safety Code, § 401.305 (b) and § 401.301 (d) during the biennium beginning September 1, 2009 (estimated to be $0). The funds shall be used in Strategy A.3.1, Radioactive Materials Management, to mitigate radioactive pollution resulting from activities of a TCEQ licensee as provided in Health and Safety Code, § 401.305 (c)-(d), and pursuant to a memorandum of understanding with the Department of State Health Services relating to the regulations for the control of radiation as applicable.

22. Environmental Health Institute. Out of amounts appropriated above, the Texas Commission on Environmental Quality (TCEQ) shall use up to $500,000 out of the Hazardous and Solid Waste Remediation Fee Account No. 550 during the biennium beginning on September 1, 2009 for the support of the Texas Environmental Health Institute (TEHI) established in conjunction with the Department of State Health Services in Health and Safety Code, Chapter 427.

Any penalty amounts generated during the biennium beginning on September 1, 2009 from the TCEQ's administrative or civil enforcement actions that are invested in a Supplemental Environmental Project conducted by the TEHI or by any other organization in association with the TEHI, shall be considered an expenditure of the TCEQ for the purpose of supporting the TEHI.

23. **Unexpended Balance Authority within the Biennium.** Any unexpended balances on August 31, 2010 in the appropriations made above to the Commission on Environmental Quality are hereby appropriated for the same purposes for the fiscal year beginning on September 1, 2010.

24. **Nuisance Surveys for the Economically Distressed Areas Program.** Out of amounts appropriated above out of the General Revenue Fund in Strategy A.1.2, Water Resource Assessment and Planning, the Texas Commission on Environmental Quality shall reimburse the Department of State Health Services (DSHS) for costs incurred by DSHS in conducting nuisance surveys for applicants for financial assistance through the Economically Distressed Areas program administered by the Water Development Board. The Commission shall reimburse such costs through Interagency Contracts with (DSHS) in an amount not to exceed a total of $250,000 for the biennium beginning on September 1, 2009.

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.3.1, 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 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.

26. **On-Site Wastewater Treatment Research Council Fee.** Included in amounts appropriated above in Strategy A.1.2, Water Assessment and Planning, is an amount not to exceed $330,000 in each fiscal year of the biennium from fees collected and deposited to the General Revenue Fund pursuant to Health and Safety Code, Chapter 367, for costs relating to the On-Site Wastewater Treatment Research Council.

27. **Texas Emissions Reduction Plan (TERP): Grants and Administration.**[6, 7] Included in amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, is $117,003,925 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: $104,133,194 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, of which $4,165,339

[6] Incorporates passage of HB 1796 by the 81st Legislature, Regular Session, which modified the allocation of funding out of the Texas Emissions Reduction Plan Account No. 5071.
[7] Incorporates passage of SB 1759 by the 81st Legislature, Regular Session, which provides for 5 percent of funding for the diesel emissions reduction incentive program to be used for the Clean Fleet Program established by the bill.

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, and $5,206,675 each fiscal year of the 2010-11 biennium shall be used to implement the Clean Fleet Program established in Health and Safety Code, Chapter 391 (c); not more than $2,340,078 in each fiscal year shall be used to administer the Diesel Emissions Reduction Program; and $10,530,353 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.

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.

28. 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:

Irrigators Advisory Council
Small Business Compliance Advisory Panel
Municipal Solid Waste Management and Resource Recovery Advisory Council
Pollution Prevention Advisory Committee
Dry Cleaners Advisory Committee

29. Appropriation: Contracting for Debt Collection. Included in amounts appropriated above, there is hereby appropriated to the Texas Commission on Environmental Quality (TCEQ) for the biennium beginning on September 1, 2009, all proceeds from overdue and delinquent penalties and fees collected by a contractor working on behalf of the TCEQ to collect such funds. This appropriation shall be limited to the amount necessary to pay the contractor collecting such fees for its services and shall not exceed 18 percent of fine and fee proceeds collected by the contractor (estimated to be $293,388 for the 2010-11 biennium). All other amounts collected shall be deposited to the General Revenue Fund or to a General Revenue-Dedicated Account, based on the applicable statutory provisions.

30. Authorization: Water and Air Program Fee Rates. To provide for the recovery of costs of processing certain water and air applications, the following fee rates are established pursuant to Government Code, Chapter 316, Subchapter E, to be effective during the biennium beginning on September 1, 2009.

The maximum rate for the fees authorized in Water Code, §§ 5.701 (b-c), shall be $2,000.

The maximum rate for fees authorized in Health and Safety Code, § 382.062, shall be $80,000.

31. Contingency Appropriation: Revenue from Increased Fee Rates at Watermaster Offices. In addition to amounts appropriated above in Strategy A.2.2, Water Resource Permitting, there is hereby appropriated to the Texas Commission on Environmental Quality (TCEQ) for the biennium beginning on September 1, 2009 fee revenues collected and deposited to the credit of the Watermaster Administration Account No. 158 from additional fees generated pursuant to Water Code, § 11.329 due to the implementation of increased fee rates at the watermaster offices and in excess of the Comptroller's Biennial Revenue Estimate for 2010-11(estimated to be $0). These funds shall be used for operating costs of the watermaster offices.

This appropriation is contingent upon the TCEQ and the watermaster offices assessing fees sufficient to generate, during the 2010-11 biennium, revenue to cover the appropriations out of the Watermaster Administration Account No. 158. 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 and the watermaster offices, 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.

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.

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 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.

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.

40. 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.

41. GasFind IR 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 GasFind IR cameras for the purpose of monitoring and responding to complaints.

GENERAL LAND OFFICE AND VETERANS' LAND BOARD

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1]	$ 8,645,738	$ 1,734,188
General Revenue Fund - Dedicated		
Coastal Protection Account No. 027	11,142,516	11,562,516
Coastal Public Lands Management Fee Account No. 450	202,510	202,509
Subtotal, General Revenue Fund - Dedicated	$ 11,345,026	$ 11,765,025
Federal Funds	14,004,163	19,931,020
Other Funds		
Appropriated Receipts	6,796,826	6,036,827
Interagency Contracts	12,674,087	12,674,087
Veterans Land Program Administration Fund No. 522	16,407,965	16,325,921
Texas Veterans Homes Administration Fund No. 374	2,473,640	2,876,579
Permanent School Fund No. 044	11,467,975	11,051,975
Subtotal, Other Funds	$ 49,820,493	$ 48,965,389
Total, Method of Financing	$ 83,815,420	$ 82,395,622
This bill pattern represents an estimated 16% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	610.6	611.6
Schedule of Exempt Positions:		
Land Commissioner, Group 5	$137,500	$137,500

Items of Appropriation:
A. Goal: ENHANCE STATE ASSETS
Enhance State Assets and Revenues by Managing State-owned Lands.

[1] Incorporates Article IX, § 17.117, of this Act, due to the enactment of SB 1863, 81st Legislature, Regular Session, providing for the closure of a man-made pass or its environs, resulting in an increase in General Revenue Funds of $5,850,000 in FY 2010.

A.1.1. Strategy: ENERGY LEASE MANAGEMENT & REV AUDIT Assess State Lands' Revenue Potential & Manage Energy Leases/Revenues.	$	4,442,310	$	3,574,310
A.1.2. Strategy: ENERGY MARKETING	$	1,119,667	$	1,109,667
A.1.3. Strategy: DEFENSE AND PROSECUTION Royalty and Mineral Lease Defense and Prosecution.	$	2,963,194	$	1,803,195
A.1.4. Strategy: UPLANDS LEASING Uplands Leasing and Inspection.	$	780,438	$	680,438
A.1.5. Strategy: COASTAL LEASING Coastal Leasing and Inspection.	$	2,446,446	$	2,450,395
A.2.1. Strategy: ASSET MANAGEMENT PSF & State Agency Real Property Evaluation/Acquisition/Disposition.	$	5,708,150	$	5,104,650
A.2.2. Strategy: SURVEYING AND APPRAISAL PSF & State Agency Surveying and Appraisal.	$	1,133,025	$	1,133,025
Total, Goal A: ENHANCE STATE ASSETS	$	18,593,230	$	15,855,680
B. Goal: PROTECT THE COASTAL ENVIRONMENT Protect the Environment, Promote Wise Resource Use, and Create Jobs.				
B.1.1. Strategy: COASTAL MANAGEMENT	$	14,187,666	$	12,207,457
B.1.2. Strategy: COASTAL EROSION CONTROL GRANTS[2]	$	20,182,547	$	17,121,179
B.2.1. Strategy: OIL SPILL RESPONSE	$	6,657,539	$	6,773,973
B.2.2. Strategy: OIL SPILL PREVENTION	$	4,205,805	$	4,205,805
Total, Goal B: PROTECT THE COASTAL ENVIRONMENT	$	45,233,557	$	40,308,414
C. Goal: VETERANS' LAND BOARD (VLB) Provide Benefit Programs to Texas Veterans.				
C.1.1. Strategy: VETERANS' LOAN PROGRAMS	$	11,959,265	$	11,877,222
C.1.2. Strategy: VETERANS' HOMES State Veterans' Homes.	$	2,774,256	$	2,774,256
C.1.3. Strategy: VETERANS' CEMETERIES State Veterans' Cemeteries.	$	5,255,112	$	11,580,050
Total, Goal C: VETERANS' LAND BOARD (VLB)	$	19,988,633	$	26,231,528
Grand Total, GENERAL LAND OFFICE AND VETERANS' LAND BOARD	$	83,815,420	$	82,395,622
Object-of-Expense Informational Listing:				
Salaries and Wages	$	36,000,588	$	36,040,588
Other Personnel Costs		894,672		899,222
Professional Fees and Services		12,042,640		11,261,017
Fuels and Lubricants		233,182		233,182
Consumable Supplies		276,497		271,762
Utilities		370,144		379,999
Travel		863,497		830,403
Rent - Building		397,798		397,798
Rent - Machine and Other		235,811		235,811
Other Operating Expense		8,311,755		7,721,484
Grants		15,860,618		15,545,599
Capital Expenditures		8,328,218		8,578,757
Total, Object-of-Expense Informational Listing	$	83,815,420	$	82,395,622
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	2,314,622	$	2,349,341
Group Insurance		4,374,796		4,730,466
Social Security		2,773,187		2,814,785

[2] Incorporates Article IX, § 17.117, of this Act, due to the enactment of SB 1863, 81st Legislature, Regular Session, providing for the closure of a man-made pass or its environs, resulting in an increase in General Revenue Funds of $5,850,000 in FY 2010.

Benefits Replacement	243,846	231,654
Subtotal, Employee Benefits	$ 9,706,451	$ 10,126,246
Debt Service		
Lease Payments	$ 137,451	$ 133,506
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 9,843,902	$ 10,259,752

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the General Land Office and Veterans' Land Board. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the General Land Office and Veterans' Land Board. In order to achieve the objectives and service standards established by this Act, the General Land Office and Veterans' Land Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ENHANCE STATE ASSETS		
Outcome (Results/Impact):		
Percent of Permanent School Fund Uplands Acreage Leased	83%	83%
A.1.1. Strategy: ENERGY LEASE MANAGEMENT & REV AUDIT		
Output (Volume):		
Amount of Revenue from Audits/Lease Reconciliations	8,000,000	10,200,000
A.1.2. Strategy: ENERGY MARKETING		
Output (Volume):		
Average Monthly Volume of In-kind Gas Sold in MMBtu	2,000,000	2,000,000
Average Monthly Volume of In-kind Oil Sold in Barrels	600	300
A.1.4. Strategy: UPLANDS LEASING		
Output (Volume):		
Annual Revenue from Uplands Surface Leases	9,800,000	9,800,000
A.1.5. Strategy: COASTAL LEASING		
Output (Volume):		
Annual Revenue from Coastal Leases	3,500,000	3,500,000
B. Goal: PROTECT THE COASTAL ENVIRONMENT		
Outcome (Results/Impact):		
Percent of Eroding Shorelines Maintained, Protected or Restored for Gulf Beaches and Other Shorelines	20%	20%
B.1.1. Strategy: COASTAL MANAGEMENT		
Output (Volume):		
Number of Coastal Management Program Grants Awarded	25	25
B.2.1. Strategy: OIL SPILL RESPONSE		
Output (Volume):		
Number of Oil Spill Responses	1,048	1,048
B.2.2. Strategy: OIL SPILL PREVENTION		
Output (Volume):		
Number of Prevention Activities - Vessels	1,447	1,447
C. Goal: VETERANS' LAND BOARD (VLB)		
Outcome (Results/Impact):		
Percent of Texas Veterans Reached through Direct Outreach Efforts	9%	9%
Percent of Total Loan Income Used for Administrative Purposes	14.14%	14.36%
C.1.2. Strategy: VETERANS' HOMES		
Output (Volume):		
Occupancy Rate at Veterans Homes	95%	78%

2. **Capital Budget.** Funds appropriated above may be expended for capital budget items listed below. The amounts identified for each item may be adjusted or expended on other capital expenditures, subject to the aggregate dollar restrictions on capital budget expenditures provided in the General Provisions of this Act.

	2010	2011
a. Construction of Buildings and Facilities		
(1) Oily Bilge Reclamation Systems	$ 130,000	$ 130,000
(2) Texas State Veterans' Cemeteries	1,038,400	6,960,400

(3) Coastal Erosion Response Construction[3]	$ 12,207,056	$ 9,550,583
Total, Construction of Buildings and Facilities	$ 13,375,456	$ 16,640,983
b. Acquisition of Information Resource Technologies		
(1) PC/Server Rotation & Resiliency Project	485,000	485,000
(2) Aggregated Hardware/Software Project	119,200	99,200
(3) Coastal Resources Imagery Project	450,000	80,000
(4) Storage Enhancement Project	0	628,000
(5) Agency Land Program Project (ALPS)	250,000	125,000
(6) Business Process Integration Project	187,500	175,000
(7) Business Analytics Project	160,000	150,000
(8) Combined Systems Upgrade	189,875	93,625
(9) Gas Management System	$ 1,000,000	$ 159,500
Total, Acquisition of Information Resource Technologies	$ 2,841,575	$ 1,995,325
c. Transportation Items		
(1) Vehicles - Replacement	111,650	103,000
(2) Boats - Replacement	$ 100,000	$ 45,000
Total, Transportation Items	$ 211,650	$ 148,000
d. Acquisition of Capital Equipment and Items		
(1) Equipment - Replacement	$ 106,800	$ 91,806
Total, Capital Budget	$ 16,535,481	$ 18,876,114
Method of Financing (Capital Budget):		
General Revenue Fund	$ 7,598,625	$ 668,575
GR Dedicated - Coastal Protection Account No. 027	518,683	500,839
Federal Funds	1,488,400	7,668,400
Other Funds		
Permanent School Fund No. 044	179,033	179,033
Veterans Land Program Administration Fund No. 522	393,684	308,684
Interagency Contracts	6,357,056	9,550,583
Subtotal, Other Funds	$ 6,929,773	$ 10,038,300
Total, Method of Financing	$ 16,535,481	$ 18,876,114

3. **Per Diem: Boards, Commissions, and Councils.** Citizen members of the School Land Board, Veterans' Land Board, Boards for Lease, and the Coastal Coordination Council may be paid per diem at a rate not to exceed the amount established elsewhere in this Act and actual expenses from funds appropriated above.

4. **Appropriation Source: Veterans' Land Program.** In addition to amounts appropriated above, there is hereby appropriated from the Veterans' Land Funds, the Veterans' Housing Assistance Funds and the fund for State Veterans' Homes, all amounts necessary to administer the Veterans' Land Program, Veterans' Housing Assistance Program, State Veterans' Homes, and Veterans' Cemeteries, including the amounts incurred in issuing bonds, in compensating a Housing Program Administrator, and in paying contracts for services rendered in administering the land and housing programs, as created and authorized by Article III, § 49b of the Texas Constitution, as amended and Chapter 164 of the Natural Resources Code.

5. **Appropriation of Receipts: Land Sales Expenses.** Pursuant to §§ 31.1571, 31.158 and 32.112, Natural Resources Code, there is hereby appropriated to the General Land Office receipts from

[3] Incorporates Article IX, § 17.117, of this Act, due to the enactment of SB 1863, 81st Legislature, Regular Session, providing for the closure of a man-made pass or its environs, resulting in an increase in General Revenue Funds of $5,850,000 in FY 2010.

land sales sufficient to cover the usual and customary costs of conducting real estate transactions as authorized to be retained by the General Land Office and the School Land Board.

6. **Transfer Authority.** Notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the General Land Office and Veterans' Land Board, is hereby authorized to direct agency resources within the General Land Office and Veterans' Land Board, and transfer such amounts appropriated above between strategy line items.

7. **Appropriation: Defense of Title to Permanent School Fund Real Property and Prosecution of Mineral Lease Claims or Cases.** Included in amounts appropriated above in Strategy A.1.3, Defense and Prosecution, is $2,650,000 in fiscal year 2010 and $1,490,000 in fiscal year 2011 in Appropriated Receipts from funds recovered for the Permanent School Fund by the General Land Office from the prosecution of Relinquishment Act, royalty deficiency and other mineral lease claims or cases. Such funds are to be used for the defense of title to Permanent School Fund real property, and the prosecution of Relinquishment Act, royalty deficiency and other mineral lease claims or cases.

8. **Unexpended Balances Within the Biennium.** Any unexpended balances as of August 31, 2010 in the appropriations made herein to the General Land Office and Veterans' Land Board are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

9. **Appropriation: Easement Fees for Use of State-owned Riverbeds.** Included in the amounts appropriated above in Strategy A.1.4, Uplands Leasing, are all unencumbered balances on hand as of August 31, 2009 (not to exceed $100,000 in Appropriated Receipts). In addition to amounts appropriated above, all amounts collected as easement fees for use of state-owned riverbeds pursuant to § 51.291, Natural Resources Code, or agency rules, during the biennium beginning September 1, 2009, (estimated to be $0) are hereby appropriated for the biennium beginning on September 1, 2009 for the removal or improvement of unauthorized structures on Permanent School Fund real property.

10. **Reporting Requirements: Veterans' Land Board Loan Programs.** It is the intent of the Legislature that the General Land Office and Veterans' Land Board submit the following information on the Veterans' Land Board Housing and Land Loan Programs to the Bond Review Board on a semi-annual basis: the current and historical program cash flows for the last five fiscal years; a comparison of the net revenues of the programs to the debt service on the bonds; a comparison of actual to forecasted loan and investment income; and the number and dollar amount of foreclosures as a percentage of all active loans in the programs.

11. **Medicaid Reimbursement Rates for Texas State Veterans Homes.** It is the intent of the Legislature that the Health and Human Services Commission, in consultation with the General Land Office and Veterans' Land Board and pursuant to existing general law authority, should establish Medicaid reimbursement rates for long-term care services provided to Medicaid-eligible veterans who reside in veterans homes established and operated pursuant to Natural Resources Code, Chapter 164, that contract with the Texas Department of Aging and Disability Services to provide nursing facility services. The Health and Human Services Commission shall report on December 1 of each fiscal year in the biennium to the Legislative Budget Board and the Governor on the following: how many, on average, Medicaid-eligible veterans are in the veteran's homes; how many current residents of the homes are determined to be Medicaid-eligible in the prior fiscal year; and how many Medicaid-eligible veterans transfer into the homes and how many enter the homes as their initial nursing facility during the previous fiscal year. In addition, the report shall contain the total amount of Medicaid reimbursements paid in the prior fiscal year for veterans, the average daily rate paid to the facilities, and any other information requested by the Legislative Budget Board and the Governor.

12. **Real Property Investment Reporting.** On or before December 1 of each fiscal year, the General Land Office (GLO) shall submit to the Governor and Legislature a report on the amount of funds invested each year in the acquisition of real property, as well as the amount the GLO expects to invest on real property acquisitions in the following fiscal year. The report shall include the amount of funds expended from the Real Estate Special Fund Account of the Permanent School Fund No. 44 as well as the amount of funds deposited to the Real Estate Special Fund Account of the Permanent School Fund No. 44 as a result of real property sales, leases, or other investment income.

13. **Appropriation: Shared Project Funds.** Included in amounts appropriated above out of Appropriated Receipts in Strategy B.1.2, Coastal Erosion Control Grants, are estimated receipts

for shared project funds received in accordance with Natural Resources Code, Chapter 33, Subchapter H, § 33.603(c)(1) and § 33.604 (estimated to be $2,625,000 for fiscal year 2010 and $3,125,000 for fiscal year 2011).

14. **Appropriation of Receipts: Real Property Sales and Mineral Royalties.** The General Land Office is hereby appropriated all additional receipts from real property sales of the Permanent School Fund (PSF) conducted by the General Land Office and all receipts from the lease of PSF land for mineral development mineral or royalty interests, real asset investments, or other interests, including revenue received from these sources, mineral estate in riverbeds, channels, and the tidelands, including islands, that are necessary to purchase fee or lesser interests in real property for the use and benefit of the PSF or for the purpose of purchasing easements for access to PSF land as authorized by Natural Resources Code § 11.07, and for all purposes pursuant to Natural Resources Code § 51.402.

15. **Appropriation: Receipts and Account Balances for Surface Damages.** Included in the amounts appropriated above out of the Permanent School Fund No. 44 in Strategy A.2.1, Asset Management, is $500,000 in each fiscal year of the biennium beginning on September 1, 2007 in receipts collected as surface damages pursuant to Natural Resources Code §§ 52.297, 53.115, 31.051, 51.291, 51.295, and 51.296. Such funds are appropriated for the purpose of funding conservation or reclamation projects, making permanent improvements on Permanent School Fund (PSF) real property, and making grants to a lessee of PSF real property for these purposes and for the purpose of purchasing easements for access to PSF land, as authorized by Natural Resources Code § 11.079. In addition to the funds appropriated above, additional revenues received from surface damage receipts during the biennium beginning on September 1, 2009 (estimated to be $0) are hereby appropriated to the General Land Office for the same purposes.

16. **Marketing, Acquisition, Disposition, and Management of Real Property Purchased by the Permanent School Fund.** Included in the amounts appropriated above in Strategy A.2.1, Asset Management, are funds generated by the leasing of Permanent School Fund (PSF) real property surface interests to pay reasonable and necessary costs incurred by the General Land Office for the marketing, acquisition, disposition, and management of real property purchased with proceeds of the PSF (estimated to be $1,600,000 in each fiscal year of the biennium beginning on September 1, 2009).

17. **Appropriation Authority of Coastal Protection Account Funds.** Included in amounts appropriated above in Strategy B.1.2, Coastal Erosion Control Grants, is an estimated $370,000 in fiscal year 2010 and $509,000 in fiscal year 2011 in interest earnings out of the Coastal Protection Account No. 27. In addition to amounts appropriated above, any interest earnings from the Coastal Protection Account No. 27 in excess of the Comptroller's Biennial Revenue Estimate for 2010-11 (estimated to be $0) are hereby appropriated to the General Land Office for the biennium beginning on September 1, 2009, for coastal erosion response.

18. **State Energy Marketing Program.** It is the intent of the Legislature that the General Land Office use a portion of the revenue from real property sales of the Permanent School Fund (PSF) and all receipts from the lease of PSF real property for mineral development, including royalties from existing and future active mineral leases of PSF land, to manage the State Energy Marketing Program as authorized by Natural Resources Code § 31.401 and Utilities Code §§ 35.102 and 104.2545.

19. **Out of State Travel Limitation.** Notwithstanding limitations contained elsewhere in this Act on the expenditure of appropriated funds for travel outside the state of Texas, expenditures by the General Land Office and Veterans' Land Board on out-of-state travel shall not exceed $120,000 in any fiscal year. In addition, the travel expenses incurred by the General Land Office and Veterans' Land Board staff associated with federal programs and paid out of Federal Funds are exempt from the requirements of Article IX, Section 5.08, Limitations on Travel Expenditures, and the limitations on such expenditures as set forth therein.

20. **Appropriation: Coastal Management and Coastal Erosion Control.** Included in amounts appropriated above out of Interagency Contracts is $4,348,412 in fiscal year 2010 and $4,348,794 in fiscal year 2011 in Strategy B.1.1, Coastal Management, and $8,248,392 in fiscal year 2010 and $8,248,010 in fiscal year 2011 in Strategy B.1.2, Coastal Erosion Control Grants. The General Land Office (GLO) shall enter into an Interagency Contract with the Parks and Wildlife Department for coastal management and coastal erosion control purposes from proceeds of the Sporting Goods Sales Tax Transfer to the State Parks Account No. 64 in the amount of $12,596,804 in each fiscal year of the 2010-11 biennium.

21. Interagency Contract with the Texas Veterans Commission. Included in the amounts appropriated above to the General Land Office and Veterans' Land Board out of Interagency Contracts in Strategy C.1.1, Veterans' Loan Programs, is $68,626 in each fiscal year of the 2010-11 biennium derived from a contract between the General Land Office and Veterans' Land Board and the Texas Veterans Commission (TVC) to fund operations of the TVC Call Center. Pursuant to House Bill 3140, Eightieth Legislature, 2007, the General Land Office and Veterans Land Board and the Texas Veterans Commission shall enter into a memorandum of understanding regarding the funding and operations of the Veterans Commission Call Center.

PARKS AND WILDLIFE DEPARTMENT[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund		
General Revenue Fund	$ 11,019,495	$ 10,753,457
Sporting Goods Sales Tax - Transfer To:		
State Parks Account No. 64	55,448,418	52,626,717
Texas Parks and Recreation Account No. 467[2]	7,708,916	7,711,084
Parks and Wildlife Conservation and Capital Account No. 5004	1,077,000	1,077,000
Large County and Municipality Recreation and Parks Account No. 5145[2]	10,641,084	5,138,916
Unclaimed Refunds of Motorboat Fuel Tax	16,121,762	16,121,762
Boat and Boat Motor Sales and Use Tax	5,300,000	5,300,000
Subtotal, General Revenue Fund	$ 107,316,675	$ 98,728,936
General Revenue Fund - Dedicated		
Game, Fish and Water Safety Account No. 9	111,408,789	109,936,707
State Parks Account No. 64	38,479,032	32,235,185
Operators and Chauffeurs License Account No. 099[3]	825,000	825,000
Texas Recreation and Parks Account No. 467[2]	1,605,605	1,605,605
Non-Game and Endangered Species Conservation Account No. 506	23,315	23,315
Lifetime License Endowment Account No. 544	643,000	700,000
Texas Parks and Wildlife Capital and Conservation Account No. 5004	500,001	500,001
Shrimp License Buy Back Account No. 5023	539,543	539,543
Big Bend National Park Account No. 5030	104,000	51,000
Waterfowl/Wetland Conservation License Plate Account No. 5057	40,000	28,000
Texas Lions Camp License Plate Account No. 5116	42,000	6,000
Marine Mammal Recovery License Plate Account No. 5120	51,000	10,000

[1] Does not include appropriations in Article IX, § 17.01, totaling $1,417,842 in each fiscal year in All Funds for Schedule C pay raises.

[2] Incorporates changes due to the enactment of HB 4583, 81st Legislature, Regular Session, relating to the creation and re-creation of funds and accounts in the state treasury, resulting in an increase of $10,641,084 in FY 2010 and $5,138,916 in FY 2011 from the new Sporting Goods Sales Tax (SGST) transfer to the General Revenue-Dedicated Large County and Municipality Recreation and Parks Account No. 5145, offset by a corresponding decrease in the SGST transfer to the General Revenue-Dedicated Texas Recreation and Parks Account No. 467. Enactment of HB 4583 also results in the appropriation of $1,070,404 each fiscal year to the new General Revenue-Dedicated Large County and Municipality Recreation and Parks Account No. 5145, offset by a corresponding decrease in appropriations to the General Revenue-Dedicated Texas Recreation and Parks Account No. 467.

[3] Incorporates Article IX, § 17.04, of this Act, relating to Border Security Operations, resulting in an increase of $700,000 each fiscal year for 15.0 additional game wardens and $125,000 each fiscal year for overtime and operational costs, from the General Revenue-Dedicated Operators and Chauffeurs License Account No. 099. In FY 2010, $532,535 and 8.7 FTEs are allocated to Strategy C.1.2, Warden Training Academy, and $167,465 and 6.3 FTEs are allocated to Strategy C.1.1, Enforcement Programs, to reflect the training period for the 15.0 game wardens. Accordingly, in FY 2011 all game warden costs and FTEs are allocated to Strategy C.1.1, Enforcement Programs.

Marine Conservation License Plate Account No. 5142[4]	24,600	24,600
Large County and Municipality Recreation and Parks Account No. 5145[5]	1,070,404	1,070,404
Subtotal, General Revenue Fund - Dedicated	$ 155,356,289	$ 147,555,360
Federal Funds	43,828,873	41,830,624
Other Funds		
Appropriated Receipts	3,634,826	2,916,854
Interagency Contracts	250,000	250,000
Bond Proceeds - General Obligation Bonds	71,329,352	0
Subtotal, Other Funds	$ 75,214,178	$ 3,166,854
Total, Method of Financing	$ 381,716,015	$ 291,281,774
This bill pattern represents an estimated 99.8% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[6]	3,178.3	3,180.3
Schedule of Exempt Positions:		
Executive Director, Group 5	$143,000	$143,000
Items of Appropriation:		
A. Goal: CONSERVE NATURAL RESOURCES		
Conserve Fish, Wildlife, and Natural Resources.		
A.1.1. Strategy: WILDLIFE CONSERVATION Wildlife Conservation, Habitat Management, and Research.	$ 20,478,185	$ 20,895,811
A.1.2. Strategy: TECHNICAL GUIDANCE Technical Guidance to Private Landowners and the General Public.	$ 2,176,981	$ 2,183,816
A.1.3. Strategy: HUNTING AND WILDLIFE RECREATION Enhanced Hunting and Wildlife-related Recreational Opportunities.	$ 2,480,525	$ 2,488,165
A.2.1. Strategy: INLAND FISHERIES MANAGEMENT Inland Fisheries Management, Habitat Conservation, and Research.	$ 12,354,185	$ 12,645,417
A.2.2. Strategy: INLAND HATCHERIES OPERATIONS	$ 4,580,245	$ 4,703,748
A.2.3. Strategy: COASTAL FISHERIES MANAGEMENT[4] Coastal Fisheries Management, Habitat Conservation and Research.	$ 12,890,389	$ 13,153,409
A.2.4. Strategy: COASTAL HATCHERIES OPERATIONS	$ 2,732,402	$ 2,724,633
Total, Goal A: CONSERVE NATURAL RESOURCES	$ 57,692,912	$ 58,794,999

[4] Incorporates Article IX, § 17.45, of this Act, due to the enactment of HB 1749, 81st Legislature, Regular Session, relating to issuance of marine conservation specialty license plates, resulting in an increase of $24,600 each fiscal year from the General Revenue-Dedicated Marine Conservation License Plate Account No. 5142.

[5] Incorporates changes due to the enactment of HB 4583, 81st Legislature, Regular Session, relating to the creation and re-creation of funds and accounts in the state treasury, resulting in an increase of $10,641,084 in FY 2010 and $5,138,916 in FY 2011 from the new Sporting Goods Sales Tax (SGST) transfer to the General Revenue-Dedicated Large County and Municipality Recreation and Parks Account No. 5145, offset by a corresponding decrease in the SGST transfer to the General Revenue-Dedicated Texas Recreation and Parks Account No. 467. Enactment of HB 4583 also results in the appropriation of $1,070,404 each fiscal year to the new General Revenue-Dedicated Large County and Municipality Recreation and Parks Account No. 5145, offset by a corresponding decrease in appropriations to the General Revenue-Dedicated Texas Recreation and Parks Account No. 467.

[6] Incorporates Article IX, § 17.04, of this Act, relating to Border Security Operations, resulting in an increase of $700,000 each fiscal year for 15.0 additional game wardens and $125,000 each fiscal year for overtime and operational costs, from the General Revenue-Dedicated Operators and Chauffeurs License Account No. 099. In FY 2010, $532,535 and 8.7 FTEs are allocated to Strategy C.1.2, Warden Training Academy, and $167,465 and 6.3 FTEs are allocated to Strategy C.1.1, Enforcement Programs, to reflect the training period for the 15.0 game wardens. Accordingly, in FY 2011 all game warden costs and FTEs are allocated to Strategy C.1.1, Enforcement Programs.

B. Goal: ACCESS TO STATE AND LOCAL PARKS				
B.1.1. Strategy: STATE PARK OPERATIONS State Parks, Historic Sites and State Natural Area Operations.	$	70,297,653	$	70,463,343
B.1.2. Strategy: PARKS MINOR REPAIR PROGRAM	$	4,582,171	$	4,582,171
B.1.3. Strategy: PARKS SUPPORT	$	4,082,828	$	4,081,928
B.2.1. Strategy: LOCAL PARK GRANTS[7] Provide Local Park Grants.	$	20,857,570	$	15,354,860
B.2.2. Strategy: BOATING ACCESS AND OTHER GRANTS Provide Boating Access, Trails and Other Grants.	$	8,284,935	$	8,123,645
Total, Goal B: ACCESS TO STATE AND LOCAL PARKS	$	108,105,157	$	102,605,947
C. Goal: INCREASE AWARENESS AND COMPLIANCE				
C.1.1. Strategy: ENFORCEMENT PROGRAMS[8] Wildlife, Fisheries and Water Safety Enforcement.	$	43,551,095	$	44,142,329
C.1.2. Strategy: WARDEN TRAINING ACADEMY[8] Game Warden Training Academy.	$	2,618,612	$	2,109,032
C.1.3. Strategy: LAW ENFORCEMENT SUPPORT Provide Law Enforcement Oversight, Management and Support.	$	2,207,921	$	2,224,796
C.2.1. Strategy: HUNTER AND BOATER EDUCATION Provide Hunter and Boater Education Programs.	$	1,318,848	$	1,328,395
C.2.2. Strategy: TP&W MAGAZINE Texas Parks & Wildlife Magazine.	$	2,452,735	$	2,456,236
C.2.3. Strategy: COMMUNICATION PRODUCTS AND SERVICES Provide Communication Products and Services.	$	3,054,201	$	3,071,271
C.2.4. Strategy: OUTREACH AND EDUCATION Provide Outreach and Education Programs.	$	1,334,824	$	1,346,325
C.3.1. Strategy: LICENSE ISSUANCE Hunting and Fishing License Issuance.	$	7,395,918	$	7,397,525
C.3.2. Strategy: BOAT REGISTRATION AND TITLING	$	1,439,723	$	1,446,909
Total, Goal C: INCREASE AWARENESS AND COMPLIANCE	$	65,373,877	$	65,522,818
D. Goal: MANAGE CAPITAL PROGRAMS				
D.1.1. Strategy: IMPROVEMENTS AND MAJOR REPAIRS Implement Capital Improvements and Major Repairs.	$	101,853,889	$	24,992,422
D.1.2. Strategy: LAND ACQUISITION	$	11,749,346	$	2,484,800
D.1.3. Strategy: INFRASTRUCTURE ADMINISTRATION Infrastructure Program Administration.	$	4,309,399	$	4,319,840
D.1.4. Strategy: DEBT SERVICE Meet Debt Service Requirements.	$	7,497,102	$	7,424,676
Total, Goal D: MANAGE CAPITAL PROGRAMS	$	125,409,736	$	39,221,738
E. Goal: INDIRECT ADMINISTRATION				
E.1.1. Strategy: CENTRAL ADMINISTRATION	$	10,224,357	$	10,281,346
E.1.2. Strategy: INFORMATION RESOURCES	$	11,115,566	$	11,034,141
E.1.3. Strategy: OTHER SUPPORT SERVICES	$	3,794,410	$	3,820,785
Total, Goal E: INDIRECT ADMINISTRATION	$	25,134,333	$	25,136,272
Grand Total, PARKS AND WILDLIFE DEPARTMENT	$	381,716,015	$	291,281,774

[7] The enactment of HB 4586, 81st Legislature, Regular Session, relating to making supplemental appropriations, results in the designation of $1.5 million in matching grants to the City of Waco as follows: 1) $373,000 for replacing the Oscar Du Conge Pool; and 2) $1,127,000 for renovations of the public skate park.

[8] Incorporates Article IX, § 17.04, of this Act, relating to Border Security Operations, resulting in an increase of $700,000 each fiscal year for 15.0 additional game wardens and $125,000 each fiscal year for overtime and operational costs, from the General Revenue-Dedicated Operators and Chauffeurs License Account No. 099. In FY 2010, $532,535 and 8.7 FTEs are allocated to Strategy C.1.2, Warden Training Academy, and $167,465 and 6.3 FTEs are allocated to Strategy C.1.1, Enforcement Programs, to reflect the training period for the 15.0 game wardens. Accordingly, in FY 2011 all game warden costs and FTEs are allocated to Strategy C.1.1, Enforcement Programs.

Object-of-Expense Informational Listing:		
Salaries and Wages	$ 141,783,859	$ 143,056,635
Other Personnel Costs	4,635,616	4,640,430
Professional Fees and Services	10,254,301	10,123,253
Fuels and Lubricants	8,285,999	8,402,058
Consumable Supplies	2,465,149	2,437,516
Utilities	11,114,054	11,270,671
Travel	3,804,712	3,799,912
Rent - Building	2,118,386	2,114,375
Rent - Machine and Other	2,046,608	2,055,208
Debt Service	7,497,102	7,424,676
Other Operating Expense	38,866,860	39,004,209
Grants	40,211,920	34,674,257
Capital Expenditures	108,631,449	22,278,574
Total, Object-of-Expense Informational Listing	$ 381,716,015	$ 291,281,774
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 8,352,572	$ 8,608,770
Group Insurance	25,496,607	28,046,492
Social Security	10,429,193	10,653,930
Benefits Replacement	971,970	923,372
Subtotal, Employee Benefits	$ 45,250,342	$ 48,232,564
Debt Service		
TPFA GO Bond Debt Service	$ 11,910,973	$ 9,878,663
Lease Payments	55,375	52,203
Subtotal, Debt Service	$ 11,966,348	$ 9,930,866
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 57,216,690	$ 58,163,430

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Parks and Wildlife Department. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Parks and Wildlife Department. In order to achieve the objectives and service standards established by this Act, the Parks and Wildlife Department shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: CONSERVE NATURAL RESOURCES		
Outcome (Results/Impact):		
Percent of Private Land Acreage in Texas Managed to Enhance Wildlife	15.6%	16.2%
Percent of Fish and Wildlife Kills or Pollution Cases Resolved Successfully	80%	80%
A.1.1. Strategy: WILDLIFE CONSERVATION		
Output (Volume):		
Number of Wildlife Population and Harvest Surveys Conducted	2,954	2,954
A.1.2. Strategy: TECHNICAL GUIDANCE		
Output (Volume):		
Number of Active Management Agreements with Private Landowners	6,572	6,824
A.2.2. Strategy: INLAND HATCHERIES OPERATIONS		
Output (Volume):		
Number of Fingerlings Stocked - Inland Fisheries (in millions)	14.5	14.5
A.2.3. Strategy: COASTAL FISHERIES MANAGEMENT		
Output (Volume):		
Number of Commercial Fishing Licenses Bought Back	115	115
A.2.4. Strategy: COASTAL HATCHERIES OPERATIONS		
Output (Volume):		
Number of Fingerlings Stocked - Coastal Fisheries (in millions)	24	24

B. Goal: ACCESS TO STATE AND LOCAL PARKS		
Outcome (Results/Impact):		
Percent of State Parks Maintenance and Minor Repair Needs Met	2.5%	2.6%
B.1.1. Strategy: STATE PARK OPERATIONS		
Output (Volume):		
Number of State Parks in Operation	91	91
B.1.2. Strategy: PARKS MINOR REPAIR PROGRAM		
Output (Volume):		
Number of State Park Minor Repair/Maintenance Needs Met	341	366
B.2.1. Strategy: LOCAL PARK GRANTS		
Output (Volume):		
Number of Grant Assisted Projects Completed	36	39
C. Goal: INCREASE AWARENESS AND COMPLIANCE		
Outcome (Results/Impact):		
Percent of Public Compliance with Agency Rules and Regulations	97	97
C.1.1. Strategy: ENFORCEMENT PROGRAMS		
Output (Volume):		
Miles Patrolled in Vehicles (in millions)[9]	11.3	11.5
Hours Patrolled in Boats[9]	134,000	136,000
C.2.1. Strategy: HUNTER AND BOATER EDUCATION		
Output (Volume):		
Number of Students Trained in Hunter Education	29,000	29,000
Number of Students Trained in Boater Education	7,500	7,500
C.3.1. Strategy: LICENSE ISSUANCE		
Output (Volume):		
Number of Combination Licenses Sold	540,000	540,000
D. Goal: MANAGE CAPITAL PROGRAMS		
Outcome (Results/Impact):		
Percent of Scheduled Major Repair/Construction Projects Completed	62%	62%
D.1.1. Strategy: IMPROVEMENTS AND MAJOR REPAIRS		
Output (Volume):		
Number of Major Repair/Construction Projects Completed[10]	48	40

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	2010	2011
a. Acquisition of Land and Other Real Property		
(1) Land Acquisition	$ 11,416,191 & UB	$ 2,150,000
Total, Acquisition of Land and Other Real Property	$ 11,416,191	$ 2,150,000
b. Construction of Buildings and Facilities		
(1) Construction and Major Repairs	17,581,189	11,745,190
(2) Construction and Major Repairs (08 Prop 8)	11,904,154 & UB	UB

[9] Incorporates Article IX, § 17.04, of this Act, relating to Border Security Operations, resulting in an increase of $700,000 each fiscal year for 15.0 additional game wardens and $125,000 each fiscal year for overtime and operational costs, from the General Revenue-Dedicated Operators and Chauffeurs License Account No. 099. In FY 2010, $532,535 and 8.7 FTEs are allocated to Strategy C.1.2, Warden Training Academy, and $167,465 and 6.3 FTEs are allocated to Strategy C.1.1, Enforcement Programs, to reflect the training period for the 15.0 game wardens. Accordingly, in FY 2011 all game warden costs and FTEs are allocated to Strategy C.1.1, Enforcement Programs.

[10] Incorporates the enactment of HB 4586, 81st Legislature, Regular Session, relating to making supplemental appropriations, resulting in an increase of $14.0 million in funding for repairs of hurricane-related damages in FY 2009.

(3) Construction and Major Repairs (08 Prop 4)	21,128,023 & UB	UB
(4) Battleship TEXAS (08 Prop 4)	UB	UB
(5) Statewide Capital Repairs (10-11 Prop 4)	28,006,000	UB
Total, Construction of Buildings and Facilities	$ 78,619,366	$ 11,745,190
c. Repair or Rehabilitation of Buildings and Facilities		
(1) Parks Minor Repair Program	3,438,444	3,436,444
(2) State Park Weather Related Damages (10-11 Prop 4)	10,000,000	UB
Total, Repair or Rehabilitation of Buildings and Facilities	$ 13,438,444	$ 3,436,444
d. Acquisition of Information Resource Technologies		
(1) Mainframe upgrades, microcomputers, and other equipment	1,821,503	1,821,504
(2) Data Center Consolidation	4,202,077	4,086,539
Total, Acquisition of Information Resource Technologies	$ 6,023,580	$ 5,908,043
e. Transportation Items		
(1) Purchase of Vehicles	6,371,919	6,398,996
Total, Transportation Items	$ 6,371,919	$ 6,398,996
f. Acquisition of Capital Equipment and Items		
(1) Office, field, marine and lab equipment	1,689,439	1,609,354
Total, Acquisition of Capital Equipment and Items	$ 1,689,439	$ 1,609,354
g. Other Lease Payments to the Master Lease Purchase Program (MLPP)		
(1) Lease Payments to Master Lease Purchase Program	127,000	127,000
Total, Other Lease Payments to the Master Lease Purchase Program (MLPP)	$ 127,000	$ 127,000
Total, Capital Budget	$ 117,685,939	$ 31,375,027
Method of Financing (Capital Budget):		
General Revenue Fund		
General Revenue Fund	$ 513,544	$ 399,799
Sporting Goods Sales Tax - Transfer to State Parks Account No. 64	3,479,429	3,479,429
Sporting Goods Sales Tax - Transfer to Texas Parks and Recreation Account No. 467	0	28,000
Subtotal, General Revenue Fund	$ 3,992,973	$ 3,907,228
General Revenue Fund - Dedicated		
Game, Fish and Water Safety Account No. 009	18,517,311	15,666,055
State Parks Account No. 064	18,767,054	9,415,716
Texas Parks and Wildlife Capital and Conservation Account No. 5004	110,169	110,169
Subtotal, General Revenue Fund - Dedicated	$ 37,394,534	$ 25,191,940
Federal Funds	4,251,108	2,275,859
Other Funds		
Appropriated Receipts	717,972	0

Bond Proceeds - General Obligation Bonds	71,329,352	0
Subtotal, Other Funds	$ 72,047,324	$ 0
Total, Method of Financing	$ 117,685,939	$ 31,375,027

3. **Appropriation: Escrow Accounts.** Included in the amounts appropriated above in Strategy A.1.1, Wildlife Conservation, Strategy A.2.1, Inland Fisheries Management, Strategy A.2.3, Coastal Fisheries Management, and Strategy B.1.1, State Park Operations are any unexpended balances as of August 31, 2009, and any revenue during the 2010-11 biennium (balances and revenues not to exceed $1,009,473 in the Game, Fish, and Water Safety Account No. 9 and not to exceed $40,210 in the State Parks Account No. 64), consisting of either principal or interest, from trust or escrow accounts set up to benefit the Texas Parks and Wildlife Department. Any unexpended balances and revenue remaining as of August 31, 2010, are appropriated for the same purpose for the fiscal year beginning September 1, 2010.

4. **Authorization: Purchase of Evidence.** From the amounts appropriated above, the Texas Parks and Wildlife Department is hereby authorized to establish a cash fund, for the purchase of evidence and/or information and surveillance deemed necessary by the department for enforcement of laws under the Parks and Wildlife Code, the Water Code and other statutes enforced by the department.

5. **Authorization: Acceptance of Payment with Goods and Services.** The Texas Parks and Wildlife Department is hereby authorized to accept goods and/or services in lieu of cash for sales of products or rights on the department's public land areas. These goods and services may be on the same public land area as the product or right sold or any other public land area. In order to procure the goods and services in the amounts needed that equal the value of products or rights sold, an escrow bank account may be utilized.

6. **Outreach Programs.** Out of amounts appropriated above in Strategy B.2.2, Boating Access and Other Grants, the department shall continue partnership projects by contracting at least $1,250,000 in each fiscal year of the 2010-11 biennium in partnership programs for underserved populations. This provision shall not be construed as a limit on amounts that may be spent by TPWD on outreach program grants.

7. **Appropriation: Unexpended Balance for Construction Projects.** Included in amounts appropriated above in strategy D.1.1, Improvements and Major Repairs are unexpended balances from appropriations made for construction, repair, acquisition, and renovation projects and listed in the capital budget riders of Senate Bill No. 1, Acts of the Seventy-ninth Legislature, Regular Session and House Bill No. 1, Acts of the Eightieth Legislature, Regular Session. These unexpended balances are estimated to be $38,273,591 out of the following funds as of August 31, 2009:

General Revenue-Dedicated Accounts		
Game, Fish, and Water Safety Account No. 9	$	2,688,995
State Parks Account No. 64	$	0
Texas Parks and Wildlife Conservation and Capital Account No. 5004	$	0
Federal Funds	$	1,543,272
Other Funds		
Appropriated Receipts	$	717,972
Bond Proceeds - General Obligation Bonds	$	33,323,352

Unexpended balances remaining in such appropriation items at August 31, 2009, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2009. Unexpended balances of general obligation bond proceeds appropriated by the Eightieth Legislature to the Texas Parks and Wildlife Department (TPWD) are appropriated for the same purposes for the fiscal year beginning September 1, 2009, only if amounts have been approved under Article IX, Sec. 19.70 and Sec. 19.71 of House Bill 1, Eightieth Legislature, 2007. If prior to August 31, 2009, bond financing for the Battleship TEXAS project is approved under Article IX, Sec. 19.71, House Bill 1, Eightieth Legislature, 2007, TPWD shall file a report with the Legislative Budget Board, the Governor and the Battleship TEXAS Foundation within 30 days following November 30, February 28, May 31, and August 31 of each fiscal year showing the progress and costs of the project, including a repair schedule and the purpose for each expenditure. Unexpended balances

in General Revenue-Related accounts may not be carried forward from fiscal year 2009 to fiscal year 2010 without 45 days prior notification to the Legislative Budget Board and the Governor. Unexpended balances of General Revenue-Related appropriations under this provision are subject to the provisions of Government Code § 403.071 for the purposes of determining the life of an appropriation; therefore, the agency is not authorized to carry forward unexpended balances in General Revenue-Related accounts from fiscal year 2009 to fiscal year 2010 if the original appropriation for the project was made during or before fiscal year 2005. Any appropriation made in this Act to TPWD for construction and improvement projects shall include labor and all necessary costs involved in the project. The Texas Parks and Wildlife Department shall provide the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts a report by no later than December 1 of each fiscal year showing the progress and costs of all projects funded by General Revenue-Related appropriations made by the Seventy-ninth and the Eightieth Legislatures.

8. **Construction and Land Owner Incentive Grants.** Any funds appropriated above in Strategies B.2.1, Local Park Grants and B.2.2, Boating Access and Other Grants that are utilized for grants awarded for local park construction projects in excess of $20,000 and any funds appropriated above in Strategy A.1.2, Technical Guidance to private landowners and the general public that are utilized for landowner incentive grants shall be treated as construction appropriations for the purpose of determining the life of the appropriation under the provisions of § 403.071, Government Code. The Texas Parks and Wildlife Department shall provide the Governor and the Legislative Budget Board a status report at the close of each fiscal year showing the progress and costs for any grant for local park construction projects and landowner incentive grants not completed within two years of the date the grant was awarded. Any unexpended balances as of August 31, 2010 in funds appropriated above in Strategies B.2.1, Local Park Grants and B.2.2, Boating Access and Other Grants for local park grants are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

9. **Fund Transfer Authority.** The Texas Parks and Wildlife Department is hereby authorized to transfer funds between any funds/accounts authorized by the Parks and Wildlife Code in order to alleviate cash flow problems during the biennium. All funds transferred must be returned to the original fund/account before the end of the biennium.

10. **Clothing Provision.** It is the intent of the Legislature that no funds may be expended to provide a clothing or cleaning allowance to any non-uniformed personnel. The Texas Parks and Wildlife Department may continue to expend funds for a cleaning allowance not to exceed $500 per employee per year.

11. **Lease Payments.** Included in amounts appropriated above in Strategy D.1.4, Debt Service are lease payments of $4,847,927 in fiscal year 2010 and $4,785,913 in fiscal year 2011 out of the General Revenue Fund which shall be transferred to the Texas Public Finance Authority for debt service payments on revenue bonds or other revenue obligations as authorized by § 13.0045, Parks and Wildlife Code. Also included in the amounts appropriated above in Strategy D.1.4, Debt Service are lease payments of $2,649,175 in fiscal year 2010 and $2,638,763 in fiscal year 2011 of the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 which shall be transferred to the Texas Public Finance Authority for debt service payments on revenue bonds or other obligations for the freshwater fish hatchery.

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.

13. **Indoor Recreational Facilities.** Out of amounts appropriated above and in compliance with the Texas Parks and Wildlife Code § 24.006, the Texas Parks and Wildlife Department (TPWD) shall use at least $2,752,500 of the total amounts allocated for grants in Strategy B.2.1, Local Park Grants for the 2010-11 biennium to fund local grants for indoor recreation facilities. This provision shall not be construed as a limit on amounts that may be spent by TPWD on grants for indoor recreational facilities. Any unexpended balances of such appropriations on August 31, 2010, are appropriated for the same purpose for the fiscal year beginning September 1, 2010.

14. **Appropriation: License Plate Receipts.**[11] Included in amounts appropriated above in Strategies A.1.1, Wildlife Conservation, A.2.1, Inland Fisheries Management, A.2.3, Coastal Fisheries Management, and B.1.1, State Park Operations, are all balances and revenue collected on or after September 1, 2009 (estimated to be $1,000,002 in the Texas Parks and Wildlife Conservation and Capital Account No. 5004; $155,000 in Big Bend National Park Account No. 5030; $68,000 in Waterfowl and Wetland Conservation License Plate Account No. 5057; $48,000 in Texas Lions Camp License Plate Account No. 5116; $61,000 in Marine Mammal Recovery License Plate Account No. 5120; $0 in General Revenue associated with the sale of Texas PGA Junior Golf license plates; and $49,200 in Marine Conservation License Plate Account No. 5142 over the biennium) from the sale of license plates, including any new license plates that the Texas Parks and Wildlife Department agrees to administer on behalf of a sponsoring organization, as provided by the Texas Transportation Code § 504.606 (Big Bend), § 504.627 (Waterfowl and Wetland), § 504.629 (Texas PGA Junior Golf), § 504.644 (Marine Mammal Recovery), § 504.656 (Texas Lions Camp), § 504.660 (Coastal Conservation Association Texas) and § 504.801 (other private nonprofit organizations).

License plate balances and receipts in subaccounts of the Texas Parks and Wildlife Conservation and Capital Account No. 5004 are estimated to be $568,734 for Horned Toad specialty plates; $220,338 for Bluebonnet specialty plates; $125,832 for Whitetail Deer specialty plates; and $85,098 for Largemouth Bass specialty plates for a total of $1,000,002 noted above.

15. **Appropriation of Certain Concession Receipts.** Concession receipts generated as a result of the efforts of volunteer groups in state parks or other agency facilities are included in amounts appropriated above to Strategy B.1.1, State Park Operations (estimated to be $0 in Appropriated Receipts for the biennium beginning September 1, 2009), and Strategy A.2.4, Coastal Hatcheries Operations (estimated to be $100,000 in Appropriated Receipts for the biennium beginning September 1, 2009). These concession receipts shall be credited for the benefit of the specific state park or other agency facility where the funds are generated by volunteer groups. Concession receipts generated as a result of the efforts of department employees or leased concession contracts with third parties are appropriated in the strategies above and are not subject to this rider.

16. **Payments to License Agents.** Included in amounts appropriated above in Strategy C.3.1, License Issuance, are amounts necessary for payments to license agents (estimated to be $3,657,000 in each fiscal year out of the Game, Fish and Water Safety Account No. 9). Such amounts shall be used for the sole purpose of payments to license agents for the costs of issuing and collecting money associated with the sale of licenses, stamp endorsements, permits, tags and other similar items issued under the Parks and Wildlife Code.

---

[11] Incorporates Article IX, § 17.45, of this Act, due to the enactment of HB 1749, 81st Legislature, Regular Session, relating to issuance of marine conservation specialty license plates, resulting in an increase of $24,600 each fiscal year from the General Revenue-Dedicated Marine Conservation License Plate Account No. 5142.

17. **Capital Budget Expenditures from Federal and Other Funding Sources.** The Texas Parks and Wildlife Department (TPWD) is hereby exempted from the capital budget rider provisions contained in Article IX of this Act when gifts, grants, inter-local funds and federal funds are received in excess of the amounts identified in the agency's capital budget rider and such funds are designated by the donor, grantor or federal agency solely for construction and repairs, or purchase of specific capital items.

    Additionally, the TPWD is hereby exempted from the capital budget rider provisions when pass through funds to local entities are received in excess of the amounts identified in the agency's capital budget rider and such funds are designated by the donor, grantor or federal agency solely for the acquisition of land. This provision does not exempt the TPWD from capital budget rider provisions for state land acquisition.

    Amounts expended from these funding sources shall not count towards the limitation imposed by capital budget provisions elsewhere in this Act. The TPWD shall notify the Legislative Budget Board and the Governor upon receipt of such funds, of the amount received and the items to be purchased.

18. **Appropriation: Land Sale Proceeds.** Included in amounts appropriated above in Strategy D.1.1, Improvements and Major Repairs, and D.1.2, Land Acquisition, are all balances as of August 31, 2009, and all proceeds collected on or after September 1, 2009 (balances and revenues estimated to be $0 in Appropriated Receipts) from the sale of Texas Parks and Wildlife Department (TPWD) lands, including the sale of land identified as underutilized and sold by the General Land Office. In accordance with Parks and Wildlife Code § 13.009, the balances and proceeds from the sale of these lands may be used only to improve or acquire other real property dedicated to the same purpose for which the land sold was dedicated. Any unexpended balances and revenue remaining as of August 31, 2010, are appropriated for the same purpose for the fiscal year beginning September 1, 2010.

19. **Collection and Reporting of Major Equipment Usage Statistics.** Out of funds appropriated above, the Texas Parks and Wildlife Department (TPWD) shall collect usage statistics on all major equipment maintained and operated by TPWD. Major equipment includes such items as dump trucks, mowers, tractors, graders, or other, non-personal transportation, major construction or grounds maintenance equipment used in the operation of the state parks system. The department shall collect, at minimum, the actual hours of operation of each piece of equipment and the geographical distribution of the equipment during the fiscal year studied, but shall also include other usage statistics necessary to determine the actual major equipment needs of the state parks system, including explicit justification for idle equipment. The department shall report the findings of major equipment usage to the Legislative Budget Board and the Governor no later than October 1 of each fiscal year for the preceding fiscal year.

20. **Fish and Shellfish Consumption Advisories.** Out of the amounts appropriated above in Strategies A.2.1, Inland Fisheries Management and A.2.3, Coastal Fisheries Management the Texas Parks and Wildlife Department shall use $20,000 each fiscal year from the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9, to post signs at those water bodies for which the Seafood and Aquatic Life Group of the Texas Department of State Health Services has advisories and bans from consumption of contaminated fish or shellfish.

21. **Border Security.**[12] Included in amounts appropriated above out of the General Revenue Fund is $1,062,596 and 15.0 FTEs each fiscal year in Strategy C.1.1, Enforcement Programs; and, out of the General Revenue-Dedicated Operators and Chauffers License Account No. 099 is $292,465 and 6.3 additional FTEs in fiscal year 2010 and $825,000 and 15.0 additional FTEs in fiscal year 2011 in Strategy C.1.1, Enforcement Programs and $532,535 and 8.7 FTEs in fiscal year 2010 in Strategy C.1.2, Warden Training Academy for the purposes of enhancing border security.

22. **Proceeds from Sale of Eagle Mountain Lake.** Included in amounts appropriated above in Strategy D.1.2, Land Acquisition is any unexpended receipts from the sale of Eagle Mountain Lake State Park (estimated to be $9,266,191 from the State Parks Account No. 64). In accordance

[12] Incorporates Article IX, § 17.04, of this Act, relating to Border Security Operations, resulting in an increase of $700,000 each fiscal year for 15.0 additional game wardens and $125,000 each fiscal year for overtime and operational costs, from the General Revenue-Dedicated Operators and Chauffeurs License Account No. 099. In FY 2010, $532,535 and 8.7 FTEs are allocated to Strategy C.1.2, Warden Training Academy, and $167,465 and 6.3 FTEs are allocated to Strategy C.1.1, Enforcement Programs, to reflect the training period for the 15.0 game wardens. Accordingly, in FY 2011 all game warden costs and FTEs are allocated to Strategy C.1.1, Enforcement Programs.

with Parks and Wildlife Code § 13.009, the balances and proceeds from the sale of Eagle Mountain Lake State Park may be used only to improve or acquire other real property dedicated to the same purpose for which the land sold was dedicated. TPWD may not use receipts under this provision for park land acquisition or improvements unless the Legislative Budget Board approves the proposed purchase or improvements. Additionally, subject to LBB approval, these amounts may be spent out of Strategy D.1.2, Land Acquisition or Strategy D.1.1, Improvements and Major Repairs. Any transfer of these amounts between Strategy D.1.2, Land Acquisition and Strategy D.1.1, Improvements and Major Repairs, is not subject to transferability provisions in Article IX, Sec. 14.01.

23. Internal Audit Division. Out of funds appropriated above, the department shall maintain 8.0 auditor positions in the Internal Audit Division. The department shall maintain an internal auditing program in compliance with the provisions of the Texas Internal Auditing Act. Each internal auditor assigned pursuant to this provision shall report either directly to the members of the Texas Parks and Wildlife Commission or to the internal auditor appointed pursuant to Government Code § 2102.006.

24. Coastal Erosion Interagency Contract. Out of funds appropriated above in Strategy D.1.1, Improvements and Repairs, the Texas Parks and Wildlife Department shall use $12,596,804 each fiscal year out of the Sporting Goods Sales Tax transfer to the State Parks Account No. 64 to contract with the General Land Office for coastal erosion projects.

25. Statewide Aquatic Vegetation Management. Out of the funds appropriated above in Strategy A.2.1, Inland Fisheries Management, $750,000 in each fiscal year from General Revenue, $263,346 in each fiscal year from the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9, and $156,654 in each fiscal year from federal funds and 5.0 FTEs shall be used to maintain boat lanes, general access, and outdoor recreational activities, and to improve fish and wildlife habitat on water bodies statewide. From these amounts, $100,000 in each fiscal year shall be used for clearance and maintenance of boat lanes at Caddo Lake. Any unexpended balances of these amounts as of August 31, 2010 are hereby appropriated for the same purpose in the fiscal 2010 year beginning September 1, 2010. Use of the federal funds referenced above is contingent upon receipt of a federal boating access grant under the Sportfish Restoration Act by the Texas Parks and Wildlife Department.

26. Sunset Contingency. Funds appropriated above for fiscal year 2011 for the Texas Parks and Wildlife Department are made contingent on the continuation of the Texas Parks and Wildlife Department by the Eighty-First Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010, or as much thereof as may be necessary, are to be used to provide for the phase out of agency operations.

27. Appropriation of Receipts out of the General Revenue-Dedicated Accounts. 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 $5,083,664 in fiscal year 2010 and $6,245,228 in fiscal year 2011 or $11,328,892 million for the biennium in the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9, and an amount not to exceed $386,000 each fiscal year or $772,000 for the biennium in the General Revenue-Dedicated State Parks Account No. 64 and included in amounts appropriated above) to address salary and equity compensation issues for staff in wildlife, fishery, law enforcement and support divisions in amounts not to exceed 12 percent from 2009 budgeted levels and for seasonal staff in state parks (21.0 FTEs per fiscal year). In the event the Comptroller certifies the additional revenue of $11,328,892 from the Game, Fish and Water Safety Account No. 9, the employees provided pay raises from these amounts are excluded from any state employee pay increases or bonuses authorized in Article IX of this Act.

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	$1,859,367	$2,227,276
A.1.2, Technical Guidance	$57,175	$64,010
A.1.3, Hunting and Wildlife Recreation	$58,626	$66,266
A.2.1, Inland Fisheries Management	$923,003	$1,138,318

A.2.2, Inland Hatcheries Operations	$191,677	$229,795
A.2.3, Coastal Fisheries Management	$906,642	$1,118,946
A.2.4, Coastal Hatcheries Operations	$118,238	$140,469
B.1.1, State Park Operations	$386,000	$386,000
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
C.3.2, Boat Registration and Titling	$40,283	$52,612
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	$5,469,664	$6,631,228

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 each of the department's General Revenue-Dedicated accounts 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 each General Revenue-Dedicated account.

28. Informational Listing - Appropriation of Sporting Goods Sales Tax (SGST).[13]
Included in amounts appropriated in this Act are $86,413,029 in fiscal year 2010 and $77,011,082 in fiscal year 2011, or $163,424,111 for the 2010-11 biennium, in sales tax receipts deposited to the General Revenue Fund estimated to be generated by sales of sporting goods items.

The following is an informational listing of Sporting Goods Sales Tax (SGST) receipts appropriated in this Act by agency, account and strategy.

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Article I		
Texas Historical Commission (THC)		
General Revenue (Sporting Goods Sales Tax)		
A.1.6, Historic Sites	$6,874,920	$6,874,920
A.2.1, Development Assistance	$356,000	$356,000
Subtotal	$7,230,920	$7,230,920
Article VI		
Texas Parks and Wildlife Department (TPWD)		
SGST Transfer to the General Revenue-Dedicated State Parks Account No. 64		
B.1.1, State Park Operations	$38,552,323	$35,730,622
B.1.2, Parks Minor Repair Program	$3,329,429	$3,329,429
B.1.3, Parks Support	$388,986	$388,986
D.1.1, Improvements and Major Repairs	$12,600,304	$12,600,304
D.1.2, Land Acquisition	$150,000	$150,000

[13] Incorporates changes due to the enactment of HB 4583, 81st Legislature, Regular Session, relating to the creation and re-creation of funds and accounts in the state treasury, resulting in an increase of $10,641,084 in FY 2010 and $5,138,916 in FY 2011 from the new Sporting Goods Sales Tax (SGST) transfer to the General Revenue-Dedicated Large County and Municipality Recreation and Parks Account No. 5145, offset by a corresponding decrease in the SGST transfer to the General Revenue-Dedicated Texas Recreation and Parks Account No. 467.

D.1.3, Infrastructure Administration	$427,376	$427,376
Subtotal	$55,448,418	$52,626,717

SGST Transfer to the Texas Recreation and Parks Account No. 467

B.1.2, Local Park Grants	$6,887,046	$6,885,420
B.2.2, Boating Access and Other Grants	$821,870	$825,664
Subtotal	$7,708,916	$7,711,084

SGST Transfer to the Texas Capital and Conservation Account No. 5004

D.1.3, Infrastructure Administration	$1,077,000	$1,077,000

SGST Transfer to the Large County and Municipality Recreation and Parks Account No. 5145

B.1.2, Local Park Grants	$10,091,364	$4,590,280
B.2.2, Boating Access and Other Grants	$549,720	$548,636
Subtotal	$10,641,084	$5,138,916

Texas Public Finance Authority
SGST Transfer to the General Revenue-Dedicated State Parks Account No. 64

A.1.1, Bond Debt Service Payments	$4,306,691	$3,226,445

In addition to the amounts listed above, an estimated $6,258,553 in fiscal year 2010 and $5,457,626 in fiscal year 2011 or $11,716,179 for the 2010-11 biennium from the General Revenue-Dedicated State Parks Account No. 64, Texas Recreation and Parks Account No. 467, and the Parks and Wildlife Conservation and Capital Account No. 5004 to pay benefits for TPWD employees funded by SGST receipts.

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.

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.

31. Appropriation Authority for General Obligation Bond Proceeds.[14] Appropriated above in Strategy D.1.1, Improvements and Major Repairs, is $38,006,000 in fiscal year 2010 in general obligation bond proceeds for projects for the Texas Parks and Wildlife Department (TPWD) as described in Article IX, Sec. 17.11, 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.

32. 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

[14] Modified to correct reference error.

$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.

33. 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.

34. Franklin Mountains State Park Visitor Center. Out of amounts appropriated above in Strategy D.1.1, Improvements and Major Repairs, the Texas Parks and Wildlife Department is directed to prepare a report which examines the feasibility of developing a Visitor Center at Franklin Mountains State Parks. This study should take into consideration the following factors: (a) whether or not the Visitor Center meets any of the agency's capital project priorities; (b) the cost of developing and constructing the Visitor Center; and (c) the potential effect of the Visitor Center on visitation to Franklin Mountains State Park and park visitation revenue. The study should be completed and submitted to the Eighty-second Legislature no later than January 25, 2011.

35. Local Park Grant for Missouri City. From funds appropriated above in Strategy B.2.1, Local Park Grants, the Texas Parks and Wildlife Department shall allocate up to $1,000,000 of matching funds for a local park grant to the City of Missouri City. 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.

RAILROAD COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1, 2]	$ 30,155,281	$ 29,631,691
General Revenue Fund - Dedicated		
Alternative Fuels Research and Education Account No. 101	2,149,215	2,149,215
Oil Field Cleanup Account No. 145[3, 4, 5]	30,031,732	31,114,628
Subtotal, General Revenue Fund - Dedicated	$ 32,180,947	$ 33,263,843

[1] Incorporates contingency appropriations for Article IX, § 17.109, of this Act and passage of SB 1387 by the 81st Legislature, Regular Session, relating to the implementation of projects involving the capture, injection, sequestration, or geologic storage of carbon dioxide, providing additional General Revenue of $75,431 in FY 2010 and $73,421 in FY 2011.

[2] Incorporates passage of SB 1658, 81st Legislature, Regular Session, which increases the maximum pipeline safety inspection fee, and the contingency appropriation of $653,590 in FY 2010 and $533,825 in FY 2011 out of the General Revenue Fund and $333,829 in FY 2010 and $285,626 in FY 2011 in Federal Funds, increases the agency's FTE cap by 13.5 FTEs in each fiscal year of the 2010-11 biennium, and increases performance targets as prescribed in Rider 14, Contingency Appropriation for Pipeline Safety Fees.

[3] Strategy amounts include appropriations out of the General Revenue-Dedicated Oil Field Cleanup Account No. 145 of: $386,787 in FY 2010 and $376,075 in FY 2011 and 10.0 FTEs in Strategy A.1.1, Energy Resource Development; and $604,975 in FY 2010 and $541,180 in FY 2011 and 11.0 FTEs in Strategy C.1.1, Oil and Gas Monitoring and Inspections, to incorporate appropriations contingent upon revenues to the Oil Field Cleanup Account No. 145 in excess of the Comptroller's Biennial Revenue Estimate for 2010-11 to increase staffing in the oil and gas field operations and technical permitting programs as prescribed in Rider 7, Unexpended Balance and Estimated Appropriation Authority for the Oil Field Cleanup Account.

[4] Incorporates contingency appropriations for Article IX, § 17.54, of this Act and passage of HB 2259, by the 81st Legislature, Regular Session, relating to the plugging of certain inactive oil or gas wells, providing additional appropriations out of the General Revenue-Dedicated Oil Field Cleanup Account No. 145 of $251,804 in FY 2010 and $1,661,229 in FY 2011.

[5] Incorporates contingency appropriations for Article IX, § 17.34, of this Act and passage of HB 472, by the 81st Legislature, Regular Session, relating to the effect and implementation of the law regarding reporting by a common carrier or pipeline owner or operator of contamination, providing additional appropriations out of the General Revenue-Dedicated Oil Field Cleanup Account No. 145 of $202,500 in FY 2010.

Federal Funds		
Land Reclamation Fund No. 454	161,907	161,907
Federal Funds	6,883,842	6,832,624
Subtotal, Federal Funds	$ 7,045,749	$ 6,994,531
Other Funds		
Appropriated Receipts	1,927,296	1,927,296
Interagency Contracts	152,194	152,194
Subtotal, Other Funds	$ 2,079,490	$ 2,079,490
Total, Method of Financing	$ 71,461,467	$ 71,969,555
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 1,054,840	$ 1,092,325
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[6, 7]	743.6	743.6
Schedule of Exempt Positions:		
Railroad Commissioner, Group 6	(3) $137,500	(3) $137,500
Items of Appropriation:		
A. Goal: ENERGY RESOURCES		
Support Lignite, Oil, and Gas Resource Development.		
A.1.1. Strategy: ENERGY RESOURCE DEVELOPMENT[7, 8]	$ 6,564,927	$ 6,475,316
Promote Energy Resource Development Opportunities.		
A.2.1. Strategy: GAS UTILITY COMPLIANCE	$ 1,964,829	$ 1,942,033
Ensure Fair Rates and Compliance to Rate Structures.		
A.2.2. Strategy: PROMOTE LP GAS USAGE	$ 3,420,735	$ 3,402,294
Total, Goal A: ENERGY RESOURCES	$ 11,950,491	$ 11,819,643
B. Goal: SAFETY PROGRAMS		
Advance Safety Through Training, Monitoring, and Enforcement.		
B.1.1. Strategy: PIPELINE AND LP GAS SAFETY[6]	$ 6,700,545	$ 6,476,231
Ensure Pipeline and LPG/CNG/LNG Safety.		
C. Goal: ENVIRONMENTAL PROTECTION		
Minimize Harmful Effects of Fossil Fuel Production.		
C.1.1. Strategy: OIL/GAS MONITOR & INSPECTIONS[7]	$ 14,633,578	$ 14,433,505
Oil and Gas Monitoring and Inspections.		
C.1.2. Strategy: SURFACE MINING MONITORING/INSPECT	$ 3,421,239	$ 3,386,438
Surface Mining Monitoring and Inspections.		

[6] Incorporates passage of SB 1658, 81st Legislature, Regular Session, which increases the maximum pipeline safety inspection fee, and the contingency appropriation of $653,590 in FY 2010 and $533,825 in FY 2011 out of the General Revenue Fund and $333,829 in FY 2010 and $285,626 in FY 2011 in Federal Funds, increases the agency's FTE cap by 13.5 FTEs in each fiscal year of the 2010-11 biennium, and increases performance targets as prescribed in Rider 14, Contingency Appropriation for Pipeline Safety Fees.

[7] Strategy amounts include appropriations out of the General Revenue-Dedicated Oil Field Cleanup Account No. 145 of: $386,787 in FY 2010 and $376,075 in FY 2011 and 10.0 FTEs in Strategy A.1.1, Energy Resource Development; and $604,975 in FY 2010 and $541,180 in FY 2011 and 11.0 FTEs in Strategy C.1.1, Oil and Gas Monitoring and Inspections, to incorporate appropriations contingent upon revenues to the Oil Field Cleanup Account No. 145 in excess of the Comptroller's Biennial Revenue Estimate for 2010-11 to increase staffing in the oil and gas field operations and technical permitting programs as prescribed in Rider 7, Unexpended Balance and Estimated Appropriation Authority for the Oil Field Cleanup Account.

[8] Incorporates contingency appropriations for Article IX, § 17.109, of this Act and passage of SB 1387 by the 81st Legislature, Regular Session, relating to the implementation of projects involving the capture, injection, sequestration, or geologic storage of carbon dioxide, providing additional General Revenue of $75,431 in FY 2010 and $73,421 in FY 2011.

C.2.1. Strategy: OIL AND GAS REMEDIATION[9]	$ 5,800,627	$ 5,570,658
C.2.2. Strategy: OIL AND GAS WELL PLUGGING[10]	$ 23,130,047	$ 24,487,836
C.2.3. Strategy: SURFACE MINING RECLAMATION	$ 3,296,878	$ 3,294,766
Total, Goal C: ENVIRONMENTAL PROTECTION	$ 50,282,369	$ 51,173,203
D. Goal: PUBLIC ACCESS TO INFO AND SERVICES		
Public Access to Information and Services.		
D.1.1. Strategy: GIS AND WELL MAPPING	$ 573,615	$ 570,447
Geographic Information Systems and Well Mapping.		
D.1.2. Strategy: PUBLIC INFORMATION AND SERVICES	$ 1,954,447	$ 1,930,031
Total, Goal D: PUBLIC ACCESS TO INFO AND SERVICES	$ 2,528,062	$ 2,500,478
Grand Total, RAILROAD COMMISSION	$ 71,461,467	$ 71,969,555
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 36,728,428	$ 36,728,428
Other Personnel Costs	994,079	994,079
Professional Fees and Services	6,586,109	6,113,557
Fuels and Lubricants	1,046,543	1,046,543
Consumable Supplies	267,440	266,617
Utilities	189,923	188,968
Travel	544,390	544,390
Rent - Building	382,240	380,106
Rent - Machine and Other	223,223	221,189
Other Operating Expense	23,364,683	24,776,545
Capital Expenditures	1,134,409	709,133
Total, Object-of-Expense Informational Listing	$ 71,461,467	$ 71,969,555
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 2,132,391	$ 2,164,377
Group Insurance	6,128,392	6,665,762
Social Security	2,566,006	2,604,496
Benefits Replacement	277,080	263,226
Subtotal, Employee Benefits	$ 11,103,869	$ 11,697,861
Debt Service		
Lease Payments	$ 142,472	$ 129,699
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 11,246,341	$ 11,827,560

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Railroad Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Railroad Commission. In order to achieve the objectives and service standards established by this Act, the Railroad Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ENERGY RESOURCES		
Outcome (Results/Impact):		
Percent of Oil and Gas Wells That Are Active	73%	73%

[9] Incorporates contingency appropriations for Article IX, § 17.54, of this Act and passage of HB 2259, by the 81st Legislature, Regular Session, relating to the plugging of certain inactive oil or gas wells, providing additional appropriations out of the General Revenue-Dedicated Oil Field Cleanup Account No. 145 of $251,804 in FY 2010 and $1,661,229 in FY 2011.

[10] Incorporates contingency appropriations for Article IX, § 17.34, of this Act and passage of HB 472, by the 81st Legislature, Regular Session, relating to the effect and implementation of the law regarding reporting by a common carrier or pipeline owner or operator of contamination, providing additional appropriations out of the General Revenue-Dedicated Oil Field Cleanup Account No. 145 of $202,500 in FY 2010.

A.1.1. Strategy: ENERGY RESOURCE DEVELOPMENT		
Output (Volume):		
Number of Drilling Permit Applications Processed	27,900	29,500
Number of Wells Monitored	375,000	375,000
Efficiencies:		
Average Number of Wells Monitored Per Analyst	28,846	28,846
A.2.1. Strategy: GAS UTILITY COMPLIANCE		
Output (Volume):		
Number of Gas Utility Dockets Filed	80	80
A.2.2. Strategy: PROMOTE LP GAS USAGE		
Output (Volume):		
Number of Rebate and Incentive Applications Handled	3,351	3,351
Efficiencies:		
Administrative Costs as a Percentage of Alternative Fuels Research and Education Account Fee Revenue	18.6%	18.6%
Explanatory:		
Number of Alternative Fuel Vehicles in Texas	107,898	125,664
B. Goal: SAFETY PROGRAMS		
Outcome (Results/Impact):		
Average Number of Pipeline Safety Violations Per Equivalent 100 Miles of Pipe Identified through Inspections	3.5	3.5
B.1.1. Strategy: PIPELINE AND LP GAS SAFETY		
Output (Volume):		
Number of Pipeline Safety Inspections Performed[11]	2,500	2,750
Number of LPG/LNG/CNG Safety Inspections Performed[11]	13,500	14,400
Number of Third Party Damage Enforcement Cases Completed[11]	5,000	8,000
Efficiencies:		
Average Number of Pipeline Field Inspections Per Field Inspector	110	110
C. Goal: ENVIRONMENTAL PROTECTION		
Outcome (Results/Impact):		
Percentage of Oil and Gas Facility Inspections That Identify Environmental Violations	18%	17%
Percentage of Known Orphaned Wells Plugged with the Use of State-Managed Funds	24.6%	29.1%
C.1.1. Strategy: OIL/GAS MONITOR & INSPECTIONS		
Output (Volume):		
Number of Oil and Gas Facility Inspections Performed	108,000	108,000
Number of Oil and Gas Environmental Permit Applications and Reports Processed	96,500	99,000
Efficiencies:		
Average Number of Oil and Gas Facility Inspections Performed Per District Office Staff	900	900
Explanatory:		
Number of Oil and Gas Wells and Other Related Facilities Subject to Regulation	389,274	389,523
C.1.2. Strategy: SURFACE MINING MONITORING/INSPECT		
Output (Volume):		
Number of Coal Mining Inspections Performed	450	450
C.2.1. Strategy: OIL AND GAS REMEDIATION		
Output (Volume):		
Number of Abandoned Pollution Sites Investigated, Assessed, or Cleaned Up with the Use of State-Managed Funds	203	203
C.2.2. Strategy: OIL AND GAS WELL PLUGGING		
Output (Volume):		
Number of Orphaned Wells Plugged with the Use of State-Managed Funds	1,400	1,400
Total Aggregate Plugging Depth of Orphaned Wells Plugged with the Use of State Managed Funds (in Linear Feet)	3,057,600	3,057,600

[11] Incorporates passage of SB 1658, 81st Legislature, Regular Session, which increases the maximum pipeline safety inspection fee, and the contingency appropriation of $653,590 in FY 2010 and $533,825 in FY 2011 out of the General Revenue Fund and $333,829 in FY 2010 and $285,626 in FY 2011 in Federal Funds, increases the agency's FTE cap by 13.5 FTEs in each fiscal year of the 2010-11 biennium, and increases performance targets as prescribed in Rider 14, Contingency Appropriation for Pipeline Safety Fees.

D. Goal: PUBLIC ACCESS TO INFO AND SERVICES
D.1.2. Strategy: PUBLIC INFORMATION AND SERVICES
Output (Volume):

Number of Documents Provided to Customers by Information Services	892,000	847,000

2. **Capital Budget.** Funds appropriated above may be expended for capital budget items listed below. The amounts identified for each item may be adjusted or expended on other capital expenditures, subject to the aggregate dollar restrictions on capital budget expenditures provided in the General Provisions of this Act.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Infrastructure Upgrade	$ 199,755	$ 0
(2) Data Center Services (DCS) Department of Information Resources (DIR) Projection	2,790,130	2,520,077
(3) District Field Operations Reporting & Management System (DFORMS)	240,068	240,068
(4) Personal Computer (PC) Refresh	$ 147,455	$ 147,455
Total, Acquisition of Information Resource Technologies	$ 3,377,408	$ 2,907,600
b. Transportation Items		
(1) Vehicle Replacements	$ 540,194	$ 561,678
Total, Capital Budget	$ 3,917,602	$ 3,469,278
Method of Financing (Capital Budget):		
General Revenue Fund	$ 3,369,742	$ 2,921,418
General Revenue Fund - Dedicated		
Alternative Fuels Research and Education Account No. 101	62,085	62,085
Oil Field Cleanup Account No. 145	442,227	442,227
Subtotal, General Revenue Fund - Dedicated	$ 504,312	$ 504,312
Other Funds		
Appropriated Receipts	43,548	43,548
Total, Method of Financing	$ 3,917,602	$ 3,469,278

3. **Unexpended Balance and Estimated Appropriation Authority: Alternative Fuels Research and Education Account.** Included in amounts appropriated above in Strategy A.2.2, Promote LP Gas Usage, in fiscal year 2010 are balances remaining in the Alternative Fuels Research and Education (AFRED) Account No. 101 as of August 31, 2009 (not to exceed $1,030,660) to be used during the biennium beginning on September 1, 2009.

   In addition to amounts appropriated above, there is hereby appropriated to the Railroad Commission for the biennium beginning on September 1, 2009 any revenues received in the AFRED Account No. 101 in excess of the Comptroller's Biennial Revenue Estimate for the 2010-11 biennium. These funds shall be used in accordance with Natural Resources Code, § 113.243.

4. **Transfer Authority.** Notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the Texas Railroad Commission is hereby authorized to direct agency resources and transfer such amounts appropriated above between appropriation line items.

5. **Appropriation: Unexpended Balances Between Fiscal Years within the Biennium.** Any unexpended balances as of August 31, 2010, in the appropriations made herein to the Railroad Commission are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

6. **Appropriations Limited to Revenue Collections and Contingent Revenue: LPG/CNG/LNG Fees.** It is the intent of the Legislature that revenues collected pursuant to Natural Resources Code §§ 113.082, 113.090, 113.093, 113.094, 113.131, 116.032, 116.034, and 116.072 and deposited to Revenue Object Codes 3035 and 3246 in the General Revenue Fund, and $60,000 each fiscal year collected pursuant to Natural Resources Code, § 113.244, and deposited to Revenue Object Code

3034 in the Alternative Fuels Research and Education Account No. 101, cover, at a minimum, the cost of the appropriations made above for the LP Gas Program in Strategy B.1.1, Pipeline and LP Gas Safety (not to exceed $1,311,914 in fiscal year 2010 and $1,264,454 in fiscal year 2011).

This appropriation is contingent upon the Railroad Commission assessing fees sufficient to generate, during the 2010-11 biennium, revenue to cover these appropriations. 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.

In addition to amounts appropriated above, there is hereby appropriated to the Railroad Commission for the biennium beginning on September 1, 2009 any revenues collected by the Commission and deposited to Revenue Object Codes 3035 and 3246 in the General Revenue Fund in excess of the Comptroller's Biennial Revenue Estimate for the 2010-11 biennium.

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 (BRE) 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.

8. **Fee Appropriation: Liquid Propane (LP) Gas Licensing, Training, and Examination Renewal Fees.** Included in amounts appropriated above in Strategy A.2.2, Promote LP Gas Usage, is $613,511 in each fiscal year of the biennium beginning September 1, 2009, in Appropriated Receipts (Revenue Object Code 3722) and $1,000 in each fiscal year of the biennium in General Revenue (Revenue Object Code 3245) from fees assessed and collected pursuant to Natural Resources Code, §§ 113.088 and 116.034. These amounts may only be used for the purpose of providing training and examinations to licensees and certificate holders. In addition to amounts appropriated above, any additional amounts collected by the Railroad Commission pursuant to Natural Resources Code, §§ 113.088 and 116.034, on or after September 1, 2009, are hereby appropriated to the Commission for the same purpose.

9. **Appropriation: Abandoned Mine Land Funds.** Included in amounts appropriated above in Strategy C.2.3, Surface Mining Reclamation, is an amount estimated to be $323,814 in unexpended balances remaining on August 31, 2009, in the Land Reclamation Fund Account No. 454 (Federal Funds). In addition to amounts appropriated above, the Railroad Commission is hereby appropriated any additional federal grant funds from the US Department of Interior for the purposes authorized by Natural Resources Code, Chapter 134, Subchapter G, Abandoned Mine Reclamation.

10. **Appropriation Limited to Revenue Collections: Surface Mining Permits and Contingency Appropriation for Fee Increase.** 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 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 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 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 Biennial Revenue Estimate for 2010-11 plus the amounts generated above relating to any fee increase.

11. **Appropriation for Pipeline Safety Fees.** Included in the amounts appropriated above are revenues from fees assessed on pipelines and pipeline facilities and deposited to Revenue Object Code 3553 in the General Revenue Fund pursuant to Utilities Code, § 121.211 in an amount not to exceed $2,467,292 in fiscal year 2010 and $2,347,527 in fiscal year 2011. 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.

    The Railroad Commission is hereby authorized to transfer appropriations made pursuant to this provision to the appropriate strategy items.

    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. "Other direct and indirect costs" are estimated to be $1,020,107 in fiscal year 2010 and $1,056,494 in fiscal year 2011. 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 to amounts appropriated above, there is hereby appropriated for the biennium beginning on September 1, 2009, any revenues received from pipeline safety fee revenues deposited to the credit of Revenue Object Code No. 3553 in the General Revenue Fund in excess of the Comptroller's Biennial Revenue Estimate for 2010-11.

12. **Capital Budget Expenditures: Federal Funds and Appropriated Receipts.** To comply with the legislative intent to maximize the use of federal funds and to fulfill grant requirements required for the receipt and expenditure of federal funds, the Railroad Commission (RRC) is hereby exempted from the Capital Budget Rider Provisions contained in Article IX, Sec. 14.03, of this Act, "Limitations on Expenditures - Capital Budget," when Federal Funds and Appropriated Receipts are received in excess of amounts identified in the agency's Capital Budget Rider . The RRC shall notify the Legislative Budget Board and the Governor upon receipt of such funds, of the amount received and items to be purchased.

13. **Appropriation: Uranium Mining Regulatory Program.** Included in amounts appropriated above out of the General Revenue Fund in Strategy C.2.3, Surface Mining Reclamation, is $117,155 in each fiscal year of the 2010-11 biennium. 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 Uranium Mining Regulatory program as well as "Other direct and indirect costs" for the program, appropriated elsewhere in this Act. "Other direct and indirect costs" are estimated to be $34,733 in fiscal year 2010 and $35,831 in fiscal year 2011. 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.

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. 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:

	2010	2011
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

SOIL AND WATER CONSERVATION BOARD

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 22,543,335	$ 22,543,335
Federal Funds	6,059,750	6,059,750
Total, Method of Financing	$ 28,603,085	$ 28,603,085
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[1]	73.5	73.5
Schedule of Exempt Positions:		
Executive Director, Group 3	$92,600	$92,600
Items of Appropriation:		
A. Goal: SOIL & WATER CONSERVATION ASSIST		
Soil and Water Conservation Assistance.		
A.1.1. Strategy: PROGRAM MANAGEMENT & ASSISTANCE	$ 11,781,311	$ 11,781,311
Program Expertise, Financial & Conservation Implementation Assistance.		
B. Goal: NONPOINT SOURCE POLLUTION ABATEMENT		
Administer a Program for Abatement of Agricl Nonpoint Source Pollution.		

[1] Incorporates Rider 9, which adds 1.0 FTE due to the enactment of HB 865, 81st Legislature, Regular Session.

B.1.1. Strategy: STATEWIDE MANAGEMENT PLAN Implement a Statewide Management Plan for Controlling NPS Pollution.	$ 7,352,081	$ 7,352,081
B.1.2. Strategy: POLLUTION ABATEMENT PLAN Pollution Abatement Plans for Problem Agricultural Areas.	$ 4,351,098	$ 4,351,098
Total, Goal B: NONPOINT SOURCE POLLUTION ABATEMENT	$ 11,703,179	$ 11,703,179
C. Goal: WATER SUPPLY ENHANCEMENT Protect and Enhance Water Supplies.		
C.1.1. Strategy: WATER CONSERVATION AND ENHANCEMENT Provide Financial/Technical Assistance for Water Quantity Enhancement.	$ 4,543,641	$ 4,543,641
D. Goal: INDIRECT ADMINISTRATION		
D.1.1. Strategy: INDIRECT ADMINISTRATION	$ 574,954	$ 574,954
Grand Total, SOIL AND WATER CONSERVATION BOARD	$ 28,603,085	$ 28,603,085
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 3,288,276	$ 3,288,276
Other Personnel Costs	119,407	119,407
Professional Fees and Services	27,201	27,201
Fuels and Lubricants	60,850	60,850
Consumable Supplies	37,250	37,250
Utilities	85,114	85,114
Travel	444,130	444,130
Rent - Building	243,635	243,635
Rent - Machine and Other	34,330	34,330
Other Operating Expense	3,139,860	3,139,860
Grants	21,123,032	21,123,032
Total, Object-of-Expense Informational Listing	$ 28,603,085	$ 28,603,085
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 202,305	$ 205,339
Group Insurance	477,057	514,036
Social Security	246,342	250,037
Benefits Replacement	19,693	18,708
Subtotal, Employee Benefits	$ 945,397	$ 988,120
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 945,397	$ 988,120

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Soil and Water Conservation Board. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Soil and Water Conservation Board. In order to achieve the objectives and service standards established by this Act, the Soil and Water Conservation Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: SOIL & WATER CONSERVATION ASSIST		
Outcome (Results/Impact):		
Percent of District Financial Needs Met by Soil and Water Conservation Board Grants	63.2%	63.2%
A.1.1. Strategy: PROGRAM MANAGEMENT & ASSISTANCE		
Output (Volume):		
Number of Contacts with Districts to Provide Conservation Education Assistance	15,396	15,396

B. Goal: NONPOINT SOURCE POLLUTION ABATEMENT		
Outcome (Results/Impact):		
Percent of Agricultural and Silvicultural Operations with a Potential to Cause Nonpoint Pollution in Problem Areas As Identified and Designated by the TSSWCB	63.5%	63.5%
B.1.1. Strategy: STATEWIDE MANAGEMENT PLAN		
Output (Volume):		
Number of Proposals for Federal Grant Funding Evaluated by TSSWCB Staff	20	20
B.1.2. Strategy: POLLUTION ABATEMENT PLAN		
Output (Volume):		
Number of Pollution Abatement Plans Certified	620	620
C. Goal: WATER SUPPLY ENHANCEMENT		
C.1.1. Strategy: WATER CONSERVATION AND ENHANCEMENT		
Output (Volume):		
Number of Acres of Brush Treated	46,276	46,276

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amount shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code, §1232.103

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Acquisition of Information Resource Technologies	$ 14,300	$ 43,850
b. Transportation Items		
(1) Vehicle Replacement	$ 130,000	$ 50,000
Total, Capital Budget	$ 144,300	$ 93,850
Method of Financing (Capital Budget):		
General Revenue Fund	$ 139,950	$ 88,700
Federal Funds	4,350	5,150
Total, Method of Financing	$ 144,300	$ 93,850

3. **Matching Requirements.** Funds appropriated above for conservation assistance grants for soil and water conservation districts may be expended only when matched by equal amounts from sources other than state funds or earnings from state funds, not to exceed $7,500 in any district per fiscal year.

4. **Allocation of Grant Funds.** Out of the amounts appropriated above to the Soil and Water Conservation Board, any Conservation Implementation Technical Assistance grant funds to the soil and water conservation districts shall be used for expenses occurring in the fiscal year in which the grant funds are allocated. Grant distributions are made contingent upon districts filing annual Conservation Implementation Technical Assistance expenditure summary reports with the Soil and Water Conservation Board and are subject to a year-end reconciliation.

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.

7. **Conservation Assistance to the Soil and Water Conservation Districts.** Out of the amounts appropriated above to the Soil and Water Conservation Board, any conservation assistance grants awarded to soil and water conservation districts on a matching basis and requiring districts to raise funds from sources other than the Soil and Water Conservation Board prior to receiving such grants shall remain permanently with the soil and water conservation district granted the funds. The Soil and Water Conservation Board shall not require the soil and water conservation districts to return conservation assistance grant funds at the end of a fiscal year or at the end of a biennium.

8. **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.

9. **Contingency for House Bill 865.** Contingent on passage of House Bill 865, or similar legislation relating to the establishment of the Texas Invasive Species Coordinating Committee, by the Eighty-first Legislature, Regular Session, the Soil and Water Conservation Board's "Number of Full-Time Equivalents" is increased by 1.0 for fiscal year 2010 and fiscal year 2011 to implement the provisions of the legislation.

WATER DEVELOPMENT BOARD

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 29,082,630	$ 28,959,894
Federal Funds	9,178,563	9,178,830
Other Funds		
Appropriated Receipts	6,945,341	6,885,172
Interagency Contracts	79,339	70,339
Agricultural Water Conservation Fund No. 358	959,141	959,140
Water Assistance Fund No. 480	4,136,466	1,295,861
Subtotal, Other Funds	$ 12,120,287	$ 9,210,512
Total, Method of Financing	$ 50,381,480	$ 47,349,236
This bill pattern represents an estimated 4.4% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	357.6	357.6
Schedule of Exempt Positions:		
Executive Administrator, Group 5	$135,000	$135,000
Items of Appropriation:		
A. Goal: WATER RESOURCE PLANNING		
Plan and Guide Conservation & Management of State's Water Resources.		
A.1.1. Strategy: ENVIRONMENTAL IMPACT INFORMATION	$ 1,924,172	$ 1,840,172
Collection, Analysis and Reporting of Environmental Impact Information.		
A.1.2. Strategy: WATER RESOURCES DATA	$ 3,228,212	$ 3,243,592
A.1.3. Strategy: AUTO INFO COLLECT., MAINT. & DISSEM	$ 2,763,955	$ 2,763,955
Automated Information Collection, Maintenance, and Dissemination.		
A.2.1. Strategy: TECHNICAL ASSISTANCE & MODELING	$ 4,499,582	$ 4,458,221
Technical Assistance and Modeling.		

A.2.2. Strategy: WATER RESOURCES PLANNING	$ 12,069,979	$ 10,226,789
A.3.1. Strategy: WATER CONSERVATION EDUCATION & ASST Water Conservation Education and Assistance.	$ 1,490,651	$ 1,415,651
A.4.1. Strategy: PERFORM COMM ASSIST RELATED TO NFIP Perform Community Assistance Pursuant to the NFIP.	$ 2,996,793	$ 2,996,793
Total, Goal A: WATER RESOURCE PLANNING	$ 28,973,344	$ 26,945,173
B. Goal: WATER PROJECT FINANCING Provide Financing for the Development of Water-related Projects.		
B.1.1. Strategy: STATE & FEDERAL FIN ASSIST PROGRAM State and Federal Financial Assistance Programs.	$ 12,683,546	$ 11,682,804
B.1.2. Strategy: ECONOMICALLY DISTRESSED AREAS Economically Distressed Areas Program.	$ 2,084,147	$ 2,084,148
Total, Goal B: WATER PROJECT FINANCING	$ 14,767,693	$ 13,766,952
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: CENTRAL ADMINISTRATION	$ 3,137,998	$ 3,137,999
C.1.2. Strategy: INFORMATION RESOURCES	$ 2,945,451	$ 2,942,118
C.1.3. Strategy: OTHER SUPPORT SERVICES	$ 556,994	$ 556,994
Total, Goal C: INDIRECT ADMINISTRATION	$ 6,640,443	$ 6,637,111
Grand Total, WATER DEVELOPMENT BOARD	$ 50,381,480	$ 47,349,236
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 21,004,820	$ 21,004,818
Other Personnel Costs	387,121	387,119
Professional Fees and Services	3,446,923	3,443,579
Fuels and Lubricants	108,414	108,414
Consumable Supplies	377,550	376,742
Utilities	150,929	150,929
Travel	680,079	678,979
Rent - Building	135,666	135,666
Rent - Machine and Other	130,691	130,691
Other Operating Expense	2,204,660	2,085,797
Grants	19,073,889	16,159,764
Capital Expenditures	2,680,738	2,686,738
Total, Object-of-Expense Informational Listing	$ 50,381,480	$ 47,349,236
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,103,091	$ 1,119,637
Group Insurance	2,493,835	2,713,536
Social Security	1,343,944	1,364,103
Benefits Replacement	101,308	96,243
Subtotal, Employee Benefits	$ 5,042,178	$ 5,293,519
Debt Service		
Lease Payments	$ 67,356	$ 64,998
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 5,109,534	$ 5,358,517

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Water Development Board. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Water Development Board. In order to achieve the objectives and service standards established by this Act, the Water Development Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: WATER RESOURCE PLANNING		
Outcome (Results/Impact):		
Percent of Information Available to Adequately Monitor the State's Water Supplies	76.6%	76.6%
Percent of Key Regional and Statewide Water Planning Activities Completed	98.7%	98.7%
Percent of Eligible Texas Communities and Other Entities Receiving Technical and/or Financial Assistance for Water Planning and Conservation	9.5%	9.5%
A.1.1. Strategy: ENVIRONMENTAL IMPACT INFORMATION		
Output (Volume):		
Number of Bay and Estuary and Instream Study Elements Completed	9	9
A.1.3. Strategy: AUTO INFO COLLECT., MAINT. & DISSEM		
Explanatory:		
Number of Responses to Requests for TNRIS-related Information	350,000	350,000
A.2.1. Strategy: TECHNICAL ASSISTANCE & MODELING		
Output (Volume):		
Number of Responses to Requests for Water Resources Information	2,600	2,600
A.2.2. Strategy: WATER RESOURCES PLANNING		
Output (Volume):		
Number of Active Grants for Regional Water, Wastewater, Flood and Research Studies Funded from the Research and Planning Fund	129	129
A.3.1. Strategy: WATER CONSERVATION EDUCATION & ASST		
Output (Volume):		
Number of Responses to Requests for Water Conservation Information, Literature, Data, Technical Assistance and Educational Activities Provided by the Texas Water Development Board Staff	849	849
B. Goal: WATER PROJECT FINANCING		
Outcome (Results/Impact):		
Total Dollars Committed as a Percent of Total Financial Assistance Dollars Available	130%	130%
B.1.1. Strategy: STATE & FEDERAL FIN ASSIST PROGRAM		
Output (Volume):		
Number of Financial Assistance/Loan Commitments Provided to State Participation Projects	2	2
Total Dollars Committed to Projects to Implement the State Water Plan (SWP)	437,360,250	252,281,000
Number of Commitments to State Water Plan Projects	9	8
B.1.2. Strategy: ECONOMICALLY DISTRESSED AREAS		
Output (Volume):		
Number of Completed Economically Distressed Areas Projects	81	85

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code, § 1232.103.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Data Center Consolidation	$ 1,563,732	$ 1,560,390
(2) Water Information Integration and Dissemination Project	301,894	301,894
(3) Strategic Mapping Pool	2,359,916	2,359,916
(4) TxWise	11,954	0
(5) PC Replacement	$ 230,991	$ 219,741
Total, Acquisition of Information Resource Technologies	$ 4,468,487	$ 4,441,941

b. Transportation Items				
(1) Purchase of Vehicles and Boats	$	150,000	$	190,000
c. Acquisition of Capital Equipment and Items				
(1) Gauging and Other Equipment	$	416,398	$	374,628
Total, Capital Budget	$	5,034,885	$	5,006,569
Method of Financing (Capital Budget):				
General Revenue Fund	$	4,432,236	$	4,405,112
Agricultural Water Conservation Fund No. 358		26,500		26,500
Federal Funds		181,604		187,606
Appropriated Receipts		371,045		372,851
Interagency Contracts		23,500		14,500
Total, Method of Financing	$	5,034,885	$	5,006,569

3. **Transfer Authorized.** Included in amounts appropriated above in Strategy A.2.1, Technical Assistance and Modeling, and Strategy A.2.2, Water Resources Planning, is $2,816,861 out of the General Revenue Fund in each fiscal year of the 2010-11 biennium to be transferred to the Water Assistance Fund No. 480, for the sole purpose of making grants to regional planning groups pursuant to Water Code, § 15.4061. The Texas Water Development Board is authorized to transfer these funds from the Water Assistance Fund to other accounts as authorized under Water Code, § 15.011 as needed to support the regional planning process.

   Also included in amounts appropriated above in Strategy A.2.2, Water Resources Planning, is $2,591,722 out of the Water Assistance Fund No. 480 for the 2010-11 biennium. These amounts also shall be used for the purpose of making grants to regional planning groups pursuant to Water Code, § 15.4061.

4. **Safe Drinking Water Act State Revolving Fund.** Included in amounts appropriated above in Strategy B.1.1, State and Federal Financial Assistance Programs, is up to $3,837,234 out of the General Revenue Fund in each fiscal year of the biennium for the state match portion of the community/non-community water system and economically disadvantaged community accounts established under the Safe Drinking Water Act State Revolving Fund.

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.

8. **Coordination with the Texas Department of Rural Affairs.**[1] The Texas Water Development Board (TWDB) and the Texas Department of Rural Affairs (TDRA) shall continue to coordinate

[1] HB 1918, 81st Legislature, Regular Session, changed the name of the Office of Rural Community Affairs to the Texas Department of Rural Affairs, effective September 1, 2009.

funds out of the Economically Distressed Areas Program (EDAP) administered by the TWDB and the Colonia Fund administered by TDRA as outlined in a Memorandum of Understanding (MOU) to maximize delivery of the funds and minimize administrative delay in their expenditure. At the beginning of each fiscal year of the 2010-11 biennium, the TWDB shall provide TDRA a list of EDAP-funded areas whose colonia residents cannot afford the cost of service lines, hook-ups, and plumbing improvements associated with being connected to an EDAP-funded system. No later than September 15, 2010, the TWDB and TDRA shall submit a joint report to the Legislative Budget Board that describes and analyzes the effectiveness of projects funded as a result of coordinated Colonia Fund/EDAP efforts, including an estimate of the amount each agency has saved by reduced duplication of efforts.

9. **Fee Appropriation: State Revolving Fund Program Operation.** In addition to the amounts appropriated above, the Water Development Board is hereby appropriated any additional fee revenue collected for administration and operation of revolving fund programs for the biennium beginning September 1, 2009.

   All fee revenue collected pursuant to the SRF program and additional state revolving funds may be deposited into an operating fund held in the Texas Treasury Safekeeping Trust Company. Monies in the SRF or additional SRFs operating fund, including interest, may be used only for the purposes of reimbursing expenditures from appropriations in this Act. Such reimbursement shall include both direct expenditures for salaries and other expenditures and fringe benefits. In addition, the Texas Water Development Board may transfer amounts from the operating fund to the SRF or additional SRFs for uses pursuant to the Water Code, Chapter 15, Subchapter J.

10. **Use of Texas Water Resources Finance Authority (TWRFA) Funds.** Included in the amounts appropriated above in Strategy A.1.3, Automated Information Collection, Maintenance, and Dissemination, Strategy A.2.1, Technical Assistance and Modeling, Strategy A.2.2, Water Resources Planning, Strategy B.1.2, Economically Distressed Areas Program, and Strategy C.1.2, Information Resources, is $1,293,394 in fiscal year 2011 and $1,292,491 in fiscal year 2010 in Appropriated Receipts derived from cash flows from the Texas Water Resources Finance Authority (TWRFA). Also included in amounts appropriated above in Strategy B.1.1, State and Federal Financial Assistance Programs, is $62,542 in fiscal year 2010 and $62,542 in fiscal year 2011 in Appropriated Receipts in each fiscal year of the biennium derived from cash flows and reserved as operating costs of TWRFA and used to reimburse TWDB for administrative expenditures incurred by the Water Development Board in administering the TWRFA portfolio.

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.

13. **Rural Water Assistance Fund.** In addition to the amounts appropriated above, there is hereby appropriated to the Texas Water Development Board (TWDB) available balances in the Rural Water Assistance Fund, money that TWDB may place into the Rural Water Assistance Fund from any sources legally available, including but not limited to proceeds from bonds issued by the Board, money transferred to the fund, and any revenues that may accrue to the Rural Water Assistance Fund.

14. **Economically Disadvantaged Community Account.** Funds previously appropriated to the Texas Water Development Board for the Community/Noncommunity Water System Financial Assistance Account of the Safe Drinking Water Revolving Fund (SDWRF) and any interest earned on such funds may be transferred by the Board in whole or in part to the Economically Disadvantaged Community Account of the SDWRF for authorized use.

15. **Capital Budget Expenditures: Federal Funds and Appropriated Receipts Exemption.** To comply with the legislative intent to maximize the use of federal funds, to maximize the use of state funds, and to fulfill grant requirements required for the receipt and expenditure of federal funds, the Water Development Board is hereby exempted from the Capital Budget Rider Provisions contained in Article IX of this Act, "Limitations on Expenditures - Capital Budget," when Federal Funds or Appropriated Receipts are received in excess of amounts identified in the agency's Capital Budget Rider. The Water Development Board shall notify the Legislative Budget Board and the Governor upon receipt of such Federal Funds or Appropriated Receipts, of the amount received and items to be purchased.

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.

17. **Nuisance Surveys for the Economically Distressed Areas Program.** Out of amounts appropriated above out of the General Revenue Fund in Strategy B.1.2, Economically Distressed Areas, the Water Development Board shall reimburse the Texas Department of State Health Services for costs incurred by the Department in conducting nuisance surveys for applicants for financial assistance through the Economically Distressed Areas program administered by the Board. The Board shall reimburse such costs through Interagency Contracts with the Texas Department of State Health Services in an amount not to exceed a total of $250,000 for the biennium beginning on September 1, 2009.

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 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.

19. **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.

20. **Unexpended Balances Within the Biennium.** Any unexpended balances as of August 31, 2010 in appropriations made to the Water Development Board are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

21. **Travel Cap Exemption for Bond Travel.** Travel expenses incurred by the staff of the Texas Water Development Board related to the issuance of debt and paid from bond proceeds are exempt from the requirements of Article IX, relating to the Limitation on Travel Expenditures, and the limitations on such expenditures set forth therein.

22. **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 up to $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.

23. **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.

24. **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.

25. **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.

26. **Funding Restricted for Reservoir Site.**[2] During the 2010-11 biennium, the appropriations made by this Act may not be used to fund the acquisition of a reservoir site for the Marvin Nichols Reservoir until December 2010, when the final study report by the Study Commission on Region C Water Supply established by the Eightieth Legislature is due.

[2] Rider is duplicated from Article IX, § 17.17, of this Act.

DEBT SERVICE PAYMENTS - NON-SELF SUPPORTING G.O. WATER BONDS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 68,900,081	$ 74,082,753
Other Funds		
Water Infrastructure Fund No. 302	12,948,764	19,694,698
Economically Distressed Areas Bond Payment Account No. 357	2,804,138	3,989,530
State Participation Program Bond Payment Account No. 8432	8,037,548	9,063,404
Subtotal, Other Funds	$ 23,790,450	$ 32,747,632
Total, Method of Financing	$ 92,690,531	$ 106,830,385
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Items of Appropriation:		
A. Goal: GEN OBLIGATION BOND DEBT SERVICE		
Fulfill All General Obligation Bond Debt Service Commitments.		
A.1.1. Strategy: EDAP DEBT SERVICE	$ 23,380,260	$ 24,177,686 & UB
General Obligation Bond Debt Service Payments for EDAP.		
A.1.2. Strategy: STATE PARTICIPATION DEBT SERVICE	$ 20,232,175	$ 22,866,425 & UB
General Obligation Bond Debt Service Payments for State Participation.		
A.1.3. Strategy: WIF DEBT SERVICE	$ 49,078,096	$ 59,786,274 & UB
G.O. Bond Debt Service Payments for the Water Infrastructure Fund Pgm.		
Total, Goal A: GEN OBLIGATION BOND DEBT SERVICE	$ 92,690,531	$ 106,830,385
Grand Total, DEBT SERVICE PAYMENTS - NON-SELF SUPPORTING G.O. WATER BONDS	$ 92,690,531	$ 106,830,385

DEBT SERVICE PAYMENTS - NON-SELF SUPPORTING G.O. WATER BONDS
(Continued)

Object-of-Expense Informational Listing:		
Debt Service	$ 92,690,531	$ 106,830,385
Total, Object-of-Expense Informational Listing	$ 92,690,531	$ 106,830,385

1. **Payment of Debt Service: Economically Distressed Areas Bonds.** All monies received by the Texas Water Development Board and deposited to the Economically Distressed Areas Bond Payment Account No. 357 are hereby appropriated for the payment of principal and interest on bonds issued to provide financial assistance for water and wastewater infrastructure through the Economically Distressed Areas Program that mature or become due during the biennium beginning with the effective date of this Act, pursuant to §§ 49-c, 49-d-7, 49-d-8, and 49-d-10 of Article III of the Texas Constitution and Water Code, Chapter 17, Subchapters C and L, including amounts issued prior to the effective date of this Act. The amounts identified above in the Method of Financing as the Economically Distressed Areas Bond Payment Account No. 357 are estimated amounts to be received from repayments of loan principal and interest on such bonds that mature or become due during the biennium.

   Included in the amounts appropriated above, out of the General Revenue Fund, the Texas Water Development Board is also appropriated $4,002,092 in fiscal year 2010 and $6,900,913 in fiscal year 2011 for the payment of principal and interest on $84,370,000 in Economically Distressed Areas Program Bonds hereby authorized to be issued and sold during the 2010-11 biennium to provide financial assistance for water and wastewater infrastructure through the Economically Distressed Areas Program pursuant to §§ 49-c, 49-d-7, 49-d-8, and 49-d-10 of Article III of the Texas Constitution and Water Code, Chapter 17, Subchapters C and L.

   The actual amount of funds to be paid from the General Revenue Fund shall be the total amount of debt service obligations due in each fiscal year less the amount available in the Economically Distressed Areas Bond Payment Account No. 357 for Debt Service Payments for the Economically Distressed Areas Program. The provisions contained herein shall not be construed, however, to abrogate the obligation of the State under §§ 49-c, 49-d-7, 49-d-8, and 49-d-10 of Article III of the Texas Constitution to provide for the payment in full of the principal and interest on such bonds that mature or become due during the biennium.

2. **Payment of Debt Service: State Participation Bonds.** All monies received by the Texas Water Development Board and deposited to the State Participation Program Bond Payment Account No. 8432 are hereby appropriated for the payment of principal and interest on bonds issued to provide financial assistance for State Participation projects that mature or become due during the biennium beginning with the effective date of this Act, pursuant to §§ 49-c, 49-d-7, 49-d-8, and 49-d-9 of Article III of the Texas Constitution and Water Code, Chapter 17, Subchapters C and L, including amounts issued prior to the effective date of this Act, as well as additional amounts issued during the 2010-11 biennium. The amounts identified above in the Method of Financing as the State Participation Program Bond Payment Account No. 8432 are estimated amounts of payments received from political subdivisions representing the purchase of the state's ownership interest in projects dedicated to the payment of principal and interest on such bonds that mature or become due during the biennium.

   Included in the amounts appropriated above out of the General Revenue Fund, the Texas Water Development Board is also appropriated $9,455,646 in fiscal year 2010 and $12,205,875 in fiscal year 2011 for the payment of principal and interest on $225,050,000 in State Participation Bonds hereby authorized to be issued and sold during the 2010-11 biennium to provide financial assistance for water and wastewater infrastructure projects through the State Participation Program pursuant to §§ 49-c, 49-d-7, 49-d-8, and 49-d-9 of Article III of the Texas Constitution and Water Code, Chapter 17, Subchapters C and L.

   The actual amount of funds to be paid from the General Revenue Fund shall be the total amount of debt service obligations due in each fiscal year less the amount available in the State Participation Program Bond Payment Account No. 8432 for Debt Service Payments for the State Participation Program. The provisions contained herein shall not be construed, however, to abrogate the obligation of the State under §§ 49-c, 49-d-7, 49-d-8, and 49-d-9 of Article III of the Texas Constitution to provide for the payment in full of the principal and interest on such bonds that mature or become due during the biennium.

3. **Payment of Debt Service: Water Infrastructure Fund Bonds.** Included in the amounts appropriated above to the Water Development Board is $22,531,920 in fiscal year 2010 and

$25,258,197 in fiscal year 2011 out of the General Revenue Fund, to be transferred to the Water Infrastructure Fund (WIF) No. 302, pursuant to Texas Water Code, Section 15.974 (a)(4), for the repayment of principal and interest on $473,365,000 in Water Infrastructure Fund bonds hereby approved to be issued and sold during the 2010-11 biennium pursuant to Texas Water Code, Section 17.952, Water Financial Assistance Bonds, to provide financial assistance for projects related to the implementation of the State Water Plan as authorized by Texas Water Code, Section 15.974.

The actual amount of funds to be paid from the General Revenue Fund shall be the total amount of debt service obligations due in each fiscal year less amounts deposited to the Water Infrastructure Fund (WIF) No. 302 for loan repayments and interest earnings. The provisions contained herein shall not be construed, however, to abrogate the obligation of the State under §§ 49-c, 49-d-8 and 49-d-9, of Article III of the Texas Constitution to provide for the payment in full of the principal and interest on such bonds that mature or become due during the biennium.

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; 2) the issuance of the bonds is approved by the Bond Review Board; and 3) the Legislative Budget Board, upon receiving a request for bond issuance from the Water Development Board, does not issue a written disapproval not later than the 15th day after the date the staff of the Legislative Budget Board concludes its review and forwards those findings to the 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; 2) the issuance of the bonds is approved by the Bond Review Board; and 3) the Legislative Budget Board, upon receiving a request for bond issuance from the Water Development Board, does not issue a written disapproval not later than the 15th day after the date the staff of the Legislative Budget Board concludes its review and forwards those findings to the Board.

RETIREMENT AND GROUP INSURANCE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1, 2]		
General Revenue Fund, estimated	$ 54,222,131	$ 57,795,857
General Revenue Dedicated Accounts, estimated	23,411,714	25,615,278
Federal Funds, estimated	10,418,438	10,877,942
Other Special State Funds, estimated	4,247,587	4,496,219
Total, Method of Financing	$ 92,299,870	$ 98,785,296
Items of Appropriation:		
A. Goal: EMPLOYEES RETIREMENT SYSTEM		
A.1.1. Strategy: RETIREMENT CONTRIBUTIONS[1]	$ 25,715,357	$ 26,231,996
Retirement Contributions. Estimated.		

[1] Incorporates Article IX, §17.02(a), of this Act, relating to additional appropriations for employee benefits, which increases Retirement benefits proportionally with the number of full-time equivalents increased in agency bill patterns, resulting in increases of $216,720 in General Revenue-Dedicated Funds in FY 2010 and $350,880 in General Revenue-Dedicated Funds in FY 2011.
[2] Incorporates Article IX, §17.02(a), of this Act, relating to additional appropriations for employee benefits, which increases Group Insurance benefits proportionally with the number of full-time equivalents increased in agency bill patterns, resulting in increases of $571,451 in General Revenue-Dedicated Funds in FY 2010, and $988,121 in General Revenue-Dedicated Funds in FY 2011.

RETIREMENT AND GROUP INSURANCE
(Continued)

A.1.2. Strategy: GROUP INSURANCE[3] Group Insurance. Estimated.	$ 66,584,513	$ 72,553,300
Total, Goal A: EMPLOYEES RETIREMENT SYSTEM	$ 92,299,870	$ 98,785,296
Grand Total, RETIREMENT AND GROUP INSURANCE	$ 92,299,870	$ 98,785,296

[3] Incorporates Article IX, §17.02(a), of this Act, relating to additional appropriations for employee benefits, which increases Group Insurance benefits proportionally with the number of full-time equivalents increased in agency bill patterns, resulting in increases of $571,451 in General Revenue-Dedicated Funds in FY 2010, and $988,121 in General Revenue-Dedicated Funds in FY 2011.

SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund, estimated	$ 8,695,093	$ 8,811,992
General Revenue Dedicated Accounts, estimated	19,029,393	19,318,095
Federal Funds, estimated	4,904,456	4,873,356
Other Special State Funds, estimated	1,971,092	1,990,124
Total, Method of Financing	$ 34,600,034	$ 34,993,567
Items of Appropriation:		
A. Goal: SOCIAL SECURITY/BENEFIT REPLACEMENT Comptroller - Social Security.		
A.1.1. Strategy: STATE MATCH – EMPLOYER[1] State Match — Employer. Estimated.	$ 31,619,022	$ 32,161,606
A.1.2. Strategy: BENEFIT REPLACEMENT PAY Benefit Replacement Pay. Estimated.	$ 2,981,012	$ 2,831,961
Total, Goal A: SOCIAL SECURITY/BENEFIT REPLACEMENT	$ 34,600,034	$ 34,993,567
Grand Total, SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY	$ 34,600,034	$ 34,993,567

[1] Incorporates Article IX, §17.02(a), of this Act, relating to additional appropriations for employee benefits, which increases Social Security benefits proportionally with the number of full-time equivalents increased in agency bill patterns, resulting in an increase of $342,720 in General Revenue-Dedicated Funds in FY 2010; and an increase of $416,160 in General Revenue-Dedicated Funds in FY 2011.

BOND DEBT SERVICE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund		
General Revenue Fund	$ 6,873,212	$ 5,921,875
Sporting Goods Sales Tax - Transfer to State Parks Account No. 64	4,306,691	3,226,445
Subtotal, General Revenue Fund	$ 11,179,903	$ 9,148,320

BOND DEBT SERVICE PAYMENTS
(Continued)

Current Fund Balance	735,038	734,194
Total, Method of Financing	$ 11,914,941	$ 9,882,514
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: BOND DEBT SERVICE	$ 11,914,941	$ 9,882,514 & UB
To Texas Public Finance Authority for Payment of Bond Debt Service.		
Grand Total, BOND DEBT SERVICE PAYMENTS	$ 11,914,941	$ 9,882,514

LEASE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 4,023,955	$ 3,819,916
Total, Method of Financing	$ 4,023,955	$ 3,819,916
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: LEASE PAYMENTS	$ 4,023,955	$ 3,819,916 & UB
To TFC for Payment to TPFA.		
Grand Total, LEASE PAYMENTS	$ 4,023,955	$ 3,819,916

RECAPITULATION - ARTICLE VI
NATURAL RESOURCES
(General Revenue)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Agriculture	$ 83,535,644	$ 60,506,491
Animal Health Commission	10,820,568	10,684,568
Commission on Environmental Quality	15,559,747	13,936,272
General Land Office and Veterans' Land Board	8,645,738	1,734,188
Parks and Wildlife Department	107,316,675	98,728,936
Railroad Commission	30,155,281	29,631,691
Soil and Water Conservation Board	22,543,335	22,543,335
Water Development Board	29,082,630	28,959,894
Debt Service Payments - Non-Self Supporting G.O. Water Bonds	68,900,081	74,082,753
Subtotal, Natural Resources	$ 376,559,699	$ 340,808,128
Retirement and Group Insurance	54,222,131	57,795,857
Social Security and Benefit Replacement Pay	8,695,093	8,811,992
Subtotal, Employee Benefits	$ 62,917,224	$ 66,607,849
Bond Debt Service Payments	11,179,903	9,148,320
Lease Payments	4,023,955	3,819,916
Subtotal, Debt Service	$ 15,203,858	$ 12,968,236
TOTAL, ARTICLE VI - NATURAL RESOURCES	$ 454,680,781	$ 420,384,213

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE VI
NATURAL RESOURCES
(General Revenue - Dedicated)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Agriculture	$ 1,187,917	$ 187,918
Commission on Environmental Quality	428,657,806	410,182,244
General Land Office and Veterans' Land Board	11,345,026	11,765,025
Parks and Wildlife Department	155,356,289	147,555,360
Railroad Commission	32,180,947	33,263,843
Subtotal, Natural Resources	$ 628,727,985	$ 602,954,390
Retirement and Group Insurance	23,411,714	25,615,278
Social Security and Benefit Replacement Pay	19,029,393	19,318,095
Subtotal, Employee Benefits	$ 42,441,107	$ 44,933,373
TOTAL, ARTICLE VI - NATURAL RESOURCES	$ 671,169,092	$ 647,887,763

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE VI
NATURAL RESOURCES
(Federal Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Agriculture	$ 351,960,400	$ 374,531,748
Animal Health Commission	4,571,563	4,571,563
Commission on Environmental Quality	40,128,274	40,013,274
General Land Office and Veterans' Land Board	14,004,163	19,931,020
Parks and Wildlife Department	43,828,873	41,830,624
Railroad Commission	7,045,749	6,994,531
Soil and Water Conservation Board	6,059,750	6,059,750
Water Development Board	9,178,563	9,178,830
Subtotal, Natural Resources	$ 476,777,335	$ 503,111,340
Retirement and Group Insurance	10,418,438	10,877,942
Social Security and Benefit Replacement Pay	4,904,456	4,873,356
Subtotal, Employee Benefits	$ 15,322,894	$ 15,751,298
TOTAL, ARTICLE VI - NATURAL RESOURCES	$ 492,100,229	$ 518,862,638

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE VI
NATURAL RESOURCES
(Other Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Agriculture	$ 5,846,882	$ 4,971,678
Commission on Environmental Quality	8,852,306	8,642,306
General Land Office and Veterans' Land Board	49,820,493	48,965,389
Parks and Wildlife Department	75,214,178	3,166,854
Railroad Commission	2,079,490	2,079,490
Water Development Board	12,120,287	9,210,512
Debt Service Payments - Non-Self Supporting G.O. Water Bonds	23,790,450	32,747,632
Subtotal, Natural Resources	$ 177,724,086	$ 109,783,861
Retirement and Group Insurance	4,247,587	4,496,219
Social Security and Benefit Replacement Pay	1,971,092	1,990,124
Subtotal, Employee Benefits	$ 6,218,679	$ 6,486,343
Bond Debt Service Payments	735,038	734,194
Subtotal, Debt Service	$ 735,038	$ 734,194
Less Interagency Contracts	$ 21,572,160	$ 21,353,160
TOTAL, ARTICLE VI - NATURAL RESOURCES	$ 163,105,643	$ 95,651,238

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE VI
NATURAL RESOURCES
(All Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Agriculture	$ 442,530,843	$ 440,197,835
Animal Health Commission	15,392,131	15,256,131
Commission on Environmental Quality	493,198,133	472,774,096
General Land Office and Veterans' Land Board	83,815,420	82,395,622
Parks and Wildlife Department	381,716,015	291,281,774
Railroad Commission	71,461,467	71,969,555
Soil and Water Conservation Board	28,603,085	28,603,085
Water Development Board	50,381,480	47,349,236
Debt Service Payments - Non-Self Supporting G.O. Water Bonds	92,690,531	106,830,385
Subtotal, Natural Resources	$ 1,659,789,105	$ 1,556,657,719
Retirement and Group Insurance	92,299,870	98,785,296
Social Security and Benefit Replacement Pay	34,600,034	34,993,567
Subtotal, Employee Benefits	$ 126,899,904	$ 133,778,863
Bond Debt Service Payments	11,914,941	9,882,514
Lease Payments	4,023,955	3,819,916
Subtotal, Debt Service	$ 15,938,896	$ 13,702,430
Less Interagency Contracts	$ 21,572,160	$ 21,353,160
TOTAL, ARTICLE VI - NATURAL RESOURCES	$ 1,781,055,745	$ 1,682,785,852
Number of Full-Time-Equivalents (FTE)	8,823.9	8,847.9

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

ARTICLE VII

BUSINESS AND ECONOMIC DEVELOPMENT

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated business and economic development agencies.

DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund[2]	$ 22,643,144	$ 22,596,988
Community Affairs Federal Fund No. 127	132,646,833	132,676,861
Other Funds		
Appropriated Receipts	16,346,832	16,506,657
Interagency Contracts	68,255	68,255
Subtotal, Other Funds	$ 16,415,087	$ 16,574,912
Total, Method of Financing	$ 171,705,064	$ 171,848,761
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 1,017,313	$ 1,095,786
This bill pattern represents an estimated 12% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[2]	314.0	314.0
Schedule of Exempt Positions:		
Executive Director, Group 5	$129,250	$129,250
Items of Appropriation:		
A. Goal: AFFORDABLE HOUSING		
Increase Availability of Safe/Decent/Affordable Housing.		
A.1.1. Strategy: MRB PROGRAM - SINGLE FAMILY Federal Mortgage Loans & MCCs through the SF MRB Program.	$ 1,207,005	$ 1,209,024
A.1.2. Strategy: HOME PROGRAM - SINGLE FAMILY Provide Single Family Housing through HOME Investment Program.	$ 33,085,323	$ 33,104,475
A.1.3. Strategy: HOUSING TRUST FUND - SINGLE FAMILY Provide Funding through the HTF for Affordable Single Family Housing.	$ 10,660,768	$ 10,660,768
A.1.4. Strategy: SECTION 8 RENTAL ASSISTANCE Federal Rental Assistance through Section 8 Certificates and Vouchers.	$ 6,296,275	$ 6,296,672
A.1.5. Strategy: FEDERAL TAX CREDITS Provide Federal Tax Credits to Develop Rental Housing for VLI and LI.	$ 1,247,279	$ 1,233,486

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a Federal Funds increase of $565,075,732 in FY 2010 resulting in a net All Funds appropriation of $736,780,796 in FY 2010.
[2] Incorporates Article IX, § 17.66, of this Act, due to the enactment of SB 1878, 81st Legislature, Regular Session, relating to the creation and operation of a council to increase state efforts to offer service-enriched housing through increased coordination of housing and health services, resulting in an increase in General Revenue Funds of $265,288 in FY 2010 and $219,132 in FY 2011 and 3.0 FTEs each fiscal year.

A.1.6. Strategy: HOME PROGRAM - MULTIFAMILY Provide Multifamily Housing through HOME Investment Program.	$	5,917,600	$	5,917,912
A.1.7. Strategy: HOUSING TRUST FUND - MULTIFAMILY Provide Funding through the HTF for Affordable Multifamily Housing.	$	303,107	$	303,107
A.1.8. Strategy: MRB PROGRAM - MULTIFAMILY Federal Mortgage Loans through the MF Mortgage Revenue Bond Program.	$	416,021	$	416,248
Total, Goal A: AFFORDABLE HOUSING	$	59,133,378	$	59,141,692
B. Goal: INFORMATION & ASSISTANCE Provide Information and Assistance.				
B.1.1. Strategy: HOUSING RESOURCE CENTER[3] Center for Housing Research, Planning, and Communications.	$	953,826	$	909,067
B.2.1. Strategy: COLONIA SERVICE CENTERS Assist Colonias, Border Communities, and Nonprofits.	$	293,532	$	293,815
Total, Goal B: INFORMATION & ASSISTANCE	$	1,247,358	$	1,202,882
C. Goal: POOR AND HOMELESS PROGRAMS Improve Poor/Homeless Living Conditions & Reduce VLI Energy Costs.				
C.1.1. Strategy: POVERTY-RELATED FUNDS Administer Poverty-related Federal Funds through a Network of Agencies.	$	46,003,388	$	45,998,795
C.2.1. Strategy: ENERGY ASSISTANCE PROGRAMS Administer State Energy Assistance Programs.	$	49,183,784	$	49,184,247
Total, Goal C: POOR AND HOMELESS PROGRAMS	$	95,187,172	$	95,183,042
D. Goal: ENSURE COMPLIANCE Ensure Compliance with Program Mandates.				
D.1.1. Strategy: MONITOR HOUSING REQUIREMENTS Monitor and Inspect for Federal & State Housing Program Requirements.	$	1,839,943	$	1,816,305
D.1.2. Strategy: MONITOR CONTRACT REQUIREMENTS Monitor Subrecipient Contracts.	$	2,882,322	$	2,896,619
Total, Goal D: ENSURE COMPLIANCE	$	4,722,265	$	4,712,924
E. Goal: MANUFACTURED HOUSING Regulate Manufactured Housing Industry.				
E.1.1. Strategy: TITLING & LICENSING Provide SOL and Licensing Services in a Timely Manner.	$	1,586,761	$	1,662,424
E.1.2. Strategy: INSPECTIONS Conduct Inspections of Manufactured Homes in a Timely Manner.	$	1,582,236	$	1,650,276
E.1.3. Strategy: ENFORCEMENT Process Complaints/Conduct Investigations/Take Administrative Actions.	$	1,542,200	$	1,605,077
E.1.4. Strategy: TEXASONLINE TexasOnline fees. Estimated and Nontransferable.	$	19,120	$	19,120
Total, Goal E: MANUFACTURED HOUSING	$	4,730,317	$	4,936,897
F. Goal: INDIRECT ADMIN AND SUPPORT COSTS Indirect Administration and Support Costs.				
F.1.1. Strategy: CENTRAL ADMINISTRATION	$	4,700,877	$	4,707,954
F.1.2. Strategy: INFORMATION RESOURCE TECHNOLOGIES	$	1,462,347	$	1,445,367

[3] Incorporates Article IX, § 17.66, of this Act, due to the enactment of SB 1878, 81st Legislature, Regular Session, relating to the creation and operation of a council to increase state efforts to offer service-enriched housing through increased coordination of housing and health services, resulting in an increase in General Revenue Funds of $265,288 in FY 2010 and $219,132 in FY 2011 and 3.0 FTEs each fiscal year.

F.1.3. Strategy: OPERATING/SUPPORT Operations and Support Services.	$ 521,350	$ 518,003
Total, Goal F: INDIRECT ADMIN AND SUPPORT COSTS	$ 6,684,574	$ 6,671,324
Grand Total, DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS	$ 171,705,064	$ 171,848,761
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 18,523,604	$ 18,689,557
Other Personnel Costs	468,517	473,517
Professional Fees and Services	1,339,704	1,339,704
Consumable Supplies	196,736	196,736
Utilities	94,638	94,638
Travel	1,062,230	1,062,230
Rent - Building	160,155	160,155
Rent - Machine and Other	100,504	100,504
Other Operating Expense	3,115,174	3,070,918
Client Services	5,477,385	5,477,385
Grants	141,073,417	141,073,417
Capital Expenditures	93,000	110,000
Total, Object-of-Expense Informational Listing	$ 171,705,064	$ 171,848,761
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,039,155	$ 1,054,742
Group Insurance	2,101,590	2,271,798
Social Security	1,246,791	1,265,493
Benefits Replacement	104,832	99,590
Subtotal, Employee Benefits	$ 4,492,368	$ 4,691,623
Debt Service		
Lease Payments	$ 43,018	$ 37,223
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 4,535,386	$ 4,728,846

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Housing and Community Affairs. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of Housing and Community Affairs. In order to achieve the objectives and service standards established by this Act, the Department of Housing and Community Affairs shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: AFFORDABLE HOUSING		
Outcome (Results/Impact):		
Percent of Households/Individuals of Very Low, Low, and Moderate Income Needing Affordable Housing That Subsequently Receive Housing or Housing-related Assistance	0.75%	0.74%
Percent of Households/Individuals of Very Low Income Needing Affordable Housing That Subsequently Receive Housing or Housing-related Assistance	0.27%	0.27%
Percent of Households/Individuals of Low Income Needing Affordable Housing That Subsequently Receive Housing or Housing-related Assistance	2.42%	2.41%
Percent of Households/Individuals of Moderate Income Needing Affordable Housing That Subsequently Receive Housing or Housing-related Assistance	0.15%	0.15%
A.1.1. Strategy: MRB PROGRAM - SINGLE FAMILY		
Output (Volume):		
Number of Households Assisted with Single Family Mortgage Revenue Bond Funds	2,000	2,000

A.1.2. Strategy: HOME PROGRAM - SINGLE FAMILY		
Output (Volume):		
Number of Households Assisted with Single Family HOME Funds	952	952
A.1.3. Strategy: HOUSING TRUST FUND - SINGLE FAMILY		
Output (Volume):		
Number of Single Family Households Assisted through the Single Family Housing Trust Fund Program	344	344
A.1.4. Strategy: SECTION 8 RENTAL ASSISTANCE		
Output (Volume):		
Number of Households Assisted through Statewide Housing Assistance Payments Program	1,100	1,100
A.1.5. Strategy: FEDERAL TAX CREDITS		
Output (Volume):		
Number of Households Assisted through the Housing Tax Credit Program	10,928	10,874
A.1.6. Strategy: HOME PROGRAM - MULTIFAMILY		
Output (Volume):		
Number of Households Assisted with Multifamily HOME Funds	262	262
A.1.8. Strategy: MRB PROGRAM - MULTIFAMILY		
Output (Volume):		
Number of Households Assisted through the Multifamily Mortgage Revenue Bond Program	1,627	1,611
B. Goal: INFORMATION & ASSISTANCE		
B.1.1. Strategy: HOUSING RESOURCE CENTER		
Output (Volume):		
Number of Information and Technical Assistance Requests Completed	5,000	5,000
B.2.1. Strategy: COLONIA SERVICE CENTERS		
Output (Volume):		
Number of Technical Assistance Contacts and Visits Conducted Annually from the Border Field Offices	900	900
C. Goal: POOR AND HOMELESS PROGRAMS		
Outcome (Results/Impact):		
Percent of Persons in Poverty That Received Homeless and Poverty-related Assistance	12.35%	12.35%
Percent of Very Low Income Households Receiving Energy Assistance	5.28%	3.81%
C.1.1. Strategy: POVERTY-RELATED FUNDS		
Output (Volume):		
Number of Persons Assisted through Homeless and Poverty-related Funds	531,498	531,498
Number of Persons Assisted That Achieve Incomes above Poverty Level	2,800	2,800
C.2.1. Strategy: ENERGY ASSISTANCE PROGRAMS		
Output (Volume):		
Number of Households Assisted through the Comprehensive Energy Assistance Program	66,050	48,152
Number of Dwelling Units Weatherized by the Department	3,809	2,257
D. Goal: ENSURE COMPLIANCE		
D.1.1. Strategy: MONITOR HOUSING REQUIREMENTS		
Output (Volume):		
Total Number of Onsite Reviews Conducted	864	959
D.1.2. Strategy: MONITOR CONTRACT REQUIREMENTS		
Output (Volume):		
Total Number of Contract Monitoring Reviews Conducted	258	248
E. Goal: MANUFACTURED HOUSING		
Outcome (Results/Impact):		
Percent of Consumer Complaint Inspections Conducted within 30 Days of Request	100%	100%
Percent of Complaints Resulting in Disciplinary Action	12%	12%
E.1.1. Strategy: TITLING & LICENSING		
Output (Volume):		
Number of Manufactured Housing Statements of Ownership and Location (SOL) Issued	80,000	80,000
E.1.2. Strategy: INSPECTIONS		
Explanatory:		
Number of Installation Reports Received	13,000	13,000
E.1.3. Strategy: ENFORCEMENT		
Output (Volume):		
Number of Complaints Resolved	850	850

Efficiencies:		
Average Time for Complaint Resolution (Days)	180	180
Explanatory:		
Number of Jurisdictional Complaints Received	750	750

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Purchase of Information Technologies — Scheduled Replacement of Items	$ 326,160	$ 335,760
Total, Capital Budget	$ 326,160	$ 335,760
Method of Financing (Capital Budget):		
Community Affairs Federal Fund No. 127	$ 91,340	$ 121,368
Appropriated Receipts	234,820	214,392
Total, Method of Financing	$ 326,160	$ 335,760

3. **Low/Moderate Income Housing Construction.** Out of the funds appropriated above, no less than $500,000 each year of the biennium shall be expended on low/moderate income housing construction in enterprise zone areas.

4. **Appropriations Limited to Revenue Collections.** Fees, fines, and other miscellaneous revenues as authorized and generated by the agency shall cover, at a minimum, the cost of the appropriations made above for the strategy items in Goal E, Manufactured Housing, the cost of the appropriations required for manufactured housing consumer claims payments according to the Occupations Code § 1201, Manufactured Housing Standards Act, as well as the "other direct and indirect costs" associated with this goal, appropriated elsewhere in this Act. "Other direct and indirect costs" for Goal E, Manufactured Housing, are estimated to be $1,017,313 for fiscal year 2010 and $1,095,786 for fiscal year 2011. 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.

5. **Housing Assistance.** To the extent allowed by state and federal program guidelines the department shall adopt an annual goal to apply no less than $30,000,000 of the funds available from the Housing Trust Fund, HOME Program, Section 8 Program, and Housing Tax-Credit Program's total housing funds toward housing assistance for individuals and families earning less than 30 percent of the Area Median Family Income (AMFI). No less than 20 percent of the funds available from the Housing Trust Fund, HOME Program, Section 8 Program, and Housing Tax-Credit Program shall be spent for individuals and families earning between 31 percent and 60 percent of the area median family income. To the extent allowed by state and federal program guidelines in those counties where the area median family income is lower than the state average median family income, the department shall use the average state median income in interpreting this rider. The department shall provide an annual report to the Legislative Budget Board documenting its expenditures in each income category.

6. **Conversions of Executory Contracts.**

   a. Out of the funds appropriated above, the department shall spend not less than $4,000,000 for the biennium for the sole purpose of contract for deed conversions for families that reside in a colonia and earn 60 percent or less of the applicable area median family income. It is the intent of the Legislature that the department shall make a good-faith effort to complete at least 200 contract for deed conversions by August 31, 2011.

b. The Department of Housing and Community Affairs shall provide a quarterly report to the Legislative Budget Board detailing the number of, and cost for each, contract for deed conversions completed.

7. **Bond Refinancing.** The department shall transfer any funds acquired through refinancing of bonds to the Housing Trust Fund. The first $3,000,000 each fiscal year in savings from the refinancing of any bonds shall be used to fund mortgage loans under the Bootstrap Self-Help Housing Loan Program.

8. **Colonia Set-Aside Program Allocation.**[4] The Texas Department of Rural Affairs (TDRA) shall allocate 2.5 percent of the yearly allocation of Community Development Block Grant (CDBG) monies to support the operation of the Colonia Self-Help Centers and shall transfer such funds to the Department of Housing and Community Affairs on September 1 each year of the biennium.

   Consistent with federal rules and regulations, the funds provided from TDRA to the Colonia Self-Help Center in El Paso county shall be used to provide internet access and training for parents and their children attending elementary schools in colonias, to establish technology centers within those elementary school libraries, to purchase wireless devices and laptop computers to loan out from the technology centers, and improve internet access for students and parents.

9. **Appropriation: Housing Trust Fund Interest Earnings and Loan Repayments.** Interest earnings and loan repayments received from loans made through the Housing Trust Fund program from the General Revenue Fund are included above in Strategy A.1.3, Housing Trust Fund - Single Family, estimated to be $1,000,000 each year.

10. **Housing Trust Fund Deposits to the Texas Treasury Safekeeping Trust Company.**

    a. Out of funds appropriated above in Strategy A.1.3, Housing Trust Fund - Single Family, all funds above those retained for administrative purposes in fiscal year 2010 and fiscal year 2011 shall be deposited in the Housing Trust Fund in the Texas Treasury Safekeeping Trust Company established under Government Code, Chapter 2306, at the beginning of each fiscal year. The amounts to be transferred in fiscal years 2010 and 2011 include an estimated $1,000,000 in each fiscal year from interest earnings and loan repayments received, identified above in Rider 9, Appropriation: Housing Trust Fund Interest Earnings and Loan Repayments.

    b. Out of funds appropriated above in Strategy A.1.7, Housing Trust Fund - Multifamily, all funds above those retained for administrative purposes in fiscal year 2010 and fiscal year 2011 shall be deposited in the Housing Trust Fund in the Texas Treasury Safekeeping Trust Company established under Government Code, Chapter 2306, at the beginning of each fiscal year.

    c. Interest earnings and loan repayments received from loans made through the Housing Trust Fund program from the General Revenue Fund shall be deposited in the Housing Trust Fund in the Texas Treasury Safekeeping Trust Company established under Government Code, Chapter 2306, for the same purpose.

    d. The Department of Housing and Community Affairs shall provide an annual report to the Legislative Budget Board, the House Appropriations Committee, and the Senate Finance Committee no later than October 1 detailing the agency's plan to expend funds from the Housing Trust Fund during the current fiscal year.

    e. Notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the Department of Housing and Community Affairs is hereby authorized to direct agency resources and transfer such amounts appropriated above, in excess of $3,000,000 set aside for the Owner-Builder (Bootstrap) Loan Program established under Government Code, Chapter 2306, between Strategy A.1.3, Housing Trust Fund - Single Family and Strategy A.1.7, Housing Trust Fund - Multifamily. Prior to the agency making any transfers between these two strategies, they shall notify the Legislative Budget Board, and the Office of the Governor on the amounts being transferred and the reason for transferring funds between strategies.

---

[4] HB 1918, 81st Legislature, Regular Session, changed the name of the Office of Rural Community Affairs to the Texas Department of Rural Affairs, effective September 1, 2009.

f. Out of funds appropriated above in Strategy A.1.3, Housing Trust Fund - Single Family and Strategy A.1.7, Housing Trust Fund - Multifamily, all funds above those retained for administrative purposes in fiscal year 2010 and fiscal year 2011 and above amounts required in Sections (a) and (b) of this rider, shall be deposited in the Housing Trust Fund in the Texas Treasury Safekeeping Trust Company established under Government Code, Chapter 2306, no later than October 1 of each fiscal year.

g. At the end of each fiscal year, any unexpended administrative balances appropriated under Strategy A.1.3, Housing Trust Funds - Single Family and A.1.7, Housing Trust Fund - Multifamily shall be transferred to the Housing Trust Fund in the Texas Treasury Safekeeping Trust Company established under Government Code, Chapter 2306.

11. Mortgage Revenue Bond Program. The Department of Housing and Community Affairs shall operate the First-Time Homebuyer Mortgage Revenue Bond Program in a manner that maximizes the creation of very low-income single family housing by ensuring that at least 30 percent of the lendable bond proceeds are set aside for a period of one year for individuals and families at 80 percent and below the area median family income (AMFI), while assuring the highest reasonable bond rating. In an effort to facilitate the origination of single family mortgage loans to individuals and families at 80 percent and below the AMFI, the department shall utilize down payment and closing cost assistance or other assistance methods.

12. Additional Appropriated Receipts.

a. Except during an emergency as defined by the Governor, no appropriation of appropriated receipts in addition to the estimated amounts above may be expended by the Department of Housing and Community Affairs unless:

(1) the department's governing board files a finding of fact along with a written plan outlining the source, use, and projected impact of the funds on performance measures with the Legislative Budget Board and the Governor and indicating that additional appropriations are required to maintain adequate levels of program performance; and,

(2) neither the Legislative Budget Board nor the Governor issue a written disapproval not later than 10 business days within receipt of the finding of fact and the written plan.

b. This provision does not apply to appropriated receipts included in the amounts appropriated above that are collected under Object Codes 3719 and 3802. Appropriated receipts collected under these revenue object codes are governed under provisions found in Article IX, Sec 8.03 and Article IX, Sec 12.02.

13. Manufactured Homeowner Consumer Claims. Included above in Goal E, Manufactured Housing, the Manufactured Housing Division of the Department of Housing and Community Affairs is appropriated an amount required for the purpose of paying manufactured housing consumer claims from Appropriated Receipts according to the Occupations Code Chapter 1201, Manufactured Housing Standards Act, from Statement of Ownership and Location (SOL) issuance fees involving manufactured housing that are collected during the 2010-11 biennium. No General Revenue is appropriated for the payment of these claims.

14. CDBG Disaster Reporting Requirement. The Department of Housing and Community Affairs shall provide a quarterly report to the Governor, the Legislative Budget Board, the House Appropriations Committee, the Senate Finance Committee and to those members of the Legislature representing counties eligible for Community Development Block Grant (CDBG) Disaster funding, detailing the receipt and expenditures of CDBG disaster funds received by the Department.

15. Affordable Housing Research and Information Program.[5] Out of funds appropriated above in Strategy B.1.1, Housing Resource Center, the Department of Housing and Community Affairs shall conduct the Affordable Housing Research and Information Program with the assistance of the Texas Department of Rural Affairs, to the extent allowed by state law, in order to avoid a duplication of effort. It is the intent of the Legislature that no funds shall be transferred between the Department of Housing and Community Affairs and the Texas Department of Rural Affairs for this purpose.

[5] HB 1918, 81st Legislature, Regular Session, changed the name of the Office of Rural Community Affairs to the Texas Department of Rural Affairs, effective September 1, 2009.

16. **Reporting on Weatherization Efforts.** As part of its efforts to help low-income Texans eligible for weatherization to conserve energy and lower bills, Texas Department of Housing and Community Affairs (TDHCA) shall use funds appropriated above to coordinate with investor-owned utilities, from which TDHCA receives funds, and that offer energy efficiency programs for Texans meeting low-income eligibility criteria to make sure the monies available for low-income energy efficiency programs spent both through the agency and through utility programs are effectively and adequately spent. The TDHCA shall use funds appropriated above to produce an annual report with information about the number of low-income household benefiting from energy efficiency monies through state, federal and utility-funded programs, the amount overall electric energy saved, the amount of money saved and the number of job and job years created. A copy of the annual report shall be delivered to the Lieutenant Governor, Speaker and Governor, as well as made available on TDHCA's website by January 15th of 2010 and January 15th of 2011.

17. **Capacity Building Performance Measures.** Out of funds appropriated above in Strategy A.1.3, Housing Trust Fund - Single Family and Strategy A.1.7, Housing Trust Fund - Multifamily, the agency shall develop or contract to develop a performance measure assessment tool for any organization receiving awards for the purpose of capacity building. The assessment tool must prioritize housing unit production as a key measure along with other benchmarks including board capacity, human resources, fundraising, grants, households served, and financial administration. Prior to any transfers pursuant to Rider 10, Housing Trust Fund Deposits to the Texas Treasury Safekeeping Trust Company, the agency shall use funds necessary from appropriations in Strategy A.1.3, Housing Trust Fund - Single Family and Strategy A.1.7, Housing Trust Fund - Multifamily for these purposes.

18. **Homeless Housing and Services.** Out of funds appropriated above in Strategy C.1.1, Poverty-Related Funds, $10,000,000 in each fiscal year in General Revenue is hereby appropriated to the Department of Housing and Community Affairs (TDHCA) for the purposes of assisting regional urban areas in providing services to homeless individuals and families, including services such as case management, and housing placement and retention. Pursuant to Government Code, Section 2306.053, funding for this program shall be awarded by TDHCA through a competitive matching grant process whereby the eight largest cities may seek additional funding for this purpose. The agency shall distribute these funds to the eight largest cities with populations larger than 285,500 persons per the latest U.S. Census figures.

19. **Financial Assistance for Local Initiatives Regarding the Homeless.** It is the intent of the Legislature that the Department of Housing and Community Affairs:

    (1) use funds appropriated to the department under this Act to provide financial assistance to political subdivisions, housing finance corporations, for-profit corporations, and nonprofit organizations to support local initiatives regarding homeless individuals and families; and

    (2) seek any federal funding available for the purpose of providing financial assistance described by subdivision (1).

20. **Travel Expenditures.** Out of the funds appropriated to the Department of Housing and Community Affairs authorized for out-of-state travel. This limitation shall not apply to out-of-state travel associated with federal programs if the cost of such travel is paid for or reimbursed by the federal government.

TEXAS LOTTERY COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1]	$ 15,546,681	$ 15,520,280
GR Dedicated - Lottery Account No. 5025	183,361,743	179,785,075
Total, Method of Financing	$ 198,908,424	$ 195,305,355

[1] Incorporates Article IX, § 17.44, of this Act, due to the enactment of HB 1474, 81st Legislature, Regular Session, relating to the operation and regulation of charitable bingo, resulting in an increase in General Revenue Funds of $156,004 in FY 2010 and $129,604 in FY 2011 and 3.0 FTEs in each fiscal year contingent upon the agency generating sufficient revenue.

TEXAS LOTTERY COMMISSION
(Continued)

Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$	711,815	$	734,986
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.				
Number of Full-Time-Equivalents (FTE):[2]		321.5		321.5
Schedule of Exempt Positions:				
Executive Director, Group 6		$140,900		$140,900
Items of Appropriation:				
A. Goal: OPERATE LOTTERY				
Run Self-supporting, Revenue-producing, and Secure Lottery.				
A.1.1. Strategy: LOTTERY OPERATIONS	$	7,319,563	$	7,406,915
A.1.2. Strategy: LOTTERY FIELD OPERATIONS	$	2,455,896	$	2,456,528
A.1.3. Strategy: MARKETING AND PROMOTION	$	4,867,823	$	4,853,392
A.1.4. Strategy: SECURITY	$	4,951,568	$	4,607,989
A.1.5. Strategy: CENTRAL ADMINISTRATION	$	12,555,416	$	11,407,343
A.1.6. Strategy: LOTTERY OPERATOR CONTRACT(S)	$	96,444,477	$	94,285,908
Lottery Operator Contract(s). Estimated and Nontransferable.				
A.1.7. Strategy: INSTANT TICKET PRODUCT. CONTRACT(S)	$	18,000,000	$	18,000,000
Instant Ticket Production Contract(s).				
A.1.8. Strategy: MASS MEDIA ADVERTISING CONTRACT(S)	$	30,000,000	$	30,000,000
A.1.9. Strategy: DRAWING & BROADCAST CONTRACT(S)	$	1,800,000	$	1,800,000
Drawing and Broadcast Services Contract(s).				
A.1.10. Strategy: MARKET RESEARCH CONTRACT(S)	$	767,000	$	767,000
Market Research Services Contract(s).				
A.1.11. Strategy: RETAILER BONUS	$	4,200,000	$	4,200,000
Total, Goal A: OPERATE LOTTERY	$	183,361,743	$	179,785,075
B. Goal: ENFORCE BINGO LAWS				
Enforce Bingo Laws/Rules for Fairness to Ensure Proceeds Used Lawfully.				
B.1.1. Strategy: BINGO LICENSING[2]	$	936,954	$	910,553
Determine Eligibility and Process Applications.				
B.1.2. Strategy: BINGO EDUCATION AND DEVELOPMENT	$	160,604	$	160,604
Provide Education and Training for Bingo Regulatory Requirements.				
B.1.3. Strategy: BINGO LAW COMPLIANCE FIELD OPER	$	1,602,981	$	1,602,981
Bingo Law Compliance Field Operations.				
B.1.4. Strategy: BINGO PRIZE FEE COLLECTION & ACCT	$	210,642	$	210,642
Bingo Prize Fee Collections and Accounting.				
B.1.5. Strategy: BINGO PRIZE FEE ALLOCATIONS	$	12,635,500	$	12,635,500
Bingo Prize Fee Allocations. Estimated and Nontransferable.				
Total, Goal B: ENFORCE BINGO LAWS	$	15,546,681	$	15,520,280
Grand Total, TEXAS LOTTERY COMMISSION	$	198,908,424	$	195,305,355
Object-of-Expense Informational Listing:				
Salaries and Wages	$	19,247,712	$	19,247,712
Other Personnel Costs		456,480		456,480
Professional Fees and Services		6,108,057		5,138,809
Fuels and Lubricants		5,000		5,000
Consumable Supplies		161,125		161,125
Utilities		473,081		473,081
Travel		492,198		492,198

[2] Incorporates Article IX, § 17.44, of this Act, due to the enactment of HB 1474, 81st Legislature, Regular Session, relating to the operation and regulation of charitable bingo, resulting in an increase in General Revenue Funds of $156,004 in FY 2010 and $129,604 in FY 2011 and 3.0 FTEs in each fiscal year contingent upon the agency generating sufficient revenue.

Rent - Building	3,335,343	3,421,901
Rent - Machine and Other	1,818,863	1,818,863
Other Operating Expense	153,603,967	151,439,422
Grants	12,635,500	12,635,500
Capital Expenditures	571,098	15,264
Total, Object-of-Expense Informational Listing	$ 198,908,424	$ 195,305,355
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,135,579	$ 1,152,613
Group Insurance	2,075,229	2,232,392
Social Security	1,341,112	1,361,228
Benefits Replacement	128,691	122,256
Subtotal, Employee Benefits	$ 4,680,611	$ 4,868,489
Debt Service		
Lease Payments	$ 30,852	$ 30,941
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 4,711,463	$ 4,899,430

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Lottery Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Lottery Commission. In order to achieve the objectives and service standards established by this Act, the Texas Lottery Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: OPERATE LOTTERY		
Outcome (Results/Impact):		
Percent of Retailers Satisfied with Lottery Commission	93%	93%
State Revenue Received Per Advertising Dollar Expended	32.71	31.53
A.1.1. Strategy: LOTTERY OPERATIONS		
Output (Volume):		
Number of Retailer Business Locations Licensed	16,500	16,500
A.1.3. Strategy: MARKETING AND PROMOTION		
Efficiencies:		
Average Cost Per Survey Issued	1.67	1.67
A.1.8. Strategy: MASS MEDIA ADVERTISING CONTRACT(S)		
Output (Volume):		
Dollar Amount of Advertising Budget Spent on Television Advertising (Millions)	11.45	11.45
Efficiencies:		
Percentage of Adult Texans Aware of Lottery Advertising	64%	64%
B. Goal: ENFORCE BINGO LAWS		
Outcome (Results/Impact):		
Percent of Complaints Referred for Disciplinary Action	33.33%	33.33%
Net Bingo Games Revenue Received by Charitable Organizations (in Millions)	31.2	31.2
Percentage of Organizations Who Met the Statutory Charitable Distribution Requirement	99%	99%
B.1.1. Strategy: BINGO LICENSING		
Output (Volume):		
Number of Licenses Issued to Individuals and Organizations	7,000	7,000
B.1.3. Strategy: BINGO LAW COMPLIANCE FIELD OPER		
Output (Volume):		
Number of Bingo Complaints Completed	126	126
B.1.4. Strategy: BINGO PRIZE FEE COLLECTION & ACCT		
Output (Volume):		
Number of Days to Allocate Payments to Local Jurisdictions	12	12

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in the provision as appropriations either for "Lease Payments to the Master Equipment Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by commission management to be in the best interest of the State of Texas.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Telephone System Upgrade	$ 140,000	$ 0
b. Acquisition of Capital Equipment and Items		
(1) Capitalized Lottery Drawing Equipment	300,000	0
(2) Studio Surveillance System	$ 131,098	$ 15,264
Total, Acquisition of Capital Equipment and Items	$ 431,098	$ 15,264
Total, Capital Budget	$ 571,098	$ 15,264
Method of Financing (Capital Budget):		
GR Dedicated - Lottery Account No. 5025	$ 571,098	$ 15,264
Total, Method of Financing	$ 571,098	$ 15,264

3. **Operate Lottery.** Pursuant to Government Code, Chapter 466, appropriations made to Goal A, Operate Lottery, shall not exceed twelve percent of the gross revenue from the sale of lottery tickets. This appropriation shall be used for the administration of the lottery and for retailer commissions.

4. **Appropriation: Payment of Prizes.** In addition to the amounts appropriated above for the administration of the lottery and retailer commissions, there is hereby appropriated pursuant to Government Code, Chapter 466, out of the State Lottery Account in the General Revenue Fund, sufficient funds for the payment of prizes to the holders of winning tickets.

5. **Limitation: Pooled Reserve Fund.** Pursuant to Government Code, Chapter 466, the Executive Director of the Texas Lottery Commission shall maintain balances in a pooled reserve fund to cover the potential loss of state revenue as a result of lottery retailer defaults. The Executive Director of the Texas Lottery Commission shall transfer all pooled reserve fund revenues and balances that exceed $5 million to the Foundation School Fund No. 193 monthly.

6. **Limitation: Out-of-Country and Out-of-State Travel.** Notwithstanding any other provisions included in this Act, it is the intent of the Legislature that the Texas Lottery Commission shall not be allowed to travel out-of-country, with the exception of travel to Mexico or Canada which is reimbursable by a third party. In addition, the Texas Lottery Commission shall not exceed amounts expended on out-of-state travel, for each fiscal year of the biennium, by an amount equal to 80 percent of travel expenditure amounts for fiscal year 1998.

7. **Appropriations Limited to Revenue Collections.** Fees, fines, and other miscellaneous revenues as authorized and generated by the operation of charity bingo shall cover, at a minimum, the cost of the appropriations made above for the strategy items in Goal B, Enforce Bingo Laws, as well as the "other direct and indirect costs" associated with this goal, appropriated elsewhere in this Act. "Other direct and indirect costs" for Goal B, Enforce Bingo Laws, are estimated to be $711,815 for fiscal year 2010 and $734,986 for fiscal year 2011. 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.

8. **Petty Cash Fund Authorized.** The Texas Lottery Commission is authorized to establish a petty cash fund to be used by Commission employees for the purchase of evidence and/or information

and other expenses deemed necessary for agency security and enforcement activities, including audits and expenses, incurred by auditing. The petty cash fund, not to exceed $1,500, may be maintained in cash or at a local bank and shall be subject to such rules and regulations as the executive director may recommend and the commission may adopt.

9. **Local Bingo Prize Fees.** The amounts appropriated above in Strategy B.1.5, Bingo Prize Fee Allocations, include $12,635,500 in 2010 and $12,635,500 in 2011 from bingo prize fees collected pursuant to Texas Occupations Code, Section 2001.504 for allocation to counties and municipalities as required by the Texas Occupations Code, Section 2001.503. Bingo prize fees collected in excess of amounts appropriated above are hereby appropriated for the same purpose.

10. **Retailer Commissions.**

    a. Pursuant to Government Code, Chapter 466, an amount equal to 5 percent of gross sales shall be made available for the purpose of paying retailer commissions.

    b. In addition to the 5 percent retailer commission amount in subsection (a) above, an amount not to exceed an additional one-half of one percent of gross sales each fiscal year may be made available for the purpose of paying sales performance retailer commissions. Prior to providing an additional retail commission above 5 percent of gross sales, the Texas Lottery Commission shall provide a report to the Governor and the Legislative Budget Board outlining the Texas Lottery Commission's plans to implement a retailer sales performance commission or similar sales performance incentive program and the projected benefits of the program to lottery ticket sales and state revenues.

11. **Lottery Operator Contract.** The amounts included above in Strategy A.1.6, Lottery Operator Contract, are estimated appropriations out of the State Lottery Account in the General Revenue Fund and may only be used for payment of lottery operator contractual obligations. The estimated amount appropriated for fiscal year 2010 is an amount equal to 2.6999 percent of gross sales in fiscal year 2010; and the estimated amount appropriated in fiscal year 2011 is an amount equal to 2.6999 percent of gross sales in fiscal year 2011.

12. **Appropriation of Increased Revenues.** In addition to the amounts appropriated above, there is hereby appropriated out of the State Lottery Account in the General Revenue Fund, an amount equal to 1.49 percent of the amount by which gross sales exceed $3,572,150,000 in fiscal year 2010 and the amount by which gross sales exceed $3,492,200,000 in fiscal year 2011 for the purpose of fulfilling contractual obligations and other administrative costs in administration of the Lottery. Any unexpended balances remaining from this appropriation as of August 31, 2010, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

13. **Instant Ticket Game Closure.** The commission shall provide a semi-annual report on April 1 and October 1 of each fiscal year, to the Legislative Budget Board detailing the number of instant ticket games closed and the amount of time to end the sale of each game following closure.

14. **Sale of Lottery.** None of the funds appropriated above may be spent for the purpose of exploring, investigating, negotiating, calculating, or otherwise taking any action that would result in selling the Texas Lottery.

15. **Adjustment to Appropriated Amounts.** In the event the Texas Lottery Commission determines that activities, which have previously been outsourced through the Lottery Operator Contract, should be operated by the agency or multiple vendors in order to ensure greater accountability or improved services, the Texas Lottery Commission may, upon written approval from the Governor and the Legislative Budget Board, exceed:

    a. the appropriation transferability restriction on Strategy A.1.6, Lottery Operator Contract(s);

    b. the transfer restrictions included under Article IX, Sec. 14.01, Appropriation Transfers;

    c. the number of Full-Time-Equivalent position restrictions under the Article IX, Sec. 6.10, Limitation on State Employment Levels; and

    d. the capital budget restrictions included under Article IX, Sec. 14.03, Limitation on Expenditures - Capital Budget. A request by the Texas Lottery Commission to the Governor and LBB to exceed the limitations listed above must be submitted by the agency's governing board and must include at minimum:

(1) the date on which the board approved the request;

(2) a statement justifying the need to exceed all appropriation transfer limitations;

(3) a statement justifying the need to exceed the full-time equivalent position limitation;

(4) a statement justifying the need to exceed the capital budget restriction;

(5) the source of funds of the appropriation adjustment; and

(6) a justification for the commission or multiple vendors to perform the activities previously outsource through the Lottery Operator Contract.

16. Contingent Capital Budget Increase. Contingent upon the Texas Lottery Commission realizing an increase in appropriated revenues and receiving a certification from the Comptroller of Public Accounts that additional appropriations in the amount of $2,500,000 or more are available to the Texas Lottery Commission from Rider 12, Appropriation of Increased Revenue, the capital budget authority for the Texas Lottery Commission may be increased by $2,500,000 for the acquisition of an Automated Charitable Bingo System, and appropriations from Rider 12, Appropriation of Increased Revenue, may be used to acquire this capital budget item.

DEPARTMENT OF MOTOR VEHICLES[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 0	$ 16,445,711
State Highway Fund No. 006	0	125,630,222
Federal Funds	0	665,700
Total, Method of Financing	$ 0	$ 142,741,633
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	4.0	626.0
Items of Appropriation:		
A. Goal: DEPARTMENT OF MOTOR VEHICLES		
A.1.1. Strategy: REGISTRATION AND TITLING	$ 0	$ 121,073,393
A.1.2. Strategy: VEHICLE DEALER REGULATION	$ 0	$ 6,453,885
A.1.3. Strategy: AUTOMOBILE THEFT PREVENTION	$ 0	$ 15,214,355 & UB
Total, Goal A: DEPARTMENT OF MOTOR VEHICLES	$ 0	$ 142,741,633
Grand Total, DEPARTMENT OF MOTOR VEHICLES	$ 0	$ 142,741,633
Supplemental Appropriations Made in Riders:	$ 200,000	$ 0
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 0	$ 24,788,192

[1] Incorporates Article IX, § 17.30, of this Act, due to the enactment of HB 3097, 81st Legislature, Regular Session, relating to the creation of the Department of Motor Vehicles, resulting in an appropriation of $200,000 in General Revenue Funds and 4.0 FTEs in each fiscal year and the transfer of $16,445,711 in General Revenue Funds, $665,700 in Federal Funds, and $125,630,222 in State Highway Funds, and an estimated 622.0 FTEs in FY 2011 to the Department of Motor Vehicles from the Department of Transportation. For FY 2010, all unexpended funds and FTEs appropriated to the Department of Transportation for Strategies D.1.2, Registration and Titling, D.1.3, Vehicle Dealer Regulation, and D.4.1, Automobile Theft Prevention, will be transferred to the Department of Motor Vehicles on November 1, 2009. Pursuant to Article IX, § 17.30, all transfers are subject to approval by the Legislative Budget Board.

Other Personnel Costs	0	1,019,818
Professional Fees and Services	0	31,693,707
Fuels and Lubricants	0	150
Consumable Supplies	0	578,367
Utilities	0	892,298
Travel	0	436,976
Rent - Building	0	615,285
Rent - Machine and Other	0	229,312
Other Operating Expense	200,000	66,563,652
Grants	0	14,348,289
Capital Expenditures	0	1,575,587
Total, Object-of-Expense Informational Listing	$ 200,000	$ 142,741,633
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 0	$ 1,283,808
Group Insurance	0	3,615,198
Social Security	0	1,522,656
Benefits Replacement	0	265,308
Subtotal, Employee Benefits	$ 0	$ 6,686,970
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 0	$ 6,686,970

1. **Performance Measure Targets.**[2] The following is a listing of the key performance target levels for the Department of Motor Vehicles. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of Motor Vehicles. In order to achieve the objectives and service standards established by this Act, the Department of Motor Vehicles shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: DEPARTMENT OF MOTOR VEHICLES		
A.1.1. Strategy: REGISTRATION AND TITLING		
Output (Volume):		
Number of Vehicle Titles Issued	0	6,528,656
Total Number of Registered Vehicles	0	23,271,018
A.1.2. Strategy: VEHICLE DEALER REGULATION		
Output (Volume):		
Number of Motor Vehicle Consumer Complaints Resolved	0	623
Efficiencies:		
Average Number of Weeks to Resolve a Motor Vehicle Complaint	0	24
A.1.3. Strategy: AUTOMOBILE THEFT PREVENTION		
Efficiencies:		
ABTPA Administration and Support Costs as Percentage of Total Expenditures	0%	6%

2. **Capital Budget.**[2] None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

[2] Selected performance measures, capital budget authority for selected projects, and riders are transferred to the Department of Motor Vehicles from the Department of Transportation pursuant to the enactment of HB 3097, 81st Legislature, Regular Session, and Article IX, § 17.30.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Vision 21 - Core System	$ 0	$ 30,073,136
Total, Capital Budget	$ 0	$ 30,073,136
Method of Financing (Capital Budget):		
State Highway Fund No. 006	$ 0	$ 30,073,136
Total, Method of Financing	$ 0	$ 30,073,136

3. **Appropriation Balances: Registration and Titling.**[3] Any unobligated balance remaining after the first year of the biennium in Strategy A.1.1, Registration and Titling, above for the purpose of purchasing insignia stickers for registration and vehicle license plates, and enhancing the automated registration and titling system in accordance with the provisions of Transportation Code, Chapter 502, may be used for the same purpose during the second year of the biennium. Any expended amounts from revenue collected as a result of Transportation Code § 502.1705 may be used to enhance the department's automated registration and titling system, and the capital budget appropriations may be increased by a like amount.

4. **Auto Burglary and Theft Prevention.**[3] The Department of Motor Vehicles shall prioritize awarding Auto Burglary and Theft Prevention program grants to areas of the state based on a geographic distribution and shall include language in grant applications clarifying that funding from each grant is only awarded for the life of the grant.

5. **Unexpended Balance Appropriation: Motor Vehicle Financial Responsibility.**[3] Any unexpended balances in State Highway Fund No. 006 remaining as of August 31, 2009 (estimated to be $0), from the appropriation made to the Department of Transportation in Rider 35, Unexpended Balance Appropriation: Motor Vehicle Financial Responsibility, House Bill 1, General Appropriations Act, Eightieth Legislature, 2007, for the implementation of a motor vehicle financial responsibility verification program, are hereby appropriated to the Department of Motor Vehicles in Strategy A.1.1, Registration and Titling, in the fiscal year beginning September 1, 2009, for the same purpose. Any unexpended balances of these funds remaining as of August 31, 2010, are hereby appropriated to the Department of Motor Vehicles in Strategy A.1.1, Registration and Titling, in the fiscal year beginning September 1, 2010, for the same purpose.

6. **Unexpended Balance Appropriation: Organ Donor Program - Voluntary Fee.**[3] Any unexpended balances in State Highway Fund No. 006 remaining as of August 31, 2009 (estimated to be $0), from the appropriation made to the Department of Transportation in Rider 36, Unexpended Balance Appropriation: Organ Donor Program - Voluntary Fee, Article VII, Department of Transportation, House Bill 1, General Appropriations Act, Eightieth Legislature, 2007, for the creation of a donor education, awareness, and registry program and tissue council and anatomical gift donation, are hereby appropriated to the Department of Motor Vehicles in Strategy A.1.1, Registration and Titling, in the fiscal year beginning September 1, 2009, for the same purpose. Any unexpended balances of these funds remaining as of August 31, 2010, are hereby appropriated to the Department of Motor Vehicles in Strategy A.1.1, Registration and Titling, in the fiscal year beginning September 1, 2010, for the same purpose.

7. **Appropriation of Special License Plate Fees.**[3] In addition to amounts appropriated above in Strategy A.1.1, Registration and Titling, fees collected from the sale of personalized and specialty license plates (Object Code 3014) and deposited to the credit of State Highway Fund No. 006 for the purposes of making contract payments to the vendor selected by the Department of Motor Vehicles for the marketing and sale of personalized and specialty license plates pursuant to Transportation Code §§ 504.851 and 504.852 are hereby appropriated for the same purpose. Any unobligated or unexpended balances of these funds remaining as of August 31, 2010, are hereby appropriated in the fiscal year beginning September 1, 2010, for the same purpose.

[3] Selected performance measures, capital budget authority for selected projects, and riders are transferred to the Department of Motor Vehicles from the Department of Transportation pursuant to the enactment of HB 3097, 81st Legislature, Regular Session, and Article IX, § 17.30.

TEXAS DEPARTMENT OF RURAL AFFAIRS[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[2]		
General Revenue Fund		
General Revenue Fund	$ 7,984,496	$ 7,970,779
GR Match for Community Development Block Grants	1,803,803	1,777,427
Subtotal, General Revenue Fund	$ 9,788,299	$ 9,748,206
GR Dedicated - Permanent Fund Rural Health Facility Capital Improvement Account No. 5047	2,100,000	2,100,000
Federal Funds		
Texas Department of Rural Affairs Federal Fund No. 5091	76,429,088	76,279,088
Federal Funds	1,727,390	1,727,390
Subtotal, Federal Funds	$ 78,156,478	$ 78,006,478
Other Funds		
Appropriated Receipts	449,303	449,303
Interagency Contracts	59,500	59,500
Permanent Endowment Fund for Rural Communities Health Care Investment Program	145,000	145,000
Subtotal, Other Funds	$ 653,803	$ 653,803
Total, Method of Financing	$ 90,698,580	$ 90,508,487
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	64.0	62.0
Schedule of Exempt Positions:		
Executive Director, Group 4	$106,500	$106,500
Items of Appropriation:		
A. Goal: COMMUNITY ECONOMIC DEVELOPMENT		
Support Community and Econ Development, Housing and Health Projects.		
A.1.1. Strategy: PROVIDE GRANTS	$ 82,081,967	$ 81,905,591
Provide Grants for Community and Economic Development Projects.		
B. Goal: EQUITABLE ACCESS TO MEDICAL CARE		
Promote Equitable Access to Medical Care and Eliminate Disparities.		
B.1.1. Strategy: HEALTH CARE ACCESS PROGRAMS	$ 4,027,170	$ 4,020,128
Develop Programs to Increase Access to Health Care in Rural Areas.		
B.1.2. Strategy: RURAL PHYSICIAN RELIEF PROGRAM	$ 166,176	$ 166,176
Rural Physician Relief Program. Nontransferable.		
B.2.1. Strategy: HEALTH FACILITY CAPITAL IMPROVEMENT	$ 2,037,000	$ 2,037,000
Rural Health Facility Capital Improvements.		
Total, Goal B: EQUITABLE ACCESS TO MEDICAL CARE	$ 6,230,346	$ 6,223,304
C. Goal: OUTREACH AND ASSISTANCE		
C.1.1. Strategy: RURAL POLICY AND RESEARCH	$ 165,928	$ 163,036
C.1.2. Strategy: EMERGENCY SERVICES DISTRICTS	$ 154,945	$ 154,945
Emergency Services Districts Assistance.		

[1] HB 1918, 81st Legislature, Regular Session, changed the name of the Office of Rural Community Affairs to the Texas Department of Rural Affairs, effective September 1, 2009.

[2] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a Federal Funds increase of $19,500,000 in FY 2010 resulting in a net All Funds appropriation of $110,198,580 in FY 2010.

C.1.3. Strategy: RENEWABLE ENERGY OUTREACH	$ 1,574,545	$ 1,574,545
Total, Goal C: OUTREACH AND ASSISTANCE	$ 1,895,418	$ 1,892,526
D. Goal: INDIRECT ADMINISTRATION		
D.1.1. Strategy: CENTRAL ADMINISTRATION	$ 411,510	$ 409,180
D.1.2. Strategy: INFORMATION RESOURCES	$ 79,339	$ 77,886
Total, Goal D: INDIRECT ADMINISTRATION	$ 490,849	$ 487,066
Grand Total, TEXAS DEPARTMENT OF RURAL AFFAIRS	$ 90,698,580	$ 90,508,487
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 3,777,207	$ 3,625,077
Other Personnel Costs	205,390	203,640
Professional Fees and Services	491,896	490,896
Consumable Supplies	53,002	52,002
Utilities	33,725	31,725
Travel	423,300	442,962
Rent - Building	36,646	36,646
Rent - Machine and Other	39,732	39,732
Other Operating Expense	550,074	443,641
Client Services	836,906	836,906
Grants	84,232,582	84,232,582
Capital Expenditures	18,120	72,678
Total, Object-of-Expense Informational Listing	$ 90,698,580	$ 90,508,487
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 262,120	$ 266,052
Group Insurance	453,102	486,393
Social Security	342,230	347,363
Benefits Replacement	21,612	20,531
Subtotal, Employee Benefits	$ 1,079,064	$ 1,120,339
Debt Service		
Lease Payments	$ 12,453	$ 11,947
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 1,091,517	$ 1,132,286

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Department of Rural Affairs. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Department of Rural Affairs. In order to achieve the objectives and service standards established by this Act, the Texas Department of Rural Affairs shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: COMMUNITY ECONOMIC DEVELOPMENT		
Outcome (Results/Impact):		
Percent of the Small Communities' Population Benefiting from Public Facility, Economic Development, Housing Assistance and Planning Projects	39%	39%
A.1.1. Strategy: PROVIDE GRANTS		
Output (Volume):		
Number of New Community/Economic Development Contracts Awarded	335	335
Number of Projected Beneficiaries from New Community/Economic Development Contracts Awarded	517,000	517,000
Number of Programmatic Monitoring Visits Conducted	295	295
B. Goal: EQUITABLE ACCESS TO MEDICAL CARE		
Outcome (Results/Impact):		
Ratio of Rural County Population to Number of Health Care Professionals in Rural Counties	1,300	1,300

B.1.1. Strategy: HEALTH CARE ACCESS PROGRAMS		
Output (Volume):		
Number of Primary Care Practitioners Recruited/Retained in Rural Areas	42	42
B.2.1. Strategy: HEALTH FACILITY CAPITAL IMPROVEMENT		
Output (Volume):		
Number of Low Interest Loans and Grants Awarded	36	36

2. **Capital Budget.** None of the funds appropriated may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Scheduled Replacement of Computer Hardware	$ 18,120	$ 176,651
Total, Capital Budget	$ 18,120	$ 176,651
Method of Financing (Capital Budget):		
General Revenue Fund	$ 4,224	$ 41,269
Federal Funds	673	6,107
Texas Department of Rural Affairs Federal Fund No. 5091	10,000	108,048
GR Match for Community Development Block Grants	3,223	21,227
Total, Method of Financing	$ 18,120	$ 176,651

3. **Administrative Allocation: Councils of Governments.** From the federal administrative monies made available to the Texas Department of Rural Affairs under the Community Development Block Grant Program, an amount up to 19 percent of such monies shall be allocated for the councils of government, based upon agreements between the Texas Department of Rural Affairs and each council of government, to continue staff support to the 24 Regional Review Committees of local elected officials appointed by the Governor and/or for other technical assistance services so long as the staff support activities comply with the rules, policies, and standards established by the U.S. Department of Housing and Urban Development.

4. **Estimated Appropriation and Unexpended Balance.**

   a. The estimated amounts appropriated above out of the Permanent Endowment Fund for Rural Communities Healthcare Investment Program, are out of the amounts available for distribution or investment returns of the funds. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the Texas Department of Rural Affairs. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to make up the difference. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated for the same purposes for fiscal year 2011.

   b. The estimated amounts appropriated above out of the Permanent Fund for Rural Health Facility Capital Improvement are out of the available earnings of the fund. Available earnings in excess of the amounts estimated above are appropriated to the Texas Department of Rural Affairs. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to make up the difference. Any unexpended appropriations made above as of August 31, 2010, are hereby appropriated for the same purposes for fiscal year 2011.

5. Limitation on Use of Funds.

a. State agencies that are appropriated funds from the receipts collected pursuant to the Comprehensive Tobacco Settlement Agreement and Release, including distributions from funds, shall submit a budget by November 1 of each year of the biennium to the Legislative Budget Board and the Governor. This budget shall describe the purposes and amounts for which such funds will be expended by the state agency. No funds described in this budget may be expended by the state agency or institution of higher education until the Legislative Budget Board and the Governor receive the budget.

b. Authorized managers of permanent funds and endowments whose earnings are appropriated to the Texas Department of Rural Affairs shall provide a copy of year end financial reports to the Legislative Budget Board and the Governor by November 1 of each year of the biennium. These reports should include, at a minimum, an income statement and balance sheet for each fund, and a summary of the investment return of the fund during the preceding fiscal year.

6. Coordination with Texas Water Development Board. The Texas Department of Rural Affairs (TDRA) and the Texas Water Development Board (TWDB) shall continue to coordinate funds as outlined in a Memorandum of Understanding (MOU) so as to assure that none of the funds appropriated above are expended in a manner that aids the proliferation of colonias or are otherwise used in a manner inconsistent with the intent of the Economically Distressed Areas Program (EDAP) operated by the Texas Water Development Board (TWDB), and maximize delivery of the funds and minimize administrative delay in their expenditure. The MOU shall be amended, if necessary, prior to the distribution of the Colonia Fund in fiscal years 2010 and 2011. None of the funds appropriated above for Strategy A.1.1, Provide Grants, may be expended in EDAP-eligible counties that have not adopted, or not enforcing, the Model Subdivision Rules established pursuant to § 16.343 of the Water Code. No later than September 15, 2010, TDRA and the TWDB shall submit a joint report to the Legislative Budget Board that describes and analyzes the effectiveness of projects funded as a result of coordinated Colonia Fund/EDAP efforts including an estimate of the amount each agency has saved by reduced duplication of efforts. If there is an insufficient number of TWDB EDAP projects ready for Colonia Economically Distressed Areas Program (CEDAP) connection funding, the CEDAP funds may be transferred at TDRA's discretion as stated within the current Community Development Block Grant action plan.

7. Colonia Set-Aside Program Allocation. The Texas Department of Rural Affairs (TDRA) shall continue the Community Development Block Grant (CDBG) Colonia Set-Aside Program by allocating not less than 10 percent of the yearly allocation of CDBG funds for eligible activities to assist in providing for the housing, planning, and infrastructure needs in colonias. From this 10 percent yearly allocation, $2,000,000 shall be reserved to provide financial assistance to units of general local government located in economically distressed areas as defined by § 17.921, Water Code, to pay for residential service lines, hookups, and plumbing improvements associated with being connected to a water supply or sewer service system, any part of which is financed under the economically distressed areas program established under Subchapter J, Chapter 16, Water Code and Subchapter K, Chapter 17, Water Code.

In addition, TDRA shall allocate 2.5 percent of the CDBG monies to support the operation of the Colonia Self-Help Centers and shall transfer such funds to the Department of Housing and Community Affairs.

8. Administration of Public Health Funds. Funds are appropriated above out of the Permanent Fund for Rural Health Facility Capital Improvement for the purpose of implementing House Bill 1676, Seventy-sixth Legislature, 1999. In no event shall the administrative costs to implement the provisions of the bill exceed three percent. Grants and program costs must compose at least 97 percent of the expenditures to implement the provisions of the bill.

9. Informational Listing - Permanent Funds and Endowments. The following is an informational list of the amounts used to capitalize certain Permanent Funds and Endowments created by House Bill 1676, Seventy-sixth Legislature and by Senate Bill 126, Seventy-seventh Legislature, and does not make appropriations.

Permanent Fund for Rural Health Facility Capital Improvement (Rural Hospital Infrastructure)	$	50,000,000
Permanent Endowment Fund for the Rural Communities Healthcare Investment Program	$	2,500,000

10. **Unexpended Balances, Grants, and Contracts.** Any unexpended and unobligated general revenue balances remaining from amounts appropriated above as of August 31, 2010 are hereby appropriated to the Texas Department of Rural Affairs for the fiscal year beginning September 1, 2010 for the same purposes.

11. **Appropriation of Loan Repayments.** Loan repayments, interest, and reimbursements of expenses received by the Texas Department of Rural Affairs pursuant to Government Code, Chapter 487, are hereby appropriated to the agency as Appropriated Receipts in the 2010-11 biennium for the same purpose. The Texas Department of Rural Affairs may also expend these funds for the purpose of reimbursing community matching fund contributions for forgivable educational loans made pursuant to Government Code, Section 487.154.

12. **Reimbursement of Advisory Committee Members.** Pursuant to Government Code § 2110.004, reimbursement of expenses for advisory committee members, out of amounts appropriated above, is limited to the following advisory committees: State Review Committee.

13. **Rural Physician Relief Program.** In addition to amounts appropriated above in Strategy B.1.2, Rural Physician Relief Program, the Texas Department of Rural Affairs is hereby appropriated any fees collected pursuant to Government Code, Section 487.603 (estimated to be $0), and other program contributions received by the Texas Department of Rural Affairs pursuant to Government Code, Section 487.604, for the purposes of administering the Rural Physician Relief Program.

14. **Affordable Housing Research and Information Program.** Out of funds appropriated above, the Texas Department of Rural Affairs shall assist the Department of Housing and Community Affairs in conducting the Affordable Housing Research and Information Program, to the extent allowed by state law, in order to avoid any duplication of effort. It is the intent of the Legislature that no funds shall be transferred between the Department of Housing and Community Affairs and the Texas Department of Rural Affairs for this purpose.

15. **Travel Expenditures.** Out of funds appropriated above, the Texas Department of Rural Affairs is authorized to spend up to $26,700 each year of the biennium for out-of-state travel. This limitation shall not apply to out-of-state travel associated with federal programs if the cost of such travel is paid for or reimbursed by the federal government.

DEPARTMENT OF TRANSPORTATION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund		
General Revenue Fund[2]	$ 46,277,498	$ 102,304,983
General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees	750,000	750,000
Subtotal, General Revenue Fund	$ 47,027,498	$ 103,054,983
GR Dedicated - Texas Highway Beautification Account No. 071	629,703	629,703
Federal Reimbursements[2]	2,886,774,043	2,764,336,628
Subtotal, Federal Funds	$ 2,886,774,043	$ 2,764,336,628

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency, Article XII includes a Federal Funds increase of $1,637,800,000 in FY 2010 resulting in a net All Funds appropriation of $9,725,582,181 in FY 2010.
[2] Incorporates Article IX, § 17.30, due to the enactment of HB 3097, 81st Legislature, Regular Session, relating to the creation of the Department of Motor Vehicles, resulting in a decrease of $16,445,711 in General Revenue Funds, $665,700 in Federal Funds, and $125,630,222 in State Highway Funds, and an estimated 622.0 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Department of Transportation for Strategies D.1.2, Registration and Titling, D.1.3, Vehicle Dealer Regulation, and D.4.1, Automobile Theft Prevention, will be transferred to the Department of Motor Vehicles on November 1, 2009. Pursuant to Article IX, § 17.30, all transfers are subject to approval by the Legislative Budget Board. All riders and performance measures associated with programs and functions transferred to the newly created Department of Motor Vehicles are also transferred.

Other Funds		
State Highway Fund No. 006, estimated[3]	2,487,196,960	2,266,926,087
State Highway Fund No. 006 - Toll Revenue, estimated	390,523,564	651,185,148
State Highway Fund No. 006 - Concession Fees, estimated	5,000,000	2,000,000
Bond Proceeds - State Highway Fund, estimated	766,396,318	456,776,316
State Highway Fund No. 006 - Debt Service, estimated	350,599,384	481,205,847
Bond Proceeds - Texas Mobility Fund, estimated	375,643,335	151,410,530
Texas Mobility Fund - Debt Service, estimated	343,750,492	347,204,166
Bond Proceeds - General Obligation Bonds	30,725,920	24,000,000
Interagency Contracts	3,514,964	3,395,657
Bond Proceeds - GO Bonds (Proposition 12, 2007)	400,000,000	1,600,000,000
Subtotal, Other Funds	$ 5,153,350,937	$ 5,984,103,751
Total, Method of Financing	$ 8,087,782,181	$ 8,852,125,065
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 372,288	$ 391,850
This bill pattern represents an estimated 98% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[3]	14,710.2	14,088.2
Schedule of Exempt Positions:		
Executive Director, Group 8	$192,500	$192,500
Commissioner	(5) 15,914	(5) 15,914
Items of Appropriation:		
A. Goal: TRANSPORTATION PLANNING		
A.1.1. Strategy: PLAN/DESIGN/MANAGE	$ 372,870,420	$ 370,850,725
Plan, Design, and Manage Transportation Projects.		
A.1.2. Strategy: CONTRACTED PLANNING AND DESIGN	$ 219,220,658	$ 134,106,369 & UB
Contracted Planning and Design of Transportation Projects.		
A.1.3. Strategy: RIGHT-OF-WAY ACQUISITION	$ 344,807,796	$ 196,132,979 & UB
Optimize Timing of Transportation Right-of-way Acquisition.		
A.1.4. Strategy: RESEARCH	$ 22,345,918	$ 22,366,865
Fund Research and Development to Improve Transportation Operations.		
Total, Goal A: TRANSPORTATION PLANNING	$ 959,244,792	$ 723,456,938
B. Goal: TRANSPORTATION CONSTRUCTION		
B.1.1. Strategy: EXISTING CONSTRUCTION CONTRACTS	$ 1,503,921,094	$ 544,899,954 & UB
Existing Construction Contracts from Prior Fiscal Years. Estimated.		
B.1.2. Strategy: NEW CONSTRUCTION CONTRACTS	$ 520,213,268	$ 1,194,345,878 & UB
New Construction Contracts. Estimated.		
B.1.3. Strategy: CONSTRUCTION GRANTS & SERVICES	$ 422,506,365	$ 1,631,721,501 & UB
Grants, Loans, Pass-through Payments, and Other Services. Estimated.		

[3] Incorporates Article IX, § 17.30, due to the enactment of HB 3097, 81st Legislature, Regular Session, relating to the creation of the Department of Motor Vehicles, resulting in a decrease of $16,445,711 in General Revenue Funds, $665,700 in Federal Funds, and $125,630,222 in State Highway Funds, and an estimated 622.0 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Department of Transportation for Strategies D.1.2, Registration and Titling, D.1.3, Vehicle Dealer Regulation, and D.4.1, Automobile Theft Prevention, will be transferred to the Department of Motor Vehicles on November 1, 2009. Pursuant to Article IX, § 17.30, all transfers are subject to approval by the Legislative Budget Board. All riders and performance measures associated with programs and functions transferred to the newly created Department of Motor Vehicles are also transferred.

B.1.4. Strategy: AVIATION SERVICES	$ 101,542,704	$ 76,046,162 & UB
Support and Promote General Aviation.		
Total, Goal B: TRANSPORTATION CONSTRUCTION	$ 2,548,183,431	$ 3,447,013,495
C. Goal: MAINTENANCE AND PRESERVATION		
C.1.1. Strategy: EXISTING MAINTENANCE CONTRACTS	$ 1,352,883,691	$ 542,229,830 & UB
Existing Maintenance Contracts from Prior Fiscal Years.		
C.1.2. Strategy: NEW MAINTENANCE CONTRACTS	$ 447,242,346	$ 975,548,434 & UB
C.1.3. Strategy: CONTRACTED ROUTINE MAINTENANCE	$ 520,148,407	$ 536,419,784 & UB
Contract for Routine Transportation System Maintenance.		
C.1.4. Strategy: ROUTINE MAINTENANCE	$ 595,000,000	$ 618,437,836 & UB
Provide for State Transportation System Routine Maintenance/Operations.		
C.1.5. Strategy: GULF WATERWAY	$ 962,766	$ 914,266 & UB
Support the Gulf Intracoastal Waterway.		
C.1.6. Strategy: FERRY SYSTEM	$ 30,296,060	$ 30,359,293 & UB
Maintain and Operate Ferry Systems in Texas.		
Total, Goal C: MAINTENANCE AND PRESERVATION	$ 2,946,533,270	$ 2,703,909,443
D. Goal: OPTIMIZE SERVICES AND SYSTEMS		
D.1.1. Strategy: PUBLIC TRANSPORTATION	$ 89,368,251	$ 89,214,894 & UB
Support and Promote Public Transportation.		
D.1.2. Strategy: REGISTRATION AND TITLING[4]	$ 119,587,995	$ 0
D.1.3. Strategy: VEHICLE DEALER REGULATION[4]	$ 6,403,314	$ 0
D.2.1. Strategy: TRAFFIC SAFETY	$ 48,380,594	$ 48,435,469 & UB
D.3.1. Strategy: TRAVEL INFORMATION	$ 18,666,720	$ 18,618,567 & UB
D.4.1. Strategy: AUTOMOBILE THEFT PREVENTION[4]	$ 15,214,355	$ 0 & UB
D.5.1. Strategy: RAIL SAFETY	$ 1,246,950	$ 1,128,150
Ensure Rail Safety through Inspection and Public Education.		
Total, Goal D: OPTIMIZE SERVICES AND SYSTEMS	$ 298,868,179	$ 157,397,080
E. Goal: INDIRECT ADMINISTRATION		
E.1.1. Strategy: CENTRAL ADMINISTRATION	$ 49,299,118	$ 59,129,023
E.1.2. Strategy: INFORMATION RESOURCES	$ 72,581,768	$ 75,023,735
E.1.3. Strategy: OTHER SUPPORT SERVICES	$ 39,361,203	$ 39,349,737
E.1.4. Strategy: REGIONAL ADMINISTRATION	$ 68,128,976	$ 65,250,453
Total, Goal E: INDIRECT ADMINISTRATION	$ 229,371,065	$ 238,752,948
F. Goal: DEBT SERVICE PAYMENTS		
Debt Service Payments for Bonds, Notes, and Other Credit Agreements.		
F.1.1. Strategy: GENERAL OBLIGATION BONDS	$ 0	$ 100,000,000
General Obligation Bond Debt Service Payments.		

[4] Incorporates Article IX, § 17.30, due to the enactment of HB 3097, 81st Legislature, Regular Session, relating to the creation of the Department of Motor Vehicles, resulting in a decrease of $16,445,711 in General Revenue Funds, $665,700 in Federal Funds, and $125,630,222 in State Highway Funds, and an estimated 622.0 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Department of Transportation for Strategies D.1.2, Registration and Titling, D.1.3, Vehicle Dealer Regulation, and D.4.1, Automobile Theft Prevention, will be transferred to the Department of Motor Vehicles on November 1, 2009. Pursuant to Article IX, § 17.30, all transfers are subject to approval by the Legislative Budget Board. All riders and performance measures associated with programs and functions transferred to the newly created Department of Motor Vehicles are also transferred.

F.1.2. Strategy: STATE HIGHWAY FUND BONDS	$ 366,307,388	$ 481,205,847 & UB
State Highway Fund Bond Debt Service Payments.		
F.1.3. Strategy: TEXAS MOBILITY FUND BONDS	$ 343,750,492	$ 347,204,166 & UB
Texas Mobility Fund Bond Debt Service Payments.		
F.1.4. Strategy: OTHER DEBT SERVICE	$ 0	$ 0 & UB
Other Debt Service Payments.		
Total, Goal F: DEBT SERVICE PAYMENTS	$ 710,057,880	$ 928,410,013
G. Goal: SH 121 TRANSPORTATION PROJECTS Deliver Transportation Projects through SH 121 Toll Project Funds.		
G.1.1. Strategy: PLAN/DESIGN/MANAGE - SH 121 Plan, Design, and Manage Transportation Projects with SH 121 Funds.	$ 1,597,255	$ 2,361,179
G.1.2. Strategy: CONTRACTED PLAN/DESIGN - SH 121	$ 30,347,843	$ 44,862,409 & UB
Contract Planning/Design of Transportation Projects with SH 121 Funds.		
G.1.3. Strategy: RIGHT-OF-WAY ACQUISITION - SH 121	$ 11,232,555	$ 39,855,000 & UB
Optimize Timing of Transportation ROW Acquisition with SH 121 Funds.		
G.1.4. Strategy: EXISTING CONSTRUCTION - SH 121	$ 135,084,657	$ 80,539,989 & UB
Existing SH 121 Construction Contracts from Prior Fiscal Years.		
G.1.5. Strategy: NEW CONSTRUCTION - SH 121	$ 108,057,480	$ 314,334,603 & UB
New State Highway 121 Fund Construction Contracts.		
G.1.6. Strategy: EXISTING MAINTENANCE - SH 121	$ 57,893,425	$ 34,517,138 & UB
Existing SH 121 Maintenance Contracts from Prior Fiscal Years.		
G.1.7. Strategy: NEW MAINTENANCE - SH 121	$ 46,310,349	$ 134,714,830 & UB
New State Highway 121 Fund Maintenance Contracts.		
Total, Goal G: SH 121 TRANSPORTATION PROJECTS	$ 390,523,564	$ 651,185,148
H. Goal: SH 130 TRANSPORTATION PROJECTS Deliver Transportation Projects through SH 130 Toll Project Funds.		
H.1.1. Strategy: EXISTING CONSTRUCTION - SH 130	$ 3,000,000	$ 0 & UB
Existing SH 130 Construction Contracts from Prior Fiscal Years.		
H.1.2. Strategy: NEW CONSTRUCTION - SH 130	$ 2,000,000	$ 2,000,000 & UB
New State Highway 130 Fund Construction Contracts.		
Total, Goal H: SH 130 TRANSPORTATION PROJECTS	$ 5,000,000	$ 2,000,000
Grand Total, DEPARTMENT OF TRANSPORTATION	$ 8,087,782,181	$ 8,852,125,065

Object-of-Expense Informational Listing:

Salaries and Wages	$ 642,340,375	$ 620,370,711
Other Personnel Costs	24,528,609	23,956,921
Professional Fees and Services	395,483,285	293,134,110
Fuels and Lubricants	51,121,136	51,173,810
Consumable Supplies	7,969,992	7,394,846
Utilities	48,077,957	47,926,091
Travel	7,188,211	6,751,235
Rent - Building	4,690,232	4,077,663

Rent - Machine and Other	6,662,453	6,919,833
Debt Service	710,399,614	928,750,212
Other Operating Expense	753,824,440	742,061,720
Client Services	400,000	400,000
Grants	667,663,592	1,837,526,404
Capital Expenditures	4,767,432,285	4,281,681,509
Total, Object-of-Expense Informational Listing	$ 8,087,782,181	$ 8,852,125,065
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 40,986,689	$ 40,317,682
Group Insurance	147,824,041	157,588,264
Social Security	47,990,884	47,188,092
Benefits Replacement	5,926,662	5,365,021
Subtotal, Employee Benefits	$ 242,728,276	$ 250,459,059
Debt Service		
TPFA GO Bond Debt Service	$ 9,682,374	$ 11,699,442
Lease Payments	1,048,912	1,039,739
Subtotal, Debt Service	$ 10,731,286	$ 12,739,181
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 253,459,562	$ 263,198,240

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Transportation. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of Transportation. In order to achieve the objectives and service standards established by this Act, the Department of Transportation shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: TRANSPORTATION PLANNING		
Outcome (Results/Impact):		
Project to Funding Ratio	1.15	1.1
Percent of Dollar Volume Awarded on Schedule	100%	100%
A.1.1. Strategy: PLAN/DESIGN/MANAGE		
Output (Volume):		
Number of Construction Project Preliminary Engineering Plans Completed	670	1,000
Dollar Volume of Construction Contracts Awarded in Fiscal Year (Millions)	2,870	4,541
Number of Projects Awarded	600	1,000
Dollar Volume of Pass-through Financing Agreements Entered into During Each Fiscal Year (Millions)	10	10
B. Goal: TRANSPORTATION CONSTRUCTION		
Outcome (Results/Impact):		
Percent of Construction Projects Completed on Budget	97%	97%
Percent of Two-lane Highways with Improved Shoulders	54.2%	54.5%
Percent of Railroad Crossings with Signalization	56.8%	58.2%
Percent of Construction Projects Completed on Time	74%	75%
Urban Congestion Index	1.45	1.45
Statewide Congestion Index	1.1	1.1
B.1.4. Strategy: AVIATION SERVICES		
Output (Volume):		
Number of Airports Selected for Financial Assistance	90	90
Efficiencies:		
Administration and Support Costs as a Percent of Facility Grant Funds Expended	3.4%	3.4%
C. Goal: MAINTENANCE AND PRESERVATION		
Outcome (Results/Impact):		
Percent of Bridges Rated in Good Condition or Higher	79.4%	80%
Statewide Maintenance Assessment Program Condition Score	80	80
Statewide Traffic Assessment Program Condition Score	86.5	86.7

C.1.4. Strategy: ROUTINE MAINTENANCE		
Output (Volume):		
Number of Oversize/Overweight Permits Issued	643,869	663,185
Number of Highway Lane Miles Resurfaced by State Forces	6,000	6,000
D. Goal: OPTIMIZE SERVICES AND SYSTEMS		
Outcome (Results/Impact):		
Percent Change in the Number of Public Transportation Trips	1%	1.5%
Percent of Motor Vehicle Consumer Complaints Resolved	64.8%	64.8%
Number of Fatalities Per 100,000,000 Miles Traveled	1.38	1.36
D.1.1. Strategy: PUBLIC TRANSPORTATION		
Efficiencies:		
Administration and Support Costs as a Percent of Grant Expended	2.9%	2.9%
D.1.2. Strategy: REGISTRATION AND TITLING[5]		
Output (Volume):		
Number of Vehicle Titles Issued	6,400,643	6,528,656
Total Number of Registered Vehicles	22,681,304	23,271,018
D.1.3. Strategy: VEHICLE DEALER REGULATION[5]		
Output (Volume):		
Number of Motor Vehicle Consumer Complaints Resolved	623	623
Efficiencies:		
Average Number of Weeks to Resolve a Motor Vehicle Complaint	24	24
D.4.1. Strategy: AUTOMOBILE THEFT PREVENTION[5]		
Efficiencies:		
ATPA Administration and Support Costs as Percentage of Total Expenditures	6%	6%
D.5.1. Strategy: RAIL SAFETY		
Output (Volume):		
Number of Rail Safety Inspection Units Performed	112,000	112,000

2. **Capital Budget.** Notwithstanding the capital budget provisions in the General Provisions of this act, none of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. No additional funds may be transferred to the capital budget items listed below without first obtaining written approval from the Legislative Budget Board and the Governor. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code, § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

The Department of Transportation shall submit to the Legislative Budget Board, in the format prescribed by the Legislative Budget Board, an annual report of expenditures made under this authority no later than 10 days after September 1 of each year.

	2010	2011
a. Acquisition of Land and Other Real Property	$ 2,600,000	$ 1,330,000
b. Construction of Buildings and Facilities	14,850,000	7,650,000
c. Repair or Rehabilitation of Buildings and Facilities	9,345,000	20,535,000
d. Acquisition of Information Resource Technologies		
(1) Texas Permit Routing Optimization System	200,000	0
(2) Texas Statewide Railroad Grade Crossing Inventory System 2	944,417	944,417

[5] Selected performance measures are transferred to the Department of Motor Vehicles pursuant to the enactment of HB 3097, 81st Legislature, Regular Session.

(3) Data Center Consolidation	21,603,532	17,833,348
(4) MMIS Client Server Systems Replacement	3,120,100	6,281,850
(5) Statewide Traffic Analysis & Reporting System II	605,000	635,000
(6) Technology Replacement & Upgrade[6]	19,844,708	15,342,566
(7) Environment Management System	812,834	399,994
(8) Vision 21-Core System[6]	31,116,193	0
(9) Statewide Analysis Model II	720,000	0
(10) Highway Performance Monitoring System (HPMS) Conversion to Geographic Information System (GIS)	800,000	0
(11) Management Information System	0	26,000,000
(12) Enterprise Resource Planning System	26,000,000	0
Total, Acquisition of Information Resource Technologies	$ 105,766,784	$ 67,437,175
e. Transportation Items	7,002,168	7,837,292
f. Acquisition of Capital Equipment and Items	43,247,882	42,229,664
g. Other Lease Payments to the Master Lease Purchase Program (MLPP)		
(1) Lease Payments (MLPP) - Airplane	341,734	340,199
Total, Capital Budget	$ 183,153,568	$ 147,359,330
Method of Financing (Capital Budget):		
General Revenue Fund		
General Revenue Fund	$ 2,500	$ 0
Subtotal, General Revenue Fund	$ 2,500	$ 0
Federal Funds		
Federal Reimbursements	3,344,417	1,944,417
Subtotal, Federal Funds	$ 3,344,417	$ 1,944,417
Other Funds		
State Highway Fund No. 006	179,806,651	145,414,913
Subtotal, Other Funds	$ 179,806,651	$ 145,414,913
Total, Method of Financing	$ 183,153,568	$ 147,359,330

3. **Transfer Authority.** The Department of Transportation may transfer appropriations from any Strategy into Strategies A.1.2, Contracted Planning and Design, A.1.3, Right-of-Way Acquisition, B.1.1, Existing Construction Contracts, B.1.2, New Construction Contracts, B.1.3, Construction Grants & Services, C.1.1, Existing Maintenance Contracts, C.1.2, New Maintenance Contracts, C.1.3, Contracted Routine Maintenance, F.1.1, General Obligation Bonds, F.1.2, State Highway Fund Bonds, F.1.3, Texas Mobility Fund Bonds, and F.1.4, Other Debt Service, only after the department submits a report to the Legislative Budget Board, in the format prescribed by the Legislative Budget Board, that provides information regarding the impact of the transfers on transportation projects and 2012-2013 appropriation needs; and the Legislative Budget Board issues a written approval.

   In addition, subject to approval, funds may be transferred among Strategies, except that no funds may be transferred out of Strategies A.1.2, Contracted Planning and Design, A.1.3, Right-of-Way Acquisition, B.1.1, Existing Construction Contracts, B.1.2, New Construction Contracts, B.1.3, Construction Grants & Services, C.1.1, Existing Maintenance Contracts, C.1.2, New Maintenance Contracts, C.1.3, Contracted Routine Maintenance, F.1.1, General Obligation Bonds, F.1.2, State Highway Fund Bonds, F.1.3, Texas Mobility Fund Bonds, and F.1.4, Other Debt Service, except for transfers made among those Strategies.

4. **Magazine Appropriations.** The Department of Transportation is directed to set subscription rates and other charges for Texas Highways Magazine at a level that will generate receipts

[6] Modified due to the enactment of HB 3097, 81st Legislature, Regular Session, relating to the creation of the Department of Motor Vehicles. Capital budget authority for selected projects is transferred to the Department of Motor Vehicles.

approximately sufficient to cover the costs incurred in the production and distribution of the magazine. In addition to funds appropriated above, the department is hereby appropriated to Strategy D.3.1, Travel Information, any magazine revenues generated above $5,129,076 for the 2010 fiscal year and $5,138,396 for the 2011 fiscal year. Funds may be utilized only for the purpose of magazine costs. The Department of Transportation may transfer revenues available from prior years subscription fees to Strategy D.3.1, Travel Information, in the event of unforeseen or unusual expenditures associated with the production costs of the Texas Highways Magazine. The Department of Transportation is hereby appropriated all revenue collected from the sale of promotional items as authorized by Transportation Code § 204.009.

5. **Equal Employment.** To the maximum extent allowed by law, the department shall implement its Equal Employment Opportunity/Affirmative Action Plan to hire and promote qualified minority employees into vacant supervisory and management positions.

6. **Limitation on Residences.** None of the funds appropriated herein above may be expended for the purchase, construction, or maintenance of residences for employees of the Department of Transportation except maintenance camps in isolated areas.

7. **Court Costs.** Any necessary amounts appropriated above may be used by the Department of Transportation to pay refunds authorized by law and to pay court costs in suits involving the Department of Transportation. Such costs shall include payments for judgments, settlements, and other costs associated with right-of-way acquisition and inverse condemnation.

8. **Appropriation Balances: Registration and Titling.**[7] Any unobligated balance remaining after the first year of the biennium in Strategy D.1.2, Registration and Titling, above for the purpose of purchasing insignia stickers for registration and vehicle license plates, and enhancing the automated registration and titling system in accordance with the provisions of Transportation Code, Chapter 502, may be used for the same purpose during the second year of the biennium. Any expended amounts from revenue collected as a result of Transportation Code § 502.1705 may be used to enhance the department's automated registration and titling system, and the capital budget appropriations may be increased by a like amount.

9. **Internal Audit.** The Department of Transportation shall maintain an internal auditing program in compliance with the provisions of the Texas Internal Auditing Act, which shall incorporate, at a minimum, the assignment of an internal auditor at each district office and within each division of the department. Each internal auditor assigned pursuant to this provision shall report either directly to the Commissioners of the Department of Transportation or to the internal auditor appointed pursuant to Government Code § 2102.006.

   An internal auditor whose duty station is assigned pursuant to this provision may consider suggestions from a District Engineer in developing proposals for the department's annual audit plan.

10. **Minimum Wage Contracts.** In contracting for maintenance and construction contract work with the private sector from funds appropriated above, the Department of Transportation shall require that contractors and subcontractors are paying all employees and contract labor at a rate at least equal to the federal minimum wage. The department shall withhold payments to contractors until their contractual obligations for paying employees and the contract labor have been fulfilled.

11. **Aviation Services Appropriations.** Out of funds appropriated above in Strategy B.1.4, Aviation Services, to the Department of Transportation from State Highway Fund No. 006, an amount not to exceed $25,000,000 in fiscal year 2010 is contingent upon balances of the same amount remaining in Strategy B.1.4, Aviation Services, as of August 31, 2009, from appropriations made to the department for airport development grants in the 2008-09 biennium. In the event that actual and/or projected balances are insufficient for appropriations identified above for this purpose, the Comptroller is hereby directed to reduce the appropriation authority in Strategy B.1.4, Aviation Services, provided by this Act to the Department of Transportation to be within the amount expected to be available each year.

12. **Interagency Agreements.** Out of funds appropriated in Strategy D.3.1, Travel Information, $670,000 through interagency contracts with the Commission on the Arts and $500,000 through interagency contracts with the Historical Commission each fiscal year, shall be used to showcase the arts, culture, and historical diversity in Texas to promote tourism.

---

[7] Riders 8, 25, 32, 33, and 54 are transferred to the Department of Motor Vehicles pursuant to the enactment of HB 3097, 81st Legislature, Regular Session, and Article IX, § 17.30, of this Act.

13. **Trust Fund 927.** The Department of Transportation is hereby authorized to receive and hold funds in Trust Fund No. 927 (county or political subdivision road participation account) from governmental and private entities for purposes of reimbursing State Highway Fund No. 006 for expenses incurred with transportation projects, including highway and aviation.

14. **State Highway Fund Reimbursement.** To the extent that funds are made available from local governments under Transportation Code § 22.055(b), the department is hereby appropriated amounts as necessary from State Highway Fund No. 006 for purposes authorized by Chapter 22 of the Texas Transportation Code. Funds made available to the department under Transportation Code § 22.055(b) are to be used only for the purpose of reimbursing State Highway Fund No. 006.

15. **District Discretionary Funds.** Out of the funds appropriated above in Goal B, Transportation Construction, the Department of Transportation shall allocate a minimum of $2.5 million for each district to the State District Discretionary Category each fiscal year. In addition, the Department of Transportation shall submit to the Legislative Budget Board and the Governor's Office an annual report no later than November 1st each fiscal year detailing the amount of District Discretionary category funds used by each district for project cost overruns.

16. **Travel Information.** If the department determines that it cannot meet anticipated production and distribution for the Texas State Travel Guide and related travel literature from funds appropriated in Strategy D.3.1, Travel Information, the department shall transfer sufficient funds to meet the demand for each year of the biennium from any Strategy except that no transfers shall be made into Strategy D.3.1, Travel Information, from Strategy A.1.2, Contracted Planning and Design, Strategy A.1.3, Right-of-Way Acquisition, Strategy B.1.1, Existing Construction Contracts, B.1.2, New Construction Contracts, B.1.3, Construction Grants & Services, C.1.1, Existing Maintenance Contracts, C.1.2, New Maintenance Contracts, C.1.3, Contracted Routine Maintenance, F.1.1, General Obligation Bonds, F.1.2, State Highway Fund Bonds, F.1.3, Texas Mobility Fund Bonds, F.1.4, Other Debt Service, strategies in Goal G, SH 121 Transportation Projects, and strategies in Goal H, SH 130 Transportation Projects.

17. **Full-Time Equivalent: Summer Hire Program.** Full-Time-Equivalent (FTE) positions associated with the Summer Hire Program of the Department of Transportation, in an amount not to exceed 1,200 FTEs, shall be exempt from the Article IX provision establishing a limitation on state agency employment levels for the third and fourth quarters of each fiscal year. This provision will not change the "Number of Full-Time-Equivalents (FTE)" listed elsewhere in this Act. The Department of Transportation shall provide to the Legislative Budget Board, the Governor, and the State Auditor's Office a report of the number of FTEs associated with the Summer Hire Program each fiscal year. Out of individuals hired for the Summer Hire Program, the department shall hire no less than 10 interns each year for the Texas Prefreshman Engineering Program (TexPREP).

18. **Clothing Provision.** The department may provide a cleaning allowance for Travel Counselors and ferry operations personnel not to exceed $500 per year.

19. **Reporting Requirements.**

    a. The Department of Transportation shall provide a report to the department's border district legislators and to the respective metropolitan planning organizations on department's trade transportation activities in such border districts during the 2010-11 biennium. The department shall report annually no later than January 1, each year of the biennium. The report shall also be provided to the Governor and the Legislative Budget Board.

    b. In addition to other information that might be requested by the Legislative Budget Board, the Department of Transportation shall submit to the Legislative Budget Board, in the format prescribed by the Legislative Budget Board, a monthly revenue report to the Legislative Budget Board and the Governor on state and federal funds received in State Highway Fund No. 006 as specified by the Legislative Budget Board. At any time, if the department becomes aware of any variances to estimated amounts appropriated above out of state and federal funds received in State Highway Fund No. 006, the department shall immediately notify the Legislative Budget Board and the Governor in writing specifying the affected funds and the reason for the anticipated change. The monthly revenue report shall include detailed explanations of the causes and effects of current and anticipated fluctuations in the cash balance. In addition, the monthly cash forecast shall report expenditure information at the same level as the Department of Transportation's appropriation bill pattern strategies.

c. The Department of Transportation shall provide to each member of the House and Senate, unless a member requests it not be provided, a status report on all highway construction projects, airport projects, Trans-Texas Corridor projects, rail projects, toll road projects, turnpike projects, toll authorities, regional mobility authorities, and toll road conversion projects by legislative district, currently under contract or awaiting funding. The report shall include projects that would be funded fully or in part by state, federal, or toll funds. The report shall be filed prior to January 1, each fiscal year. In addition, 90 days prior to any loan being granted by the department for any project, all members of the district shall be notified on the status of the project and how other projects in any district would be affected.

d. The Department of Transportation shall create a report detailing the reasons for the immediate and future needs for each mode of transportation in each segment of a Trans-Texas Corridor project, as well as detailing the reasonableness and necessity for each mode of transportation within each segment of a Trans-Texas Corridor project in the report. The department shall provide a report to the affected members at the same time that it submits a Tier 1 environmental impact statement and a Tier 2 environmental impact statement to the federal government for any segment of a Trans-Texas Corridor route. The reports shall be posted on the department's website, as well as provided to each state senator, state representative, and commissioners court of the county in which a proposed Trans-Texas Corridor project is being studied.

In addition, the Department of Transportation shall provide to each member of the House and Senate, unless a member requests it not be provided, notification of:

(1) all Trans-Texas Corridor projects included in the draft Unified Transportation Program located within each member of the House and Senate's district no later than 10 days after being identified as Trans-Texas Corridor Projects and at least 2 business days prior to public release of the draft Unified Transportation Program;

(2) all eminent domain proceedings located within each member of the House and Senate's district related to Trans-Texas Corridor projects no later than 10 days before the proceedings begin;

(3) all rail projects, toll road projects, and turnpike projects included in the draft Unified Transportation Program located within each member of the House and Senate's district no later than 10 days after being identified and at least 2 business prior to public release of the draft Unified Transportation Program;

(4) the receipt of an application requesting approval to create a regional mobility authority or regional tollway authority located within each member of the House and Senate's district no later than 10 days after receipt of an application and of the Transportation Commission's consideration of an application no later than 10 days prior to commission action; and

(5) any toll authority or regional mobility authority board member that owns or participates in any holding included in a proposed project immediately.

e. The Department of Transportation shall develop and submit an annual report to the Legislature no later than January 1, each fiscal year on public transportation activities in Texas. The report shall at a minimum include monthly data on industry utilized standards which best reflect: ridership, mileage, revenue by source, and service effectiveness, such as passengers per revenue mile. In order to meet the mandates of Chapter 461, Transportation Code, relating to the coordination of public transportation and to implement the legislative intent of § 461.001, Transportation Code, the Department of Transportation is directed to engage the services of the Texas Transportation Institute, or any entity that the Department of Transportation deems appropriate, to maintain an inventory of all public transportation providers in the state to determine the types and levels of services being provided by each of them and the extent to which those providers can assist the state in meeting the mandates of the statute.

f. The Department of Transportation shall report annually to the Legislative Budget Board and the Governor on the progress of the Congestion Mitigation and Air Quality (CMAQ) Improvement Program at achieving credit in the State Implementation Plan (SIP) for air quality under the Federal Clean Air Act. The report shall include a listing of each CMAQ

project, the amount of CMAQ funds designated, and the amount of quantifiable credit received in the SIP. The report shall be provided no later than September 1, each year of the biennium.

g. For each fiscal year in the biennium, the Department of Transportation shall provide a report, with results statewide by district, on the percentage of projects listed in the State Transportation Improvement Program (STIP) that were let on or before the letting date provided in the STIP.

h. All reports to the Legislature outlined in this Rider and elsewhere in this Act relating to Toll Road and Trans-Texas Corridor Projects must be delivered to the Legislature in electronic formats and, if requested, in paper format.

20. Green Ribbon Project Expansion. It is the intent of the Legislature that the Department of Transportation expand the Green Ribbon Project, a public-private partnership initiative to enhance the appearance of public highways by incorporating in the design and improvement of public highways the planting of trees and shrubs, emphasizing natural beauty and greenspace, integrating public art, and highlighting cultural uniqueness of neighborhoods, to other areas of the state.

Furthermore, in non-attainment and near non-attainment areas, in connection with a contract for a highway project, the department shall allocate to the district or districts in which the project is located an amount equal to not less than one half of one and not to exceed 1 percent of the amount to be spent under the contract for construction, maintenance, or improvement of the highway. If two or more districts share an allocation under this section, the districts shall divide the allocation according to the portion of the amount under the contract that will be spent in each district. A district that receives an allocation under this rider shall spend not less than one half of the allocation for landscaping and other enhancements included in the Green Ribbon program as improvements associated with the project that was the subject of the contract. The district may spend the allocated money that is not used for landscaping improvements associated with the project that was the subject of the contract for landscaping improvements associated with another highway or highway segment located in the district.

For purposes of this rider, landscape improvements means planting of indigenous or adapted trees and other plants that are suitable for the climate in which they will be located, and preparing the soil and installing irrigation systems for the growth of the trees and plants. In non-attainment and near non-attainment areas, the district or districts shall, to the extent possible, use trees and plants that help mitigate the effects of air pollution.

21. Miscellaneous Pay Provisions.

a. **Holiday Pay.** Notwithstanding other provisions of this bill, the Department of Transportation, to the extent permitted by law, is authorized to grant compensatory time off or to pay hourly employees for work performed on official state holidays in addition to any applicable holiday pay.

b. **Compensatory Pay.** In order to operate in the most economical manner, when inclement weather or other circumstances beyond the control of the department prevent construction or maintenance employees from performing their normal duties, the Department of Transportation, to the extent permitted by law, is authorized to grant such employees time off with pay with the hours charged to the Compensatory Time Taken Account, provided that such advanced time must be repaid by the employee at a time, and in the most appropriate manner as determined by the department within the following twelve months or at termination, whichever is sooner.

c. **Standby Pay.** It is expressly provided that the Department of Transportation, to the extent permitted by law, may pay compensation for on-call time at the following rates: credit for one hour worked per day on-call during the normal work week, and two hours worked per day on-call during weekends and holidays; this credit would be in addition to actual hours worked during normal duty hours or while on-call. Nonexempt employees who work a normal 40 hour work week, and also work on-call duty, will receive FLSA overtime rates for the on-call duty.

d. **Pay for Regular Compensatory Time.** It is expressly provided that the Department of Transportation, to the extent permitted by law, may pay FLSA exempt and FLSA nonexempt

employees on a straight-time basis for work on a holiday or for regular compensatory time hours when the taking of regular compensatory time off would be disruptive to normal business functions.

e. **Hazardous Duty Pay.** To more adequately compensate employees who perform hazardous duties for the state, the Department of Transportation is authorized to compensate employees who perform underwater bridge inspections an additional rate of pay of up to $25 per hour for actual time spent performing underwater bridge inspections.

f. **Evening, Night, and Weekend Shift Pay.** Notwithstanding other provisions in this Act, the Department of Transportation may pay an additional evening shift or night shift differential not to exceed 15 percent of the pay rate to employees who work the 3:00 p.m. to 11:00 p.m. shift, or its equivalent, or who work the 11:00 p.m. to 7:00 a.m. shift, or its equivalent. An additional weekend shift salary differential not to exceed 5 percent of the pay rate may be paid to employees. The weekend shift salary differential may be paid to an eligible individual in addition to the evening shift or night shift salary differential.

22. Bond Programs. The Department of Transportation:

a. in accordance with Section 49-k of Article III of the Texas Constitution; is hereby appropriated during each year of the biennium:

(1) all revenue of the state that is dedicated or appropriated to the Texas Mobility Fund No. 365 in accordance with Section 49-k (e) of Article III of the Texas Constitution, and such funds shall be deposited as received into the Texas Mobility Fund No. 365;

(2) all available funds in the Texas Mobility Fund No. 365, including any investment income, for the purposes outlined in Chapter 201, Subchapter M, Transportation Code; and

(3) such amounts to be transferred to the Texas Mobility Fund No. 365 in accordance with Section 49-k (g) of Article III of the Texas Constitution and Chapter 201, Subchapter M, Transportation Code, as may be necessary to make payments when due on any bonds, notes, other obligations, or credit agreements issued or entered into pursuant to Chapter 201, Subchapter M, Transportation Code, to the extent that the available funds in the Texas Mobility Fund No. 365 are insufficient for such purposes.

b. in accordance with Subchapter N of Chapter 201, Transportation Code, is authorized during the biennium to pay in addition to amounts appropriated above from the State Highway Fund No. 006, or otherwise dedicated or appropriated to such fund or available therein, debt service payments for notes issued or money borrowed in anticipation of a temporary cash shortfall in the State Highway Fund No. 006.

c. in accordance with Section 49-m of Article III of the Texas Constitution and Section 201.115 of Chapter 201, Transportation Code, is authorized to pay in addition to amounts appropriated above from the State Highway Fund No. 006, or otherwise dedicated or appropriated to such fund or available therein, debt service payments for notes issued or money borrowed on a short-term basis to carry out the functions of the department.

d. in accordance with Section 49-n of Article III of the Texas Constitution and Subchapter A of Chapter 222, Transportation Code, is authorized during each fiscal year of the biennium to pay out of amounts appropriated above from the State Highway Fund No. 006, or otherwise dedicated or appropriated to such fund or available therein, amounts due under bonds, other public securities and bond enhancement agreements that are issued or entered into to fund highway improvement projects and that are secured by and payable from revenue deposited to the credit of the State Highway Fund No. 006.

23. Additional Funds. Except during an emergency as defined by the Governor, no appropriation of additional State Highway Funds may be expended by the Department of Transportation unless:

a. the Department of Transportation submits a separate report within forty five (45) days of the end of the second quarter of each fiscal year to the Legislative Budget Board and the Governor outlining any additional funds available above amounts estimated for the 2010-11 biennium, their anticipated uses and projected impacts; and,

b. the Legislative Budget Board and the Governor issue a written approval or specify an alternate use for the additional funds.

24. Light Safety Installation and Reimbursement. Out of funds appropriated above, the Department of Transportation shall pay for the initial costs and maintenance of installing blinking colored light signals at dangerous intersections as provided by the manual and specifications adopted under § 544.001, Transportation Code, from State Highway Fund No. 006 in Yoakum County, or any county, as either the Department of Transportation, or the county, deems necessary if all costs are reimbursed by the county into State Highway Fund No. 006 at an acceptable payback rate and period as determined by the Department of Transportation.

25. Auto Burglary and Theft Prevention.[8] The Department of Transportation shall prioritize awarding Auto Burglary and Theft Prevention program grants to areas of the state based on a geographic distribution and shall include language in grant applications clarifying that funding from each grant is only awarded for the life of the grant.

26. Trans-Texas Corridor Projects. The Department of Transportation shall identify all Trans-Texas Corridor projects included in the Unified Transportation Plan and shall make that information available on its website.

27. Local Government Assistance. The Department of Transportation, pursuant to Texas Transportation Code § 201.706, may use funds appropriated by this Act to assist cities with the maintenance of city streets by providing engineering/maintenance expertise on roadway maintenance and when surplus materials are available, the department shall make available the surplus materials to any local government needing such materials.

For those cities that adopt or have adopted either a street use fee for maintenance or a specialized fee for street accessibility improvements as part of their local utility fees, the Department is authorized to use funds appropriated by this Act to coordinate its accessibility programs with those cities including providing engineering expertise where possible.

28. Woodall Rodgers Highway Enhancement Park. Out of the amounts appropriated above, the Texas Department of Transportation shall make available during the biennium $10 million in federal Transportation Enhancement Program funds administered by the department for the Woodall Rodgers Highway Enhancement Park project as approved by the Federal Highway Administration per federal regulations in Title 23 of the United States Code. The amount of federal Transportation Enhancement funds designated by this provision shall be an amount in addition to the amounts designated in Rider 47, Woodall Rodgers Highway Enhancement Park, Article VII, Department of Transportation, Senate Bill 1, General Appropriations Act, Seventy-ninth Legislature, 2005. It is the intent of the Legislature that funds appropriated above would cover the administration costs of the Woodall Rodgers Highway Enhancement Park project approved for federal Transportation Enhancement Program funds. If the project has received the necessary approval and funding from Federal Transportation Enhancement program funds at the levels prescribed by the Eightieth Legislature prior to the enactment of this Act, the amount of federal Transportation Enhancement funds designated by this provision shall not be construed to be an amount in addition to the amounts designated in Rider 31, Woodall Rodgers Highway Enhancement Park, Article VII, Department of Transportation, House Bill 1, General Appropriations Act, Eightieth Legislature, 2007.

29. B33 Classification Salary Group. Notwithstanding the classification schedule under Section 2.01, Article IX, of this Act, the following positions at the Department of Transportation are designated to be salary group B33 with an annual salary of no more than $170,000:

TxDOT Deputy Executive Director (1)
TxDOT Assistant Executive Director (2)
TxDOT District Engineer
TxDOT Division Director (7)

The State Classification Office may update the classification schedule under Section 2.01, Article IX, of this Act, to conform to this rider.

30. Appropriations Limited to Revenue Collections: Rail Safety. It is the intent of the Legislature that revenues collected and deposited to the General Revenue Fund from the assessment of fees on railroad operators pursuant to Texas Revised Civil Statutes, Article 6448a, cover, at a minimum, the cost of general revenue appropriations made above in Strategy D.5.1, Rail Safety, as well as

[8] Riders 8, 25, 32, 33, and 54 are transferred to the Department of Motor Vehicles pursuant to the enactment of HB 3097, 81st Legislature, Regular Session, and Article IX, § 17.30, of this Act.

covering "other direct and indirect costs" associated with such general revenue appropriations. "Other direct and indirect costs" associated with such general revenue appropriations are estimated to be $372,288 for fiscal year 2010 and $391,850 for fiscal year 2011. 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.

31. Road Construction and Maintenance at State Facilities. Out of funds appropriated above, the Department of Transportation shall:

a. maintain paved surfaces on the State Capitol Grounds according to the Historic Capitol Grounds Master Plan adopted by the State Preservation Board;

b. construct, repair, and maintain roads in and providing access to and from Department of State Health Services and Department of Aging and Disability Services mental health and mental retardation facilities;

c. expend no more than $10,000,000 each fiscal year to construct and maintain state park roads.

32. Unexpended Balance Appropriation: Motor Vehicle Financial Responsibility.[9] Any unexpended balances in State Highway Fund No. 006 remaining as of August 31, 2009 (estimated to be $0), from the appropriation made to the Department of Transportation in Rider 35, Unexpended Balance Appropriation: Motor Vehicle Financial Responsibility, House Bill 1, General Appropriations Act, Eightieth Legislature, 2007, for the implementation of a motor vehicle financial responsibility verification program, are hereby appropriated to the Department of Transportation in Strategy D.1.2, Registration and Titling, in the fiscal year beginning September 1, 2009, for the same purpose. Any unexpended balances of these funds remaining as of August 31, 2010, are hereby appropriated to the Department of Transportation in Strategy D.1.2, Registration and Titling, in the fiscal year beginning September 1, 2010, for the same purpose.

33. Unexpended Balance Appropriation: Organ Donor Program - Voluntary Fee.[9] Any unexpended balances in State Highway Fund No. 006 remaining as of August 31, 2009 (estimated to be $0), from the appropriation made to the Department of Transportation in Rider 36, Unexpended Balance Appropriation: Organ Donor Program - Voluntary Fee, Article VII, Department of Transportation, House Bill 1, General Appropriations Act, Eightieth Legislature, 2007, for the creation of a donor education, awareness, and registry program and tissue council and anatomical gift donation, are hereby appropriated to the Department of Transportation in Strategy D.1.2, Registration and Titling, in the fiscal year beginning September 1, 2009, for the same purpose. Any unexpended balances of these funds remaining as of August 31, 2010, are hereby appropriated to the Department of Transportation in Strategy D.1.2, Registration and Titling, in the fiscal year beginning September 1, 2010, for the same purpose.

34. Federal Funds Reporting Requirement.

a. The Department of Transportation shall provide to the Legislative Budget Board and the Governor:

(1) written notification of any increases or decreases in the amounts of federal funds estimated to be available to the Department of Transportation for the 2010-11 biennium within 10 business days of the date upon which the Department of Transportation is notified of such increases or decreases; and

(2) written notification outlining:

(A) the use and projected impacts of any additional federal funds available to the Department of Transportation above amounts estimated for the 2010-11 biennium; and/or

(B) the Department of Transportation's plan for addressing any reductions in federal funds, including federally-mandated funding rescissions.

---

[9] Riders 8, 25, 32, 33, and 54 are transferred to the Department of Motor Vehicles pursuant to the enactment of HB 3097, 81st Legislature, Regular Session, and Article IX, § 17.30, of this Act.

b. The Department of Transportation shall provide to the Legislative Budget Board and the Governor any documentation required by the U.S. Department of Transportation, Federal Highway Administration regarding the Department of Transportation's proposed use of additional federal funds and/or proposed actions to address federal funds reductions, including federally-mandated funding rescissions, within two business days of receipt and as soon as possible prior to submitting the required documentation to the U.S. Department of Transportation, Federal Highway Administration.

35. Appropriations Contingent upon Reporting Requirements. The Department of Transportation shall submit to the Legislative Budget Board, no earlier than 10 business days before February 28th and no later than 10 business days after March 31st, each year of the biennium, a status report on actions taken by the Department of Transportation to fulfill the requirements made under the provisions of Rider 19, Reporting Requirements. In the event that the Department of Transportation does not submit the status report within this time period, or in the event that the Department of Transportation does not fulfill the requirements of Rider 19, Reporting Requirements, at any time, the Legislative Budget Board may direct the Comptroller of Public Accounts to withhold any appropriation authority provided above excluding appropriation authority for the following:

a. administration for and all costs related to the payment of debt service and bond proceeds for revenue bonds issued under Section 49-k, Article III, Texas Constitution;

b. administration for and all costs related to the payment of debt service and bond proceeds for revenue bonds issued under Section 49-n, Art. III, Texas Constitution;

c. administration for and all costs related to the payment of debt service and bond proceeds for revenue bonds issued under Section 49-o, Art. III, Texas Constitution;

d. administration for and all costs related to the payment of debt service and bond proceeds for all other revenue bonds previously issued by the department;

e. administration for and payment of General Obligation Bond proceeds for colonia road projects;

f. appropriations necessary to register and title vehicles, license and regulate vehicle dealerships, and enforce the state lemon laws;

g. administration for and payments of State Highway Fund, Federal Funds, and Interagency Contract monies for public transportation services;

h. appropriations provided for Routine Maintenance and Contracted Maintenance;

i. appropriations necessary to continue payments for previously entered contractual obligations;

j. appropriations necessary to continue ferry operations;

k. appropriations out of the GR Dedicated - Texas Highway Beautification Account No. 71; and

l. any other constitutionally or statutorily required appropriation.

The Department of Transportation shall provide any information necessary to the Comptroller of Public Accounts and the Legislative Budget Board to fulfill these requirements no later than 3 business days after receiving notification of the Legislative Budget Board directing the Comptroller of Public Accounts to withhold appropriations.

36. Budget Reconciliation Report. The Department of Transportation shall submit to the Legislative Budget Board, in the format prescribed by the Legislative Budget Board, an annual report for each fiscal year of the biennium that reconciles the department's expenditures and encumbrances of appropriations made to the department by this Act to the twelve categories included in the department's Statewide Preservation Program and Statewide Mobility Program. The report shall be submitted on the date the department is required to submit the operating budget required by Article IX, Sec. 7.01(a)(1) of this Act.

37. Comprehensive Development Agreements. The Department of Transportation may not expend any funds appropriated by this Act to enter into a comprehensive development agreement pursuant to Transportation Code § 223.201, unless:

a. the department submits a report to the Legislative Budget Board, in the format prescribed by the Legislative Budget Board, that provides information regarding the location, project costs, and projected benefits to the state for each project proposed under a comprehensive development agreement; and

b. the Legislative Budget Board issues a written approval.

38. Appropriation of Concession Fees and Payments Received under a Comprehensive Development Agreement. The Department of Transportation may not expend any amounts from payments received by the department under a comprehensive development agreement and deposited to the State Highway Fund, pursuant to Transportation Code § 228.005, including applicable concession fees, or from payments and surplus toll project revenues received under other toll facility agreements unless:

a. the department submits a report to the Legislative Budget Board and the Governor, in the format prescribed by the Legislative Budget Board, outlining the amount of funds available from such payments received by the department, the department's anticipated uses of such funds, and their projected impacts; and

b. the Legislative Budget Board and the Governor issue a written approval.

39. Toll Project Revenue and Funds Report. Using funds appropriated above, the Department of Transportation shall submit to the Legislative Budget Board, in the format prescribed by the Legislative Budget Board, an annual report of all state toll project revenues received and any other related funds that are deposited outside of the state treasury, including the purpose and use of such funds by the department. The report shall be submitted no later than November 1, in each year of the biennium.

40. Limitation on Expenditures for Contracts.

a. Without the prior approval of the Legislative Budget Board, the Department of Transportation shall not use funds appropriated above to enter into any contract with a private participant for the construction, maintenance, or operation of a road or highway in the State of Texas that:

(1) contains any provision that would guarantee or ensure a return on investment;

(2) would reduce the risk of the private participant as a result of any action taken by the department or the State of Texas;

(3) would limit or penalize the expansion of other department run facilities designed to reduce congestion;

(4) fails to contain a stated buy back provision that can be calculated without using estimates of future revenues; or

(5) contains any possible financial liability that could be inherited by the department, the State of Texas, or any other state agency.

b. The Legislative Budget Board may consider a request from the Department of Transportation to expend funds appropriated above to enter into a contract containing any of the criteria specified in this rider. A request submitted by the department under this provision must include information regarding the location, project costs, and projected benefits to the state for each project proposed under such contracts.

41. Texas State Railroad. Out of the amounts appropriated above, the Texas Department of Transportation shall make available $10,000,000 in federal Transportation Enhancement program funds administered by the department for the Texas State Railroad project if the Texas State Railroad project is approved by the Texas Parks and Wildlife Commission for transfer to a consortium of the Cities of Palestine and Rusk and meets federal grant requirements of the Transportation Enhancement Program as defined by federal Department of Transportation, Federal

Highway Administration federal regulations in Title 23 of the United States Code. The Texas Parks and Wildlife Department in conjunction with the Texas Department of Transportation will review the Texas State Railroad project to determine if the Texas State Railroad project meets the federal Transportation Enhancement program guidelines in Title 23 of the United States Code. If the project has received the necessary approval and funding from Federal Transportation Enhancement program funds at the levels prescribed by the Eightieth Legislature prior to the enactment of this Act, the amount of federal Transportation Enhancement funds designated by this provision shall not be construed to be an amount in addition to the amounts designated in Rider 45, Texas State Railroad, Article VII, Department of Transportation, House Bill 1, General Appropriations Act, Eightieth Legislature, 2007.

42. Battleship TEXAS. Out of the amounts appropriated above, the Texas Department of Transportation shall make available during the biennium $16,090,050 in federal Transportation Enhancement Program funds administered by the department for the Battleship TEXAS project if the Battleship TEXAS project meets federal funding requirements of the Transportation Enhancement Program as defined by federal Department of Transportation, Federal Highway Administration federal regulations in Title 23 of the United States Code. The Texas Parks and Wildlife Department in conjunction with the Texas Department of Transportation will review the Battleship TEXAS project to determine if the Battleship TEXAS project meets the federal Transportation Enhancement Program guidelines in Title 23 of the United States Code. It is the intent of the Legislature that funds appropriated above would cover the administration costs of the Battleship TEXAS project approved for federal Transportation Enhancement Program funds. If the project has received the necessary approval and funding from Federal Transportation Enhancement program funds at the levels prescribed by the Eightieth Legislature prior to the enactment of this Act, the amount of federal Transportation Enhancement funds designated by this provision shall not be construed to be an amount in addition to the amounts designated in Rider 46, Battleship TEXAS, Article VII, Department of Transportation, House Bill 1, General Appropriations Act, Eightieth Legislature, 2007.

In addition, the Texas Department of Transportation may redirect obligated funds previously obligated for the Battleship TEXAS project under the Transportation Enhancement Program to other available projects should the Battleship TEXAS project fail to receive federal approval or federal Transportation Enhancement Program funds are not available due to changes in federal laws, rules, regulations, or appropriations.

43. Aircraft Pooling Services. The Texas Department of Transportation shall charge an amount at or above market prices for the provision of aircraft services. The amount charged must cover the costs of pilot services, scheduling services, the lease of necessary facilities in Austin, and any other reasonable expense.

44. Miscellaneous Provisions Related to Toll Road and Trans-Texas Corridor Projects.

a. **Toll Revenue Projection.** The Department of Transportation may not use appropriated funds to pay any costs related to making projections, using department personnel, of revenue to be generated by a toll road project. The department may use appropriated funds to pay the costs of making those projections only if the projections are made under an interagency contract between the department and the Comptroller of Public Accounts under which the Comptroller:

(1) makes the projections for the department; and

(2) projects the toll revenue for each geographic region of a toll road segment before the department signs an agreement with a developer to operate, lease, or finance that segment.

b. **Report of Indirect Costs.** In each cost report submitted to the Legislature by the Department of Transportation that includes information related to a project that is part of the Trans-Texas Corridor, the department shall either include indirect costs associated with the project or indicate that indirect costs are not addressed in the report.

c. **Access to Records Relating to Trans-Texas Corridor.** The Department of Transportation shall spend appropriations available for the purpose under this Act to achieve transparency in the department's functions related to the Trans-Texas Corridor by providing, to the greatest extent possible under the public information law (Chapter 552, Government Code) and other statutes governing the access to records, public access to information collected, assembled, or maintained by the department relating to the Trans-Texas Corridor.

d. **Accuracy of Developers' Assumptions in Trans-Texas Corridor 35 Project.** Money appropriated by this Act may not be spent in connection with a contract entered into by the Department of Transportation under Section 227.021, Transportation Code, related to the Trans-Texas Corridor 35 project, unless the department implements a process to obtain assurance regarding the reasonableness of the assumptions that the contracted developers use in developing plans and financial projections for the Trans-Texas Corridor 35 project.

e. **Financing Costs Associated with Mid-term Road Facilities and Long-term Road Facilities.** The Department of Transportation may not use money appropriated by this Act to implement a master development plan unless the plan includes the financing costs associated with the mid-term road facilities and long-term road facilities.

45. Galveston Causeway. Out of funds appropriated above in Goal C, Maintenance and Preservation, State Highway Funds shall be used for the maintenance and preservation of the fenderworks at the Galveston Causeway. Any unexpended balances from this appropriation remaining as of August 31, 2009, are hereby appropriated in the fiscal year beginning September 1, 2009, for the same purpose.

46. Heritage Trails Program. Out of the amounts appropriated above, the Texas Department of Transportation shall make available during the biennium $8.9 million in federal Transportation Enhancement funds administered by the department for Heritage Trails program project whenever such projects are approved by the Texas Historical Commission's Heritage Trails Program and meet federal funding requirements of the Transportation Enhancement Program as defined by U.S. Department of Transportation, Federal Highway Administration, in federal regulations promulgated under the authority of Title 23, United States Code. If the project has received the necessary approval and funding from Federal Transportation Enhancement program funds at the levels prescribed by the Eightieth Legislature prior to the enactment of this Act, the amount of federal Transportation Enhancement funds designated by this provision shall not be construed to be an amount in addition to the amounts designated in Rider 50, Heritage Trails Program, Article VII, Department of Transportation, House Bill 1, General Appropriations Act, Eightieth Legislature, 2007.

47. Colonia Projects. The amounts appropriated above in Strategy B.1.3, Construction Grants & Services, in fiscal year 2010 from General Obligation Bond Proceeds include $6,725,920 in unexpended balances remaining as of August 31, 2009, $24,000,000 in new appropriations for fiscal year 2010, and $24,000,000 in new appropriations for fiscal year 2011 to provide financial assistance for colonia access roadway projects. Any unexpended balances of these funds remaining as of August 31, 2010, are hereby appropriated to the Department of Transportation for the fiscal year beginning September 1, 2010, for the same purpose.

48. Houston Fire Museum. Out of the amounts appropriated above, the Texas Department of Transportation shall make available during the biennium $2 million in federal Transportation Enhancement Program funds administered by the department for a Houston Fire Museum, Inc., construction project if the Houston Fire Museum, Inc., construction project meets federal funding requirements of the Transportation Enhancement Program as defined by federal Department of Transportation, Federal Highway Administration federal regulations in Title 23 of the United States Code. The Texas Department of Transportation will review the Houston Fire Museum, Inc., construction project to determine if the construction of the Houston Fire Museum, Inc., meets the federal Transportation Enhancement Program guidelines in Title 23 of the United States Code. It is the intent of the Legislature that funds appropriated above would cover the administration costs of the Houston Fire Museum, Inc., construction project approved for federal Transportation Enhancement Program funds. If the project has received the necessary approval and funding from Federal Transportation Enhancement program funds at the levels prescribed by the Eightieth Legislature prior to the enactment of this Act, the amount of federal Transportation Enhancement funds designated by this provision shall not be construed to be an amount in addition to the amounts designated in Rider 52, Houston Fire Museum, Article VII, Department of Transportation, House Bill 1, General Appropriations Act, Eightieth Legislature, 2007.

In addition, the Texas Department of Transportation may redirect obligated funds previously obligated for the Houston Fire Museum, Inc., construction project under the Transportation Enhancement Program to other available projects should the Houston Fire Museum, Inc., construction project fail to receive federal approval or federal Transportation Enhancement Program funds are not available due to changes in federal laws, rules, regulations, or appropriations.

49. Tourist Information Center. From funds appropriated above, the Department of Transportation shall allocate $75,000 each year of the biennium for the operation of a tourist information center in the Lufkin District along the federally designated El Camino Real de los Tejas.

50. Public Transportation. Notwithstanding other transfer provisions in Article IX of this Act, appropriations made to the Department of Transportation in Strategy D.1.1, Public Transportation, from the State Highway Fund shall not be reduced.

51. Crash Records Information System. Included in the amounts appropriated above in Strategy D.2.1., Traffic Safety, is $750,000 in fiscal year 2010 and $750,000 in fiscal year 2011 from the Insurance Companies Maintenance Tax and Insurance Department Fees No. 8042 for ongoing maintenance of the Crash Records Information System.

52. Limitation on Capital Budget - Acquisition of Information Resource Technologies. Notwithstanding the general transfer provisions of this Act, the Department of Transportation may not transfer any appropriations into or between any capital budget items listed under "Acquisition of Information Resource Technologies" in Rider 2, Capital Budget, or to an additional information resource technology capital budget item not presented in Rider 2 without the approval of the Legislative Budget Board and the Governor. This limitation does not apply to the Data Center Consolidation capital budget item.

53. Sunset Contingency. Funds appropriated above for fiscal year 2011 for the Department of Transportation are made contingent on the continuation of the Department of Transportation by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

54. Appropriation of Special License Plate Fees.[10] In addition to amounts appropriated above in Strategy D.1.2, Registration and Titling, fees collected from the sale of personalized and specialty license plates (Object Code 3014) and deposited to the credit of State Highway Fund No. 006 for the purposes of making contract payments to the vendor selected by the Department of Transportation for the marketing and sale of personalized and specialty license plates pursuant to Transportation Code §§ 504.851 and 504.852 are hereby appropriated for the same purpose. Any unobligated or unexpended balances of these funds remaining as of August 31, 2010, are hereby appropriated in the fiscal year beginning September 1, 2010, for the same purpose.

55. Appropriations from State Highway Fund No. 006 and Proposition 12 General Obligation Bonds. Appropriations to the Department of Transportation from State Highway Fund No. 006 and appropriations from General Obligation Bond Proceeds authorized by Proposition 12, Senate Joint Resolution 64, Eightieth Legislature, 2007, as approved by the voters, for the 2010-11 biennium may not be expended unless:

a. the department submits a report prior to the beginning of each fiscal year to the Legislative Budget Board and the Governor on the department's progress in implementing the recommendations of the Sunset Advisory Commission;

b. prior to the beginning of each fiscal year, the department provides the Legislative Budget Board and the Governor with a detailed plan for the use of these funds which includes, but is not limited to

(1) each construction project's enhancement of the state's economy, traffic safety, and connectivity;

(2) a detailed account of the level of traffic congestion reduced by each proposed project, in districts that contain one of the 50 most congested roads, as determined by the Traffic Congestion Index;

(3) a district by district analysis of pavement score targets and how proposed maintenance spending will impact pavement scores in each district; and

c. the Legislative Budget Board and the Governor issue a written approval for the use of these funds.

---

[10] Riders 8, 25, 32, 33, and 54 are transferred to the Department of Motor Vehicles pursuant to the enactment of HB 3097, 81st Legislature, Regular Session, and Article IX, § 17.30, of this Act.

56. Congested Road Segments. Out of funds appropriated above, the department shall expend necessary funds to prominently post the top 100 congested road segments on its website and:

a. the Traffic Congestion Index for each segment including the annual hours of travel delays and the economic value of the delays;

b. a congestion mitigation plan drafted in coordination with the local Metropolitan Planning Organization which shall include, when appropriate, alternatives to highway construction; and

c. at least a quarterly update of the current status in completing the mitigation plan for each road segment.

Funds shall not be distributed by the department to any district with a road segment in the top 100 congested roads until the requirements of this rider have been met.

57. Engineering Staff. Prior to January 1, 2010, the Comptroller of Public Accounts shall submit a report produced in consultation with the Texas Board of Professional Engineers, the Department of Transportation, the Association of General Contractors, and the Consultant Engineer Council, to the Legislative Budget Board and the Governor which details:

a. the number of professionally licensed engineers and graduate engineers by work function and by strategy employed at the Department of Transportation for each of the last five (5) fiscal years;

b. the dollar volume of highway and bridge projects awarded by the department in each of the last five (5) fiscal years;

c. the cost, including all direct and indirect costs, per $100 million of highway and bridge projects awarded by the Department in each of the last five (5) fiscal years that were produced by (i) Department of Transportation personnel; and, (ii) by consultants; this analysis will be performed by an independent contracted cost accounting firm knowledgeable of governmental accounting practices;

d. an analysis of the dollar volume impact to the Department of Transportation's highway and bridge construction and maintenance program per $100 million of project awards for each one percent increase in production by consultants offset by a reduction to production by Department of Transportation personnel, considering cost to produce as developed in subsection (c);

e. a recommended staffing and consultant usage plan for the Department of Transportation to develop plans for highways and bridges in Texas for the next 10 years based on projected funding levels;

f. an attrition plan to reach recommended Department of Transportation staffing levels developed in subsection (e) by January 1, 2013 should they be lower than the current Department of Transportation levels; and

g. a detailed description for how this analysis will be incorporated in the Department of Transportation's ongoing restructuring effort.

58. Sale of Surplus Property. Notwithstanding the provisions of Article IX, Sec. 8.04, Surplus Property, in this Act, all receipts from the sale of Department of Transportation surplus property, equipment, commodities, or salvage (including recycled products), pursuant to the provisions of Chapter 2175, Government Code, are appropriated to the Department of Transportation for expenditure during the fiscal year in which the receipts are received.

59. State Highway 121 Project Subaccounts. The amounts appropriated above to the Department of Transportation in Goal G, SH 121 Transportation Projects, are made from fund balances and interest earnings on fund balances held in State Highway 121 toll project subaccounts in the State Highway Fund. The balance of funds held the State Highway 121 toll project subaccounts as of April 30, 2009, is $2,732,783,865.

60. Contingency for Legislation Authorizing Issuance of Proposition 12 Bonds and Senate Bill 1350.[11]

a. Out of funds appropriated above in strategy A.1.2, Contracted Planning and Design, the amount of $60,000,000 in fiscal year 2010, and in Strategy A.1.3, Right-of-way Acquisition, the amount of $90,000,000 in fiscal year 2010, and in B.1.2, New Construction Contracts, $250,000,000 in fiscal year 2010 and $600,000,000 in fiscal year 2011, and in Strategy B.1.3, Construction Grants & Services, $1 billion in fiscal year 2011 in Proposition 12 General Obligation Bond proceeds and in strategy F.1.1, General Obligation Bonds, $100 million in General Revenue are contingent upon the enactment of legislation relating to the issuance by the Texas Transportation Commission of general obligation bonds for highway improvement projects, by the Eighty-first Legislature, Regular Session, or by a called session of the Eighty-first Legislature. The amounts from Proposition 12 General Obligation Bond Proceeds in Strategy B.1.2, New Construction Contracts, shall be used to make progress payments on a maximum of $1,850,000,000 in new multi-year construction contract obligations for non-tolled highway projects.

b. Contingent upon the enactment of Senate Bill 1350 or similar legislation relating to the creation, administration, financing, and use of a Texas Transportation Revolving Fund by the Eighty-first Legislature, Regular Session, $1 billion out of the contingent appropriation of Proposition 12 General Obligation Bond proceeds in Strategy B.1.3, Construction Grants & Services, in subsection (a) of this rider shall be used to capitalize the Texas Transportation Revolving Fund for the purpose of implementing the provisions of Senate Bill 1350 or similar legislation. If Senate Bill 1350 or similar legislation is not enacted, $1 billion of the contingent appropriation from Proposition 12 General Obligation Bond proceeds in Strategy B.1.3, Construction Grants & Services, in subsection (a) of this rider shall be used to capitalize the State Infrastructure Bank for the purpose of making loans to public entities; provided that money in the State Infrastructure Bank may not be used for the purpose of converting a nontolled road or highway to a tolled road or highway.

61. Pass-through Tolling Agreements. The Texas Department of Transportation shall submit an annual report to the Legislative Budget Board no later than November 1 of each fiscal year, in the format prescribed by the Legislative Budget Board, providing information on all existing pass-through tolling or pass-through financing agreements of the department.

62. Texas State Cemetery Enhancement Projects. Out of the amounts appropriated above, the Texas Department of Transportation shall make available, to the Texas Facilities Commission, during the biennium $455,000 in federal Transportation Enhancement Program funds administered by the department for Texas State Cemetery beautification, repair and security enhancement projects if the Texas State Cemetery beautification, repair and security enhancement projects meet federal funding requirements of the Transportation Enhancement Program as defined by federal Department of Transportation, Federal Highway Administration federal regulations in Title 23 of the United States Code. The Texas Department of Transportation will review the Texas State Cemetery beautification, repair and security enhancement projects to determine if they meet the federal Transportation Enhancement Program guidelines. It is the intent of the Legislature that funds appropriated above would cover the administration costs of the Texas State Cemetery beautification, repair and security enhancement projects approved for federal Transportation Enhancement Program funds.

In addition, the Texas Department of Transportation may redirect obligated funds previously obligated for the Texas State Cemetery beautification, repair and security enhancement projects under the Transportation Enhancement Program to other available projects should the Texas State Cemetery beautification, repair and security enhancement projects fail to receive federal approval or federal Transportation Enhancement Program funds are not available due to changes in federal laws, rules, regulations, or appropriations.

63. Appropriations for Projects Authorized by Section 222.104, Transportation Code. Unless there is an insufficient number of proposals for projects to be developed under agreements authorized under Section 222.104, Transportation Code, during the 2010-2011 biennium the Department of Transportation shall, for purposes of reimbursing approved project costs for new

[11] Incorporates changes due to the enactment of HB 1, 81st Legislature, 1st Called Session, relating to certain sources of revenue for the funding of highways and transportation projects. SB 1350, 81st Legislature, Regular Session, did not pass.

approved projects developed pursuant to agreements under Section 222.104, Transportation Code, encumber an amount not less than the total of reimbursements committed under agreements entered into during the 2008-09 biennium between the Department of Transportation and qualified local sponsors.

64. Appropriation for Rail Projects. Out of amounts appropriated above in Strategy A.1.2, Contracted Planning and Design, from the General Revenue Fund in fiscal year 2010:

a. $3,000,000 shall be used for the rehabilitation and track improvements for the South Orient Rail Line from San Angelo to Coleman; and

b. $8,700,000 shall be used for environmental review and other preliminary planning activities for the Austin-San Antonio passenger rail project.

65. Limitation on Expenditures: Prohibition on Lobbyists. The Department of Transportation shall not expend any funds appropriated above for the purpose of selecting, hiring, or retaining a person required to register under Chapter 305, Government Code, or the Lobbying Disclosure Act of 1995 (2 U.S.C. Section 1601 et seq), unless such an expenditure is allowed under state law.

66. Gray County Medical Heliport. Out of funds appropriated in Strategy B.1.4, Aviation Services, the Texas Department of Transportation shall make a grant of $500,000 under Subchapter C, Chapter 21, Transportation Code, during the 2010-11 biennium to Gray County for the construction of an air navigational facility for emergency medical services helicopters in that county.

67. Limitation on Use of Funds. No funds appropriated above may be used to change the location of the current exit ramp off of IH-35 at exit number 359 by more than 1,000 feet, unless the Department of Transportation first provides to the Legislative Budget Board written correspondence from the federal government demonstrating that the ramp must be moved in order to prevent the loss of federal funds other than the funds that would be used to move the exit ramp or that this prohibition would cause the Department of Transportation to be in violation of federal law or regulations.

TEXAS WORKFORCE COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund		
General Revenue Fund	$ 62,173,837	$ 62,173,831
GR MOE for Temporary Assistance for Needy Families	34,574,493	34,574,493
GR for Child Care and Development Fund	42,563,817	42,563,817
Career Schools and Colleges	969,664	969,664
GR Match for Supplemental Nutritional Assistance Program	4,007,586	4,007,586
Subtotal, General Revenue Fund	$ 144,289,397	$ 144,289,391
General Revenue Fund - Dedicated		
Unemployment Compensation Special Administration Account No. 165	5,501,579	5,512,093
Employment and Training Investment Assessment Holding	386,229	386,230
Subtotal, General Revenue Fund - Dedicated	$ 5,887,808	$ 5,898,323
Workforce Commission Federal Account No. 5026	877,577,794	879,951,465
Other Funds		
Appropriated Receipts	3,422,793	3,423,389

[1] Appropriations identified above do not include American Recovery and Reinvestment Act (ARRA) funds; please see Article XII of this Act for those appropriations. For this agency Article XII includes a Federal Funds increase of $436,811,767 in FY 2010 resulting in a net All Funds appropriation of $1,498,509,241 in FY 2010.

Interagency Contracts	30,519,682	30,511,109
Subtotal, Other Funds	$ 33,942,475	$ 33,934,498
Total, Method of Financing	$ 1,061,697,474	$ 1,064,073,677
This bill pattern represents an estimated 32% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	2,832.0	2,832.0
Schedule of Exempt Positions:		
Commissioner, Group 6	$135,000	$135,000
Commissioner, Group 5	(2) 135,000	(2) 135,000
Executive Director, Group 5	154,000	154,000
Items of Appropriation:		
A. Goal: WORKFORCE DEVELOPMENT Support a Workforce System to Achieve/Sustain Economic Prosperity.		
A.1.1. Strategy: WORKFORCE INVESTMENT ACT Workforce Investment Act (WIA) Adult and Dislocated Adults.	$ 131,962,045	$ 132,094,600
A.1.2. Strategy: WORKFORCE INVESTMENT ACT - YOUTH Workforce Investment Act (WIA) Youth.	$ 57,763,185	$ 57,763,185
A.1.3. Strategy: TANF CHOICES Temporary Assistance for Needy Families (TANF) Choices.	$ 90,035,612	$ 89,961,449
A.1.4. Strategy: EMPLOYMENT AND COMMUNITY SERVICES	$ 47,617,689	$ 47,359,083
A.1.5. Strategy: SNAP E & T Supplemental Nutritional Assistance Program.	$ 18,784,940	$ 18,799,285
A.1.6. Strategy: TRADE AFFECTED WORKERS Trade Affected Worker Training and Assistance.	$ 8,753,725	$ 8,758,875
A.1.7. Strategy: PROJECT RIO Project Reintegration of Offenders (RIO).	$ 10,761,725	$ 10,764,151
A.1.8. Strategy: SENIOR EMPLOYMENT SERVICES	$ 5,708,829	$ 5,708,817
A.1.9. Strategy: APPRENTICESHIP	$ 1,804,039	$ 1,804,007
A.2.1. Strategy: SKILLS DEVELOPMENT	$ 40,482,305	$ 40,503,971
A.2.2. Strategy: SELF SUFFICIENCY	$ 3,274,093	$ 3,273,966
A.2.3. Strategy: LABOR MARKET AND CAREER INFORMATION	$ 4,537,180	$ 4,545,135
A.2.4. Strategy: WORK OPPORTUNITY TAX CREDIT Work Opportunity Tax Credit Certification.	$ 850,678	$ 851,310
A.2.5. Strategy: ALIEN LABOR CERTIFICATION	$ 571,424	$ 573,125
A.3.1. Strategy: TANF CHOICES CHILD CARE TANF Choices Child Care for Families Working or Training for Work.	$ 40,942,680	$ 42,179,718
A.3.2. Strategy: TRANSITIONAL CHILD CARE Transitional Child Care for Families Working or Training for Work.	$ 25,933,343	$ 26,712,890
A.3.3. Strategy: AT-RISK CHILD CARE At-Risk Child Care for Families Working or Training for Work.	$ 412,196,594	$ 414,614,492
A.3.4. Strategy: CHILD CARE ADMINISTRATION Child Care Admin for TANF Choices, Transitional & At-Risk Child Care.	$ 5,858,246	$ 5,496,258
A.3.5. Strategy: CHILD CARE - FOSTER CARE FAMILIES Child Care for Foster Care Families.	$ 29,985,856	$ 29,985,856
A.4.1. Strategy: UNEMPLOYMENT CLAIMS	$ 52,384,687	$ 51,266,981
A.4.2. Strategy: UNEMPLOYMENT APPEALS	$ 12,143,330	$ 12,106,016
A.4.3. Strategy: UNEMPLOYMENT TAX COLLECTION	$ 22,450,080	$ 22,653,611
Total, Goal A: WORKFORCE DEVELOPMENT	$ 1,024,802,285	$ 1,027,776,781
B. Goal: PROGRAM ACCOUNTABILITY/ENFORCEMENT		
B.1.1. Strategy: SUBRECIPIENT MONITORING	$ 2,498,088	$ 2,501,497
B.1.2. Strategy: TECHNICAL ASSISTANCE	$ 6,336,702	$ 6,343,015
B.1.3. Strategy: LABOR LAW INSPECTIONS	$ 3,656,131	$ 3,663,417

B.1.4. Strategy: CAREER SCHOOLS & COLLEGES	$ 896,131	$ 896,337
Career Schools and Colleges.		
B.2.1. Strategy: CIVIL RIGHTS	$ 2,028,026	$ 2,035,007
Total, Goal B: PROGRAM ACCOUNTABILITY/ENFORCEMENT	$ 15,415,078	$ 15,439,273
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: CENTRAL ADMINISTRATION	$ 11,770,701	$ 11,786,046
C.1.2. Strategy: INFORMATION RESOURCES	$ 7,868,161	$ 7,199,041
C.1.3. Strategy: OTHER SUPPORT SERVICES	$ 1,841,249	$ 1,872,536
Total, Goal C: INDIRECT ADMINISTRATION	$ 21,480,111	$ 20,857,623
Grand Total, TEXAS WORKFORCE COMMISSION	$ 1,061,697,474	$ 1,064,073,677
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 115,304,209	$ 115,620,980
Other Personnel Costs	6,297,053	6,297,053
Professional Fees and Services	24,798,948	22,457,115
Fuels and Lubricants	25,897	27,415
Consumable Supplies	1,038,496	1,041,825
Utilities	3,357,887	3,482,713
Travel	2,014,601	2,047,181
Rent - Building	1,951,764	1,992,737
Rent - Machine and Other	526,543	528,201
Other Operating Expense	24,080,356	24,516,582
Client Services	46,620	46,620
Grants	881,011,852	885,671,758
Capital Expenditures	1,243,248	343,497
Total, Object-of-Expense Informational Listing	$ 1,061,697,474	$ 1,064,073,677
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 7,124,059	$ 7,230,920
Group Insurance	31,488,592	34,534,701
Social Security	9,140,046	9,277,147
Benefits Replacement	1,106,587	1,051,257
Subtotal, Employee Benefits	$ 48,859,284	$ 52,094,025
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 48,859,284	$ 52,094,025

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Workforce Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Workforce Commission. In order to achieve the objectives and service standards established by this Act, the Texas Workforce Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: WORKFORCE DEVELOPMENT		
Outcome (Results/Impact):		
Customers Served - Job Seekers	1,510,000	1,535,000
Entered Employment Rate	79%	79%
Employment Retention Rate	83%	83%
Temporary Assistance for Needy Families (TANF) Choices Participation Rate : Single-Parent Families	30%	30%
Percent of Unemployment Insurance Claimants Paid Timely	97%	97%
Percent of Unemployment Insurance Dispute Cases Resolved with Lower Appeal	84%	84%
A.1.1. Strategy: WORKFORCE INVESTMENT ACT		
Output (Volume):		
Workforce Investment Act (WIA): Adult and Dislocated Worker Customers Served	37,513	37,513
Efficiencies:		
Workforce Investment Act (WIA): Adult and Dislocated Worker Average Cost per Customer Served	3,100	3,100

A.1.3. Strategy: TANF CHOICES		
Output (Volume):		
Temporary Assistance for Needy Families (TANF) Choices Customers Served	43,267	43,267
Efficiencies:		
Temporary Assistance for Needy Families (TANF) Choices Average Cost Per Customer Served	1,959	1,956
A.1.4. Strategy: EMPLOYMENT AND COMMUNITY SERVICES		
Output (Volume):		
Employment Services Customers Served	1,434,500	1,458,300
Efficiencies:		
Employment Services Average Cost Per Customer Served	17	17
A.1.5. Strategy: SNAP E & T		
Output (Volume):		
Supplemental Nutritional Assistance Program (E&T) Customers Served	30,894	30,978
A.1.7. Strategy: PROJECT RIO		
Output (Volume):		
Project Reintegration of Offenders (RIO) Customers Served	48,000	48,000
Efficiencies:		
Project Reintegration of Offenders (RIO) Average Cost Per Customer Served	130	130
A.1.9. Strategy: APPRENTICESHIP		
Output (Volume):		
Apprenticeship Customers Served	3,600	3,600
A.2.1. Strategy: SKILLS DEVELOPMENT		
Output (Volume):		
Skills Development Customers Served	27,298	27,298
Efficiencies:		
Skills Development Fund Average Cost Per Customer Served	1,420	1,420
A.2.2. Strategy: SELF SUFFICIENCY		
Output (Volume):		
Self-Sufficiency Customers Served	2,149	2,148
Efficiencies:		
Self-Sufficiency Fund Average Cost Per Customer Served	1,400	1,400
A.3.1. Strategy: TANF CHOICES CHILD CARE		
Output (Volume):		
Average Number of Children Served Per Day, Temporary Assistance for Needy Families (TANF) Choices Services	7,545	7,544
Efficiencies:		
Average Cost Per Child Per Day for Child Care, Temporary Assistance for Needy Families (TANF) Choices Services	21.72	22.31
A.3.3. Strategy: AT-RISK CHILD CARE		
Output (Volume):		
Average Number of Children Served Per Day, Transitional and At Risk Services	103,220	103,301
Efficiencies:		
Average Cost Per Child Per Day for Child Care, Transitional and At Risk Services	15.7	16.12
Explanatory:		
Average Number of Children on Waiting List for Low-income Child Care	27,700	27,700
A.4.1. Strategy: UNEMPLOYMENT CLAIMS		
Efficiencies:		
Average Wait Time on Hold for Unemployment Insurance Customers (Minutes)	8.53	8.72
Explanatory:		
Unemployment Rate	6.7	6.5
B. Goal: PROGRAM ACCOUNTABILITY/ENFORCEMENT		
B.1.1. Strategy: SUBRECIPIENT MONITORING		
Output (Volume):		
Number of Monitoring Reviews of Boards or Contractors	72	72
B.1.3. Strategy: LABOR LAW INSPECTIONS		
Output (Volume):		
Number of On-site Inspections Completed for Texas Child Labor Law Compliance	2,600	2,600
B.1.4. Strategy: CAREER SCHOOLS & COLLEGES		
Output (Volume):		
Number of Licensed Career Schools and Colleges	430	435

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by commission management to be in the best interest of the State of Texas.

	2010	2011
a. Repair or Rehabilitation of Buildings and Facilities		
(1) Repair or Rehabilitation of Buildings and Facilities	$ 4,745,007	$ 4,950,004
b. Acquisition of Information Resource Technologies		
(1) Data Center Consolidation	17,725,183	16,498,781
(2) E-Strategy	501,920	171,600
(3) LAN/WAN Area Upgrade & Replacement	606,397	328,400
(4) Operations Infrastructure	1,047,154	0
(5) PC Infrastructure and Refresh	1,299,998	1,299,998
(6) Phone System Replacement	64,997	64,997
(7) Workforce Information System Redesign	1,066,742	835,009
(8) Enterprise Document Management	$ 1,314,800	$ 310,179
Total, Acquisition of Information Resource Technologies	$ 23,627,191	$ 19,508,964
c. Transportation Items		
(1) Vehicle Acquisition	$ 56,501	$ 28,497
Total, Capital Budget	$ 28,428,699	$ 24,487,465
Method of Financing (Capital Budget):		
General Revenue Fund	$ 352,335	$ 339,204
GR Dedicated - Unemployment Compensation Special Administration Account No. 165	268,057	243,646
Interagency Contracts	109,657	101,469
Workforce Commission Federal Account No. 5026	27,696,855	23,801,483
Career Schools and Colleges	1,795	1,663
Total, Method of Financing	$ 28,428,699	$ 24,487,465

3. **Appropriation: Federal Funds.** All moneys granted to Texas by the federal government for the administration of the Texas Unemployment Compensation Act or which are now on deposit to the credit of any funds maintained by the comptroller for the Texas Workforce Commission (TWC), and any moneys received for the credit of such funds are hereby appropriated for the purposes authorized by the provisions of the Texas Unemployment Compensation Act and for the purposes for which such moneys were granted. TWC shall notify the Legislative Budget Board and Governor of any funds and associated staffing received above the amounts appropriated above for the biennium.

4. **Section 903, Social Security Act Funds.**

   a. Out of amounts credited to Texas' account in the Federal Unemployment Trust Fund under § 903 of the Social Security Act, there is included in the appropriation above $5,000,000 in fiscal year 2008 and $5,000,000 in fiscal year 2009 for withdrawal and use by the Texas Workforce Commission (TWC) for the administration of the Texas Unemployment Compensation Act and its Public Employment Offices and telecenters. Said funds may be used to provide necessary office facilities and automated equipment, to include the purchase of land and construction of buildings, and the construction of improvements on property owned by TWC, including the cost of repairs and alterations to such property and the purchase of computers and related peripheral equipment.

b. No part of any amounts based on an initial transfer from the federal government that occurred prior to fiscal year 2000 or after fiscal year 2002, herein appropriated out of amounts credited to Texas' account in the Federal Unemployment Trust Fund under § 903 of the Social Security Act, shall be expended after the close of the period covered by this act and any unused portion of such amounts shall, at such close, revert to Texas' said account in the Federal Unemployment Trust Fund. The amount obligated pursuant to this act shall not exceed at any time the amount by which (a) the aggregate of the amounts transferred to the account of this state pursuant to § 903 of the Social Security Act exceeds (b) the aggregate of the amounts obligated for administration and paid out for benefits and required by law to be charged against the amounts transferred to the account of this State.

c. Should federal requirements concerning amounts made available under Section 903 of the Social Security Act change after passage of this Act, the appropriation made in this rider shall be subject to such conditions and limitations as required by the changed federal law.

5. Authorization: Sale of Agency-owned Buildings and Land. In order to ensure effective facility management in coordination with the local workforce development boards, the Texas Workforce Commission (TWC) is hereby authorized to sell agency-owned buildings and land. Any such sale must be based on a finding by the commission that no other economically viable alternative exists, and specifically that operation within agency-owned or leased buildings would not be feasible. Furthermore, in order to accommodate sudden and unexpected fluctuations in federal funding, TWC is hereby authorized to sell agency-owned buildings and land as it deems necessary. The authority granted in this provision is contingent upon the filing of a written notice with the Governor and the Legislative Budget Board at least 90 days prior to the planned date of sale and is subject to the disapproval of either office within 90 days after notification.

6. Payment of Unemployment Benefits - State Agencies. It is the intent of the Legislature that the Texas Workforce Commission charge the Comptroller of Public Accounts only for unemployment benefits paid based on wages earned from agencies appropriated funds under the General Appropriations Act, and that agencies outside the General Appropriations Act be maintained as individual reimbursing employers. For the purposes of this rider, 'agency' includes a state agency as defined under § 2151.002, Government Code, which includes an institution of higher education (except a public junior college) as defined under § 61.003, Education Code.

7. Federal Funds Appropriated. The Texas Workforce Commission (TWC) is hereby authorized to receive and disburse in accordance with plans acceptable to the responsible federal agency, all federal moneys that are made available (including grants, allotments, and reimbursements) to the state and retain their character as federal funds for such purposes and all fees authorized by federal law, and to receive, administer, and disburse federal funds for federal programs in accordance with plans agreed upon by the TWC and the responsible federal agency, and such other activities as come under the authority of the TWC, and such moneys are appropriated to the specific purpose or purposes for which they are granted or otherwise made available. Earned federal funds are not considered to be federal funds for the purpose of this section.

8. Reappropriation of Federal and Local Funds. All funds received by the Texas Workforce Commission from counties, cities, federal agencies, and from any other local source during the 2010-11 biennium, and all balances from such sources as of August 31, 2009, are hereby appropriated for the biennium ending August 31, 2011, for the purpose of carrying out the provisions of this Act. Earned federal funds are not considered to be federal funds for the purpose of this section.

9. Unexpended Balances for Child Care Funds. It is the intent of the Legislature that any additional federal funds received as a result of current efforts to obtain child care funds, be used for child care. Except as otherwise provided, all unexpended and unobligated balances in the area of child care remaining from appropriations for the first year of the biennium to the Texas Workforce Commission (TWC) are appropriated to TWC for the purpose of drawing down all available federal funds for child care. The TWC may transfer unexpended and unobligated balances of General Revenue appropriations to Strategy A.3.3, At-Risk Child Care, in order to match available federal child care funds, which are appropriated to TWC. TWC is subject to the requirements of the Additional Federal Funds rider in this agency's bill pattern for federal child care funds matched with available General Revenue, and TWC shall notify the Legislative Budget Board and the Governor of the amounts of additional General Revenue used as match and the federal child care funds matched in each year of the 2010-11 biennium not later than:

a. the 10th day after the date the staff of the Legislative Budget Board concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or

comments of the Legislative Budget Board staff to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor; and

b. within 10 business days by the Governor,

prior to drawing down the additional federal funds.

10. Maximization of Child Care and Development Funds. It is the intent of the Legislature that the Texas Workforce Commission cooperate with cities, non-profit organizations, the Texas Education Agency and local school districts to obtain local match necessary to maximize federal funds for child care. In order to maximize the availability of state matching funds for federal child care funds and to encourage local child care planning and match participation, the commission shall use donated purchase agreements and other funding mechanisms, to the extent allowed by federal law and regulations.

11. Project RIO. It is the intent of the Legislature that the Texas Workforce Commission (TWC), the Texas Department of Criminal Justice, and the Texas Youth Commission together enhance the effectiveness of Project RIO by improving cohesive program delivery among the three agencies. The agencies shall together develop and implement a biennial strategic plan for the implementation of a more cohesive and effective Project RIO program which will emphasize necessary skill development, rehabilitation and appropriate assessment of the offender prior to inmate release. Not later than March 1, 2010, the biennial strategic plan, jointly prepared by the three agencies, and including specific strategies, measures, timeframes for program improvement, and a methodology for program evaluation, shall be submitted to the Legislative Budget Board and the Governor. For performance measures included in the biennial strategic plan, TWC will set targets for local work force development boards and collect reports on actual performance. TWC shall maintain funding at $4,559,735 in each fiscal year of the 2010-11 biennium to the Texas Department of Criminal Justice and $446,250 in each fiscal year of the 2010-11 biennium to the Texas Youth Commission to fund Project RIO. The agencies shall enter into interagency contracts, to include reporting of performance levels, for the 2010-11 biennium.

12. Earned Income Tax Credit Assistance. Out of funds appropriated above, the Texas Workforce Commission and local workforce development boards shall assist recipients of Temporary Assistance for Needy Families who become employed, and other low-income workers who may qualify for the credit under federal income and other requirements, to apply for the federal Earned Income Tax Credit.

13. Employment and Child Care Programs in Rural Areas. It is the intent of the Legislature that the Texas Workforce Commission and local workforce development boards cost-effectively continue to expand the availability of employment and child care programs into rural areas.

14. Job Training Courses. It is the intent of the Legislature that the primary objective of job training courses offered by the Texas Workforce Commission and local workforce development boards is to prepare individuals for high-skill, high-wage jobs with health benefits that result in long-term employability. Whenever possible, strategies should focus on incorporating industry sectors and/or regional industry clusters in order to promote high quality jobs. While English as a Second Language (ESL) may provide additional benefit to trainees, it may not be substituted for job training classes.

15. Formal Measures Report. The Texas Workforce Commission shall submit an annual report to the Legislative Budget Board and the Governor on agency performance on Formal Measures prescribed by the Texas Workforce Investment Council (TWIC). The report shall be submitted with the agency's 4th quarterly performance report and must be accompanied by supporting documentation as specified by the Legislative Budget Board and the Governor.

16. Budget and Performance Report. The Texas Workforce Commission shall submit a monthly report to the Legislative Budget Board and the Governor on budgeted, expended, and encumbered funds by strategy (and substrategy as appropriate) along with Full-Time Equivalent positions and method of finance information. The report shall also include program performance information for performance measures included in this Act.

17. Skills Development and Self-Sufficiency Fund Report. The Texas Workforce Commission shall submit a quarterly report to the Legislative Budget Board and the Governor on contracts executed by the commission, expenditures, program participants, and closed contracts for each

Skills Development Fund and Self-Sufficiency Fund contract. Each report shall be accompanied by supporting documentation as specified by the Legislative Budget Board and the Governor.

18. Contracts for Purchase of Client Services. No funds appropriated to the Texas Workforce Commission may be utilized for contracts for the purchase of program-related client services unless:

a. such contracts include clearly defined goals, outputs, and measurable outcomes which directly relate to program objectives;

b. such contracts include clearly defined sanctions or penalties for noncompliance with contract terms and conditions;

c. such contracts specify the accounting, reporting, and auditing requirements applicable to funds received under the contract;

d. the agency has implemented a formal program using a risk assessment methodology to monitor compliance with financial and performance requirements under the contract, including a determination of whether performance objectives have been achieved; and

e. the agency has implemented a formal program to obtain and evaluate program costs information to ensure that all costs, including administrative costs, are reasonable to achieve program objectives.

19. Additional Federal Funds. No appropriation of federal funds in addition to the estimated amounts above may be expended by the Texas Workforce Commission (TWC) unless:

a. TWC files a finding of fact along with a written plan outlining the use and projected impact of the funds on performance measures with the Legislative Budget Board and the Governor and indicating that additional appropriations are required to maintain adequate levels of program performance; and,

b. neither the Legislative Budget Board nor the Governor issues a written disapproval not later than:

1. the 10th day after the date the staff of the Legislative Budget Board concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or comments of the Legislative Budget Board staff to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor; and

2. within 10 business days of the receipt of the finding of fact by the Governor and the written plan,

which should not prohibit the agency from responding in an emergency.

20. Work-at-Home Employees. It is provided that the Texas Workforce Commission is hereby authorized to grant compensatory time to authorized employees for overtime work performed at the employee's personal residence and for work performed at the employee's personal residence on state or national holidays. Work performed under this authority shall be approved in advance by the Executive Director and must be verified by appropriate records, which may include audiotapes, computer and telephone logs, and the time tracking and leave accounting system. Compensatory time is only granted when corresponding work is assigned.

21. Cash Flow Contingency for Texas Workforce Civil Rights Division.

a. Contingent upon the receipt of federal funds allocated under the annual fixed cost performance based contracts and special projects with the U.S. Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development, and upon the submission of monthly reports on all funds transfers and performance on all key measures to the Legislative Budget Board, Governor, and Comptroller of Public Accounts, the commission may temporarily utilize additional General Revenue Funds, pending the receipt of federal reimbursement, in an amount not to exceed 75 percent of the amount as specified in the notification letter of federal award to be received in each year of the biennium. The General Revenue amounts utilized above the General Revenue method of

finance must be repaid upon receipt of federal reimbursement and shall be utilized only for the purpose of temporary cash flow needs. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be in accordance with procedures established by the Comptroller. All transfers of the method of finance shall be reported by the Texas Workforce Commission (TWC) Civil Rights Division to the Legislative Budget Board.

b. TWC Civil Rights Division may temporarily utilize additional General Revenue Funds pending reimbursement through interagency contracts in an amount not to exceed 50 percent of the estimated interagency contract receipts to be received each year of the biennium to be adjusted by actual contract amounts. The General Revenue amounts utilized above the General Revenue method of finance must be repaid upon receipt of interagency contract reimbursement and shall be utilized only for the purpose of temporary cash flow needs. These transfers and repayments shall be in accordance with procedures established by the Comptroller. Any contract balance at the end of the first fiscal year of the biennium is hereby appropriated to the second fiscal year of the biennium.

22. Travel Expenditures. The Texas Workforce Commission's Civil Rights Division is authorized to spend out of funds appropriated above up to $1,500 per employee or Civil Rights Division's Board Member for each year of the biennium for out-of-state travel. This limitation shall not apply to out-of-state travel required by the U.S. Equal Employment Opportunity Commission or the U.S. Department of Housing and Urban Development if the cost of such travel is reimbursed by the federal government.

23. Limitation on Texas Fair Housing Act Investigations or Prosecutions. No funds appropriated by this Act may be used to investigate or prosecute under the Texas Fair Housing Act any otherwise lawful activity, engaged in by one or more persons, that is engaged solely for the purpose of preventing action by a government official or court of competent jurisdiction.

24. Child Care Benefit Costs Paid with Federal Funds. The Texas Workforce Commission shall pay all benefit costs to the Employees Retirement System related to Full-Time Equivalents (FTE) for salaries in A.3.4, Child Care Administration with Federal Funds. No funds shall be paid for salaries in Strategy A.3.1, TANF Choices Child Care, Strategy A.3.2, Transitional Child Care, Strategy A.3.3, At-Risk Child Care, and Strategy A.3.5, Child Care for Foster Care Families.

25. Temporary Assistance for Needy Families (TANF) Maintenance of Effort. All General Revenue appropriated above for TANF maintenance of effort (MOE) shall be expended within the appropriate fiscal year for that purpose in order to secure the TANF federal block grant for the state. Out of funds appropriated above in Strategy A.3.1, TANF Choices Child Care, Strategy A.3.2, Transitional Child Care, and Strategy A.3.3, At-Risk Child Care, $27,745,141 in General Revenue is appropriated for TANF MOE each fiscal year for TANF program Client Services or Grants. None of the General Revenue appropriated for TANF MOE in Strategy A.3.1, TANF Choices Child Care, Strategy A.3.2, Transitional Child Care, and Strategy A.3.3, At-Risk Child Care, may be transferred to any other item of appropriation or expended for any purpose other than the specific purpose for which the funds are appropriated. General Revenue may be transferred between the above mentioned three strategies.

26. Local Matching Funds. Child Care Matching Federal Funds appropriated above are based upon an estimated local match of $31,343,955 million in fiscal year 2010 and $32,080,644 million in FY 2011, which includes $2,500,000 in Appropriated Receipts appropriated above each year of the biennium in Strategy A.3.3, At-Risk Child Care.

27. School Readiness Models. Out of federal funds appropriated to the Texas Workforce Commission in Strategies A.3.1, TANF Choices Child Care; A.3.2, Transitional Child Care; and A.3.3, At-Risk Child Care, the commission shall match the amount of available General Revenue for the Early Childhood School Readiness Programs funded in Rider 41 following the appropriation in Article III, to the Texas Education Agency to provide for each year of the 2010-11 state fiscal biennium a total amount equal to the greater of $11,700,000, or the maximum amount allowable under the approved match rate for the purpose of providing funds to child care providers participating in integrated school readiness models developed by the State Center for Early Childhood Development at the University of Texas Health Science Center at Houston. Not later than December 1st of each even-numbered year, the State Center for Early Childhood Development shall report to the Legislative Budget Board and the Office of the Governor the detailed use of all state funds expended by the center for early childhood education services.

28. Employment and Training Investment Assessment Reimbursement. Amounts appropriated above in Strategy A.4.3, Unemployment Tax Collection, include an estimated amount of $386,229

in fiscal year 2010 and $386,230 in fiscal year 2011 in GR-Dedicated Employment and Training Investment Holding Account No. 5128 for the purpose of reimbursing the Federal Government for collection costs associated with the Employment and Training Investment Assessment in compliance with the collection cost methodology approved by the U.S. Department of Labor.

29. Reimbursement of Advisory Committee Members. Pursuant to Government Code, Section 2110.004, Reimbursement of Expenses for Advisory Committee Members, out of funds appropriated above, not to exceed $15,000 for fiscal years 2010-11, is limited to the Texas Veterans' Leadership Program Advisory Committee.

30. The Women's Institute for Technology Employment Training. Out of funds appropriated above in Strategy A.1.4, Employment and Community Services, the Texas Workforce Commission shall allocate $250,000 in fiscal year 2010 and $250,000 in fiscal year 2011 to the Women's Institute for Technology Employment Training to support a comprehensive program with statewide activity funds to develop curriculum, courses and programs to prepare single women with children who are economically disadvantaged or on state or federal assistance, for entry-level jobs and careers in Texas manufacturing and technology based industries.

31. Texas Workforce and Economic Development Rider: Texas Economic Stimulus.

(a) The Texas Workforce Commission shall coordinate efforts to provide immediate relief to the state's businesses and citizens; support successful short-term employment skills development and training programs; and assist in aligning the educational institutions of the state to meet current and future workforce needs. To those ends, the legislature allocates funds as follows:

(b) Out of amounts appropriated above in Strategy A.2.1, Skills Development, the amounts of $30,000,000 in General Revenue Fund are appropriated to the Texas Workforce Commission for the Skills Development Program for fiscal years 2010 and 2011 to train at least 15,000 additional workers;

(c) Out of amounts appropriated above in Strategy A.1.4, Employment and Community Services, the amounts of $15,000,000 in General Revenue for fiscal years 2010 and 2011 are for public-private partnerships with employers to move Texans off of public benefits and into the workforce. This program would target first-time unemployment insurance claimants previously earning less than $15/hour and reach up to 15,000 workers; and

(d) From funds appropriated above, the Texas Workforce Commission, through allocations to local workforce boards, shall enhance the workforce demand and supply data bases to provide up-to-date information about the projected number of workers in industry specific categories.

REIMBURSEMENTS TO THE UNEMPLOYMENT COMPENSATION BENEFIT ACCOUNT

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
GR Dedicated - Unemployment Compensation Special Administration Account No. 165, estimated	$ 4,825,452	$ 4,945,079
Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165, estimated	11,912,605	12,207,929
Total, Method of Financing	$ 16,738,057	$ 17,153,008

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Items of Appropriation:
A. Goal: STATE'S UC REIMBURSEMENT
Reimburse UC Benefit Account 937 for UC Paid to Former State Employees.

REIMBURSEMENTS TO THE UNEMPLOYMENT COMPENSATION BENEFIT ACCOUNT
(Continued)

A.1.1. Strategy: STATE'S UC REIMBURSEMENT Reimburse UC Benefit Account 937 for UC Paid to Former State Employees.	$ 16,738,057	$ 17,153,008
Grand Total, REIMBURSEMENTS TO THE UNEMPLOYMENT COMPENSATION BENEFIT ACCOUNT	$ 16,738,057	$ 17,153,008
Object-of-Expense Informational Listing: Other Personnel Costs	$ 16,738,057	$ 17,153,008
Total, Object-of-Expense Informational Listing	$ 16,738,057	$ 17,153,008

1. **Definition of Agency.** For the purposes of the Reimbursements to the Unemployment Compensation Benefit Account item, 'agency' includes a state agency as defined under § 2151.002, Government Code, which includes an institution of higher education (except a public junior college) as defined under § 61.003, Education Code.

2. **Reimbursements to the Unemployment Compensation Benefit Account No. 937.** Reimbursements to the Unemployment Compensation Benefit Account No. 937 shall be made from:

   a. Funds identified as GR-Dedicated - Unemployment Compensation Special Administration Account No. 165 above, which consists of penalty and interest receipts collected under Sections 213.021 and 213.022, Texas Labor Code.

   b. Funds identified as Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165 above, which consist of amounts transferred from other agencies' appropriations made elsewhere in this Act to state agencies in accordance with § 15.01, Reimbursements for Unemployment Benefits, in General Provisions of this Act.

3. **Funding Source for Unemployment Compensation Special Administration Account No. 165.** Funds identified in the method of financing above, Unemployment Compensation Special Administration Account No. 165, include penalty and interest receipts collected under Sections 213.021 and 213.022, Texas Labor Code and authorized for the payment of unemployment compensation benefits to former state employees pursuant to Section 203.202, Texas Labor Code. These amounts are estimated and are to be utilized for amounts not paid by state agency reimbursements.

4. **Funding Source for Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165.** Funds identified in the method of financing above, Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165, include agency reimbursements from appropriations made elsewhere in this Act to GR-Dedicated Account No. 165. These amounts are estimated. Account No. 165 shall be reimbursed for one-half of the unemployment benefits paid from appropriations made in this Act to the state agency that previously employed each respective former state employee whose payroll warrants were originally issued in whole or in part from the General Revenue Fund, a dedicated General Revenue Account, Federal Funds or Other Funds, such as State Highway Fund No. 006.

5. **Proportionality Requirements for Agency Reimbursements related to Unemployment Compensation Benefits.** From information related to unemployment benefits paid on behalf of previously employed former state employees provided by the Texas Workforce Commission, the Comptroller shall determine the proportionate amount of the reimbursement or payment due from the General Revenue Fund, any General Revenue-Dedicated Accounts, Federal Funds or Other Funds from appropriations made elsewhere in this Act to state agencies. The Comptroller shall transfer these amounts of appropriations made elsewhere in this Act to the Unemployment Compensation Special Administration Account No 165. The amounts reimbursed pursuant to this provision are hereby appropriated to the Unemployment Compensation Special Administration Account No. 165 for the purpose of reimbursing the Unemployment Compensation Benefit Account No. 937. These reimbursement requirements may be waived, either in whole or in part, by the Legislative Budget Board.

6. **Cash Flow Contingency.** Contingent upon the receipt of state agency reimbursements, the Texas Workforce Commission (TWC) may temporarily utilize additional GR-Dedicated Unemployment Compensation Special Administration Account No. 165 funds, in an amount not to exceed the anticipated state agency reimbursement. The Account No. 165 amounts utilized above amounts

appropriated from penalty and interest collections as identified in Rider 2(a) must be repaid upon receipt of state agency reimbursements for previously paid payroll warrants and shall be utilized only for the purpose of temporary cash flow needs. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be made in accordance with established state accounting procedures. All transfers of the method of finance shall be reported by the TWC on a monthly basis to the Legislative Budget Board and Governor.

RETIREMENT AND GROUP INSURANCE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund, estimated	$ 4,692,323	$ 5,124,202
General Revenue Dedicated Accounts, estimated	3,389,045	3,604,340
Federal Funds, estimated	37,111,782	39,998,807
Other Funds		
Other Special State Funds, estimated	1,340,711	1,418,026
State Highway Fund No. 006, estimated	187,956,297	201,889,189
Subtotal, Other Funds	$ 189,297,008	$ 203,307,215
Total, Method of Financing	$ 234,490,158	$ 252,034,564
Items of Appropriation:		
A. Goal: EMPLOYEES RETIREMENT SYSTEM		
A.1.1. Strategy: RETIREMENT CONTRIBUTIONS Retirement Contributions. Estimated.	$ 50,547,603	$ 51,305,817
A.1.2. Strategy: GROUP INSURANCE Group Insurance. Estimated.	$ 183,942,555	$ 200,728,747
Total, Goal A: EMPLOYEES RETIREMENT SYSTEM	$ 234,490,158	$ 252,034,564
Grand Total, RETIREMENT AND GROUP INSURANCE	$ 234,490,158	$ 252,034,564

SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund, estimated	$ 1,073,710	$ 1,082,820
General Revenue Dedicated Accounts, estimated	1,610,171	1,625,862
Federal Funds, estimated	10,575,889	10,661,700
Other Funds		
Other Special State Funds, estimated	399,456	403,434
State Highway Fund No. 006, estimated	53,690,220	54,112,129
Subtotal, Other Funds	$ 54,089,676	$ 54,515,563
Total, Method of Financing	$ 67,349,446	$ 67,885,945

Items of Appropriation:
A. Goal: SOCIAL SECURITY/BENEFIT REPLACEMENT
Comptroller - Social Security.

SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY
(Continued)

A.1.1. Strategy: STATE MATCH -- EMPLOYER	$ 60,061,063	$ 60,961,980
State Match — Employer. Estimated.		
A.1.2. Strategy: BENEFIT REPLACEMENT PAY	$ 7,288,383	$ 6,923,965
Benefit Replacement Pay. Estimated.		
Total, Goal A: SOCIAL SECURITY/BENEFIT REPLACEMENT	$ 67,349,446	$ 67,885,945
Grand Total, SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY	$ 67,349,446	$ 67,885,945

BOND DEBT SERVICE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 9,682,374	$ 11,699,442
Total, Method of Financing	$ 9,682,374	$ 11,699,442
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: BOND DEBT SERVICE	$ 9,682,374	$ 11,699,442 & UB
To Texas Public Finance Authority for Payment of Bond Debt Service.		
Grand Total, BOND DEBT SERVICE PAYMENTS	$ 9,682,374	$ 11,699,442

LEASE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,135,235	$ 1,119,850
Total, Method of Financing	$ 1,135,235	$ 1,119,850
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: LEASE PAYMENTS	$ 1,135,235	$ 1,119,850 & UB
To TFC for Payment to TPFA.		
Grand Total, LEASE PAYMENTS	$ 1,135,235	$ 1,119,850

RECAPITULATION - ARTICLE VII
BUSINESS AND ECONOMIC DEVELOPMENT
(General Revenue)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Housing and Community Affairs	$ 22,643,144	$ 22,596,988
Texas Lottery Commission	15,546,681	15,520,280
Department of Motor Vehicles	0	16,445,711
Contingency Appropriations	200,000	0
Total	200,000	16,445,711
Texas Department of Rural Affairs	9,788,299	9,748,206
Department of Transportation	47,027,498	103,054,983
Texas Workforce Commission	144,289,397	144,289,391
Subtotal, Business and Economic Development	$ 239,495,019	$ 311,655,559
Retirement and Group Insurance	4,692,323	5,124,202
Social Security and Benefit Replacement Pay	1,073,710	1,082,820
Subtotal, Employee Benefits	$ 5,766,033	$ 6,207,022
Bond Debt Service Payments	9,682,374	11,699,442
Lease Payments	1,135,235	1,119,850
Subtotal, Debt Service	$ 10,817,609	$ 12,819,292
TOTAL, ARTICLE VII - BUSINESS AND ECONOMIC DEVELOPMENT	$ 256,078,661	$ 330,681,873

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE VII
BUSINESS AND ECONOMIC DEVELOPMENT
(General Revenue - Dedicated)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Texas Lottery Commission	$ 183,361,743	$ 179,785,075
Texas Department of Rural Affairs	2,100,000	2,100,000
Department of Transportation	629,703	629,703
Texas Workforce Commission	5,887,808	5,898,323
Reimbursements to the Unemployment Compensation Benefit Account	4,825,452	4,945,079
Subtotal, Business and Economic Development	$ 196,804,706	$ 193,358,180
Retirement and Group Insurance	3,389,045	3,604,340
Social Security and Benefit Replacement Pay	1,610,171	1,625,862
Subtotal, Employee Benefits	$ 4,999,216	$ 5,230,202
TOTAL, ARTICLE VII - BUSINESS AND ECONOMIC DEVELOPMENT	$ 201,803,922	$ 198,588,382

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE VII
BUSINESS AND ECONOMIC DEVELOPMENT
(Federal Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Housing and Community Affairs	$ 132,646,833	$ 132,676,861
Department of Motor Vehicles	0	665,700
Texas Department of Rural Affairs	78,156,478	78,006,478
Department of Transportation	2,886,774,043	2,764,336,628
Texas Workforce Commission	877,577,794	879,951,465
Subtotal, Business and Economic Development	$ 3,975,155,148	$ 3,855,637,132
Retirement and Group Insurance	37,111,782	39,998,807
Social Security and Benefit Replacement Pay	10,575,889	10,661,700
Subtotal, Employee Benefits	$ 47,687,671	$ 50,660,507
TOTAL, ARTICLE VII - BUSINESS AND ECONOMIC DEVELOPMENT	$ 4,022,842,819	$ 3,906,297,639

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE VII
BUSINESS AND ECONOMIC DEVELOPMENT
(Other Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Housing and Community Affairs	$ 16,415,087	$ 16,574,912
Department of Motor Vehicles	0	125,630,222
Texas Department of Rural Affairs	653,803	653,803
Department of Transportation	5,153,350,937	5,984,103,751
Texas Workforce Commission	33,942,475	33,934,498
Reimbursements to the Unemployment Compensation Benefit Account	11,912,605	12,207,929
Subtotal, Business and Economic Development	$ 5,216,274,907	$ 6,173,105,115
Retirement and Group Insurance	189,297,008	203,307,215
Social Security and Benefit Replacement Pay	54,089,676	54,515,563
Subtotal, Employee Benefits	$ 243,386,684	$ 257,822,778
Less Interagency Contracts	$ 46,075,006	$ 46,242,450
TOTAL, ARTICLE VII - BUSINESS AND ECONOMIC DEVELOPMENT	$ 5,413,586,585	$ 6,384,685,443

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE VII
BUSINESS AND ECONOMIC DEVELOPMENT
(All Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Housing and Community Affairs	$ 171,705,064	$ 171,848,761
Texas Lottery Commission	198,908,424	195,305,355
Department of Motor Vehicles	0	142,741,633
Contingency Appropriations	200,000	0
Total	200,000	142,741,633
Texas Department of Rural Affairs	90,698,580	90,508,487
Department of Transportation	8,087,782,181	8,852,125,065
Texas Workforce Commission	1,061,697,474	1,064,073,677
Reimbursements to the Unemployment Compensation Benefit Account	16,738,057	17,153,008
Subtotal, Business and Economic Development	$ 9,627,729,780	$ 10,533,755,986
Retirement and Group Insurance	234,490,158	252,034,564
Social Security and Benefit Replacement Pay	67,349,446	67,885,945
Subtotal, Employee Benefits	$ 301,839,604	$ 319,920,509
Bond Debt Service Payments	9,682,374	11,699,442
Lease Payments	1,135,235	1,119,850
Subtotal, Debt Service	$ 10,817,609	$ 12,819,292
Less Interagency Contracts	$ 46,075,006	$ 46,242,450
TOTAL, ARTICLE VII - BUSINESS AND ECONOMIC DEVELOPMENT	$ 9,894,311,987	$ 10,820,253,337
Number of Full-Time-Equivalents (FTE)	18,245.7	18,243.7

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

ARTICLE VIII

REGULATORY[1]

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated regulatory agencies.

STATE OFFICE OF ADMINISTRATIVE HEARINGS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 3,490,002	$ 3,484,353
Other Funds		
State Highway Fund No. 006	3,239,763	3,239,763
Appropriated Receipts	150,000	150,000
Interagency Contracts	3,669,448	3,669,449
Subtotal, Other Funds	$ 7,059,211	$ 7,059,212
Total, Method of Financing	$ 10,549,213	$ 10,543,565
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	126.0	127.0
Schedule of Exempt Positions:		
Chief Administrative Law Judge, Group 5	$122,500	$122,500
Items of Appropriation:		
A. Goal: ADMINISTRATIVE HEARINGS Provide for a Fair and Efficient Administrative Hearings Process.		
A.1.1. Strategy: CONDUCT HEARINGS Conduct Hearings and Prepare Proposals for Decisions and Final Orders.	$ 9,365,182	$ 9,380,485
A.2.1. Strategy: CONDUCT ALT DISPUTE RESOLUTION Conduct Alternative Dispute Resolution Proceedings.	$ 256,284	$ 227,289
Total, Goal A: ADMINISTRATIVE HEARINGS	$ 9,621,466	$ 9,607,774
B. Goal: INDIRECT ADMINISTRATION		
B.1.1. Strategy: INDIRECT ADMINISTRATION	$ 927,747	$ 935,791
Grand Total, STATE OFFICE OF ADMINISTRATIVE HEARINGS	$ 10,549,213	$ 10,543,565
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 8,731,210	$ 8,766,210
Other Personnel Costs	186,345	203,880
Professional Fees and Services	35,765	35,265
Consumable Supplies	69,223	69,931
Utilities	127,704	162,758
Travel	85,000	90,000
Rent - Building	217,614	222,614
Rent - Machine and Other	28,915	28,915

[1] HB 2774, 81st Legislature, Regular Session, was enacted, resulting in the Department of Banking, the Office of Consumer Credit Commissioner, the Credit Union Department, and the Department of Savings and Mortgage Lending becoming self-directed and semi-independent agencies. As such, appropriations for these agencies are voided since these agencies are removed from the legislative budgeting process and are generally allowed to operate outside the provisions of the 2010-11 General Appropriations Act.

Other Operating Expense	996,647	963,992
Capital Expenditures	70,790	0
Total, Object-of-Expense Informational Listing	$ 10,549,213	$ 10,543,565
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 491,485	$ 498,858
Group Insurance	707,816	760,803
Social Security	600,335	609,340
Benefits Replacement	47,086	44,732
Subtotal, Employee Benefits	$ 1,846,722	$ 1,913,733
Debt Service		
Lease Payments	$ 464,762	$ 459,779
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 2,311,484	$ 2,373,512

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the State Office of Administrative Hearings. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the State Office of Administrative Hearings. In order to achieve the objectives and service standards established by this Act, the State Office of Administrative Hearings shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ADMINISTRATIVE HEARINGS		
Outcome (Results/Impact):		
Percentage of Participants Surveyed Expressing Satisfaction with Overall Process	92%	92%
Percentage of Proposed Decisions Related to Tax Hearings Issued by Administrative Law Judges within 40 Days of Record Closing	100%	100%
A.1.1. Strategy: CONDUCT HEARINGS		
Output (Volume):		
Number of Administrative License Revocation Cases Disposed	28,828	28,828
Number of Cases Disposed	36,848	36,848
Number of Administrative Fine Cases Disposed	191	191
Percent of Available Administrative Law Judge Time Spent on Case Work	100%	100%
Number of Proposals for Decision Related to Tax Hearings Rendered by Administrative Law Judges	207	207
Efficiencies:		
Average Number of Days from Close of Record to Issuance of Proposal for Decision - Major Hearings	52.6	52.6
Average Time to Dispose of a Case (Median Number of Days)	102	102
Average Length of Time (Work Days) Taken to Issue a Proposed Decision Related to Tax Hearings Following Record Closing	5.18	5.18
Explanatory:		
Number of Cases Received	39,971	39,179
Number of Agencies Served	49	49
A.2.1. Strategy: CONDUCT ALT DISPUTE RESOLUTION		
Explanatory:		
Number of Alternative Dispute Resolution Cases Requested or Referred	139	139

2. **Capital Budget.** None of the funds appropriated may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital

budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Electronic Filing System	$ 151,705	$ 0
(2) Replacement Purchase of personal computers	$ 26,800	$ 84,800
Total, Acquisition of Information Resource Technologies	$ 178,505	$ 84,800
Total, Capital Budget	$ 178,505	$ 84,800
Method of Financing (Capital Budget):		
Interagency Contracts	$ 178,505	$ 84,800
Total, Method of Financing	$ 178,505	$ 84,800

3. **Renegotiation of Lump Sum Contract.** Appropriations made above in Strategy A.1.1, Conduct Hearings, include $938,860 in fiscal year 2010 and $938,860 in fiscal year 2011 in Interagency Contracts to fund the Natural Resources Division for the purpose of conducting hearings for the Texas Commission on Environmental Quality (TCEQ). The State Office of Administrative Hearings (SOAH) and TCEQ may not enter into a contract for an amount less than the specified amounts herein above. If SOAH determines, at the end of each fiscal year, that the amount paid under the contract exceeds the funding necessary for the Natural Resources Division, it shall refund the difference. If SOAH determines that these amounts are insufficient to fund the Natural Resources Division it may enter into negotiations with the TCEQ in order to renegotiate an interagency contract in a manner which will provide it with additional funds, provided that SOAH shall not be appropriated any state funds from such renegotiated interagency contract until it gives prior written notice to the Legislative Budget Board and the Governor, accompanied by written permission of the TCEQ.

4. **Benefit Collection.** Agencies that enter into contracts with the State Office of Administrative Hearings (SOAH), for the purpose of performing the hearings function, and make payments to SOAH from funding sources other than General Revenue, must reimburse SOAH for employee benefit costs for salaries and wages. These reimbursements to SOAH will then be paid to the General Revenue Fund in proportion to the source of funds from which the respective salary or wage is paid.

5. **Contingency Appropriation for Expanded Jurisdiction.** Contingent on the enactment of legislation by the Eighty-first Legislature transferring the hearings functions of other state agencies to the State Office of Administrative Hearings (SOAH), or otherwise expanding the jurisdiction of the office, SOAH is hereby authorized to expend funds transferred to the office from those agencies or funds appropriated for the purpose of handling the expanded jurisdiction, pursuant to provisions elsewhere in this Act. Appropriations authorized pursuant to this provision may be expended only to implement the transferred functions or expanded jurisdiction. All funds collected by SOAH as payment for, or reimbursement of, the office's costs of providing services to other state agencies or governmental entities, or others as directed by the Legislature, are appropriated to SOAH for its use during the biennium.

6. **Hearings Activity Report.** By May 1st and November 1st of each fiscal year, the State Office of Administrative Hearings (SOAH) shall submit to the Legislative Budget Board and the Governor a report detailing hearings activity conducted during the prior two fiscal year quarters. The report shall indicate, for each agency served, the person hours allocated to the agency's cases and the cost, both direct and indirect, of conducting the hearings. The report shall also indicate, for each agency served, the number of cases received, the number of cases disposed of, the number of administrative fine cases disposed of and the median number of days between the date a case is received by SOAH and the date the case is finally disposed of, during the reporting period.

7. **Interagency Contract for Administrative Law Judge Training.** Out of funds appropriated above, the State Office of Administrative Hearings shall contract in the amount of $25,000 for training of Administrative Law Judges. Any amounts not expended as of August 31, 2010, are

appropriated for the fiscal year beginning September 1, 2010. The State Office of Administrative Hearings' travel expenses, including travel expenses incurred by staff for out-of-state travel related to Administrative Law Judge training, are limited to the amount established in this rider.

8. Contingency for Additional Self-directed Semi-independent Agency Pilot Projects. Contingent upon additional agencies added as a self-directed semi-independent (SDSI) agency pilot project by the Legislature during the 2010-11 biennium, any agency added as a SDSI pilot project that is listed in Rider 9 shall be removed from the exemption granted in Rider 9 below.

9. Billing Rate for Workload.

a. Unless otherwise provided, amounts appropriated above and elsewhere in this Act for funding for the payment of costs associated with administrative hearings conducted by the State Office of Administrative Hearings (SOAH) are based on an hourly rate of $100 per hour for each hour of work performed during each fiscal year as reflected by the SOAH's Legislative Appropriation Request and Hearings Activity Report to the Eighty-first Legislature.

b. Notwithstanding other provisions in this act, amounts for the payment of costs associated with administrative hearings conducted by SOAH for the Comptroller of Public Accounts shall be established through an interagency contract between the two agencies. The contract shall provide funding for hearings on tax issues conducted by Master Administrative Law Judge IIs in a separate tax division within SOAH that have expertise in state tax and shall specify the salaries of the judges within the division.

c. Amounts appropriated above in Strategy A.1.1, Conduct Hearings, to SOAH from the General Revenue Fund include funding in each year of the biennium for billable casework hours performed by SOAH for conducting administrative hearings at the rate determined by SOAH and approved by the Legislature for the following agencies that do not have appropriations for paying SOAH costs for administrative hearings and are not subject to subsection (a) of this Section:

(1) Real Estate Commission (not including Residential Service Companies and Texas Timeshare Act hearings)
(2) Board of Chiropractic Examiners
(3) Credit Union Department[2]
(4) Texas State Board of Dental Examiners
(5) Funeral Service Commission
(6) Board of Professional Geoscientists
(7) Board of Professional Land Surveying
(8) Texas Medical Board
(9) Texas Board of Nursing
(10) Optometry Board
(11) Board of Pharmacy
(12) Executive Council of Physical Therapy and Occupational Therapy Examiners
(13) Board of Plumbing Examiners
(14) Board of Podiatric Medical Examiners
(15) Board of Examiners of Psychologists
(16) Board of Tax Professional Examiners
(17) Board of Veterinary Medical Examiners
(18) Secretary of State
(19) Securities Board
(20) Public Utility Commission of Texas
(21) Teacher Retirement System
(22) Fire Fighters' Pension Commissioner
(23) Employees Retirement System
(24) Department of Housing and Community Affairs
(25) Texas Lottery Commission
(26) Department of Public Safety (Non-Administrative License Revocation Hearings)
(27) Commission on Law Enforcement Officer Standards and Education
(28) Commission on Fire Protection

[2] HB 2774, 81st Legislature, Regular Session, was enacted, resulting in the agency becoming a Self-directed Semi-independent (SDSI) agency. See also Rider 8, Contingency for additional Self-directed Semi-independent Agency Pilot Projects.

STATE OFFICE OF ADMINISTRATIVE HEARINGS
(Continued)

(29) Department of Insurance (not including the Division of Workers' Compensation)
(30) Alcoholic Beverage Commission
(31) Racing Commission
(32) Department of Agriculture
(33) Department of Transportation (not including the Motor Vehicle Division)
(34) Higher Education Coordinating Board
(35) Parks and Wildlife Department
(36) Department of Licensing and Regulation

BOARD OF CHIROPRACTIC EXAMINERS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 610,620	$ 592,620
Appropriated Receipts	31,000	31,000
Total, Method of Financing	$ 641,620	$ 623,620
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 152,060	$ 153,102
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	11.0	11.0
Schedule of Exempt Positions:		
Executive Director, Group 1	$70,000	$70,000
Items of Appropriation:		
A. Goal: ENSURE PUBLIC PROTECTION		
Provide Public Protection through Enforcement of Chiropractic Statutes.		
A.1.1. Strategy: LICENSING SYSTEM	$ 171,736	$ 167,236
Operate a Comprehensive Licensing System for Chiropractors.		
A.1.2. Strategy: TEXASONLINE	$ 29,850	$ 29,850
TexasOnline. Estimated and Nontransferable.		
A.2.1. Strategy: ENFORCEMENT	$ 261,843	$ 248,343
Provide a System to Investigate and Resolve Complaints.		
Total, Goal A: ENSURE PUBLIC PROTECTION	$ 463,429	$ 445,429
B. Goal: INDIRECT ADMINISTRATION		
B.1.1. Strategy: LICENSING INDIRECT ADMINISTRATION	$ 110,700	$ 110,701
Indirect Administration for Licensing system.		
B.1.2. Strategy: ENFORCEMENT INDIRECT ADMINISTRATION	$ 67,491	$ 67,490
Indirect Administration for Enforcement.		
Total, Goal B: INDIRECT ADMINISTRATION	$ 178,191	$ 178,191
Grand Total, BOARD OF CHIROPRACTIC EXAMINERS	$ 641,620	$ 623,620
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 490,000	$ 490,000
Other Personnel Costs	8,000	8,000
Professional Fees and Services	22,000	22,000
Consumable Supplies	4,500	4,500

Utilities	400	400
Travel	23,000	23,000
Rent - Building	400	400
Other Operating Expense	93,320	75,320
Total, Object-of-Expense Informational Listing	$ 641,620	$ 623,620
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 17,221	$ 17,479
Group Insurance	39,315	42,260
Social Security	24,037	24,398
Subtotal, Employee Benefits	$ 80,573	$ 84,137
Debt Service		
Lease Payments	$ 8,189	$ 5,175
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 88,762	$ 89,312

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Chiropractic Examiners. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Board of Chiropractic Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Chiropractic Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ENSURE PUBLIC PROTECTION		
Outcome (Results/Impact):		
Percent of Licensees with No Recent Violations	98%	98%
Percent of Licensees Who Renew Online	84%	84%
Percent of Complaints Resulting in Disciplinary Action	19%	19%
A.1.1. Strategy: LICENSING SYSTEM		
Output (Volume):		
Number of Individuals Examined	280	280
Number of New Licenses Issued to Individuals	250	250
Number of Licenses Renewed (Individuals)	5,200	5,200
Explanatory:		
Total Number of Business Facilities Licensed	3,300	3,300
A.2.1. Strategy: ENFORCEMENT		
Output (Volume):		
Number of Complaints Resolved	300	300
Efficiencies:		
Average Time Per Complaint Resolution (Days)	350	350
Explanatory:		
Number of Jurisdictional Complaints Received	275	275

2. **Contingent Revenue.** Out of the amounts appropriated above to the Board of Chiropractic Examiners in Strategy A.1.1, Licensing System, the amounts of $31,350 in fiscal year 2010 and $26,850 in fiscal year 2011, and in Strategy A.2.1, Enforcement, the amounts of $99,050 in fiscal year 2010 and $85,550 in fiscal year 2011, and in Strategy B.1.1, Licensing Indirect Administration, the amounts of $41,165 in fiscal year 2010 and $41,166 in fiscal year 2011, and in Strategy B.1.2, Enforcement Indirect Administration, the amounts of $1,166 in fiscal year 2010 and $1,165 in fiscal year 2011 in General Revenue are contingent upon the Board of Chiropractic Examiners assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $410,315 in excess of $2,150,000 (Object Code 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time- Equivalents (FTE)" figure indicated above includes 2.5 FTEs in each fiscal year contingent upon the Board of Chiropractic Examiners generating the amount of revenue indicated above. The Board of Chiropractic Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Chiropractic Examiners' 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

TEXAS STATE BOARD OF DENTAL EXAMINERS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1]	$ 2,699,845	$ 2,102,718
Appropriated Receipts	72,000	72,000
Total, Method of Financing	$ 2,771,845	$ 2,174,718
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 491,218	$ 495,031
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	37.0	37.0
Schedule of Exempt Positions:		
Executive Director, Group 2	$82,500	$82,500
Items of Appropriation:		
A. Goal: QUALITY DENTAL CARE		
To Ensure Quality Dental Care for the People of Texas.		
A.1.1. Strategy: COMPLAINT RESOLUTION	$ 1,241,047	$ 1,238,207
Provide a System to Investigate and Resolve Complaints.		
A.1.2. Strategy: PEER ASSISTANCE PROGRAM	$ 124,312	$ 124,312
Provide a Peer Assistance Program for Licensed Individuals.		
A.2.1. Strategy: LICENSURE & REGISTRATION[1]	$ 1,096,646	$ 502,359
Conduct an Efficient Licensure Process.		
A.2.2. Strategy: TEXASONLINE	$ 184,629	$ 184,629
TexasOnline. Estimated and Nontransferable.		
Total, Goal A: QUALITY DENTAL CARE	$ 2,646,634	$ 2,049,507
B. Goal: INDIRECT ADMINISTRATION		
B.1.1. Strategy: INDIRECT ADMIN - LICENSURE	$ 42,279	$ 42,279
Indirect Administration - Licensure and Registration.		
B.1.2. Strategy: IND ADMIN - COMPLAINT RESOLUTION	$ 82,932	$ 82,932
Indirect Administration - Complaint Resolution.		
Total, Goal B: INDIRECT ADMINISTRATION	$ 125,211	$ 125,211
Grand Total, TEXAS STATE BOARD OF DENTAL EXAMINERS	$ 2,771,845	$ 2,174,718
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 1,443,522	$ 1,443,522
Other Personnel Costs	28,100	28,565
Professional Fees and Services	222,538	212,406
Consumable Supplies	33,500	33,500

[1] Incorporates Article IX, § 17.86, of this Act, due to the enactment of SB 455, 81st Legislature, Regular Session, relating to the regulation of the practice of dental assistants, including the delegation of certain dental acts, resulting in an increase in General Revenue Funds of $10,132 in FY 2010 contingent upon the agency generating sufficient revenue.

Utilities	10,650	11,250
Travel	51,000	51,000
Rent - Building	950	950
Rent - Machine and Other	6,250	6,250
Other Operating Expense	975,335	387,275
Total, Object-of-Expense Informational Listing	$ 2,771,845	$ 2,174,718
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 57,460	$ 58,322
Group Insurance	167,463	182,067
Social Security	89,337	90,677
Benefits Replacement	3,651	3,469
Subtotal, Employee Benefits	$ 317,911	$ 334,535
Debt Service		
Lease Payments	$ 29,244	$ 18,483
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 347,155	$ 353,018

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas State Board of Dental Examiners. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas State Board of Dental Examiners. In order to achieve the objectives and service standards established by this Act, the Texas State Board of Dental Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: QUALITY DENTAL CARE		
Outcome (Results/Impact):		
Percent of Complaints Resulting in Disciplinary Action	16%	16%
Percent of Licensees with No Recent Violations: Dentist	99.5%	99.5%
Percent of Licensees Who Renew Online	95%	95%
Percent of New Individual Licenses Issued Online	50%	50%
A.1.1. Strategy: COMPLAINT RESOLUTION		
Output (Volume):		
Number of Complaints Resolved	665	715
Efficiencies:		
Average Time for Complaint Resolution (Days)	249	244
Explanatory:		
Number of Jurisdictional Complaints Received	900	900
A.1.2. Strategy: PEER ASSISTANCE PROGRAM		
Output (Volume):		
Number of Licensed Individuals Participating in a Peer Assistance Program	65	65
A.2.1. Strategy: LICENSURE & REGISTRATION		
Output (Volume):		
Number of New Licenses Issued to Individuals: Dentists	500	500
Number of Licenses Renewed (Individuals): Dentists	13,250	13,508
Number of New Licenses Issued to Individuals: Dental Hygienists	450	450
Number of Licenses Renewed (Individuals): Dental Hygienists	10,787	11,138
Explanatory:		
Total Number of Business Facilities Licensed	1,080	1,080

2. **Contingent Revenue.** Out of the amounts appropriated above to the Texas State Board of Dental Examiners in Strategy A.1.1, Complaint Resolution, the amounts of $203,424 in fiscal year 2010 and $199,424 in fiscal year 2011, in Strategy A.2.1, Licensure and Registration, the amounts of $666,211 in fiscal year 2010 and $80,939 in fiscal year 2011, in Strategy B.1.1, Indirect Administration - Licensure, the amounts of $2,418 in fiscal year 2010 and $2,418 in fiscal year 2011, in Strategy B.1.2, Indirect Administration - Complaint Resolution, the amounts of $6,219 in fiscal year 2010 and $6,219 in fiscal year 2011 in General Revenue are contingent upon the Texas State Board of Dental Examiners assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $1,309,310 in excess of $7,328,204 (Object Codes 3570 and 3562), contained

in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time- Equivalents (FTE)" figure indicated above includes 2.0 FTEs in each fiscal year contingent upon the Texas State Board of Dental Examiners generating the amount of revenue indicated above. The Texas State Board of Dental Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas State Board of Dental Examiners' 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

FUNERAL SERVICE COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1]	$ 743,751	$ 737,751
Appropriated Receipts	58,000	58,000
Total, Method of Financing	$ 801,751	$ 795,751
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 184,753	$ 185,517
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[1]	13.0	13.0
Schedule of Exempt Positions:		
Executive Director, Group 1	$70,000	$70,000
Items of Appropriation:		
A. Goal: COMPETENT LICENSEES		
Manage Examination/Licensure to Develop Competent & Ethical Licensees.		
A.1.1. Strategy: LICENSING REQUIREMENTS[1] Issue and Renew Licenses, Monitor Continuing Education.	$ 321,583	$ 318,583
A.1.2. Strategy: TEXASONLINE TexasOnline. Estimated and Nontransferable.	$ 39,000	$ 39,000
Total, Goal A: COMPETENT LICENSEES	$ 360,583	$ 357,583
B. Goal: ENFORCE STANDARDS		
To Aggressively & Effectively Provide Enforcement & Protect the Public.		
B.1.1. Strategy: INSPECTIONS Provide Enforcement through Inspections and Investigations.	$ 164,796	$ 164,796
B.2.1. Strategy: RULE COMPLIANCE[1] Review Investigated Complaints & Recommend Disciplinary/Other Action.	$ 186,064	$ 183,064
Total, Goal B: ENFORCE STANDARDS	$ 350,860	$ 347,860
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: INDIRECT ADMIN-LICENSIING Indirect Administration - Licensing Requirements.	$ 51,055	$ 51,055

[1] Incorporates Article IX, § 17.43, of this Act, due to the enactment of HB 1468, 81st Legislature, Regular Session, relating to the regulation of funeral services, funeral homes, cemeteries and crematories; providing penalties, resulting in an increase in General Revenue Funds of $52,000 and 1.0 FTE in FY 2010 and $46,000 and 1.0 FTE in FY 2011 contingent upon the agency generating sufficient revenue.

C.1.2. Strategy: INDIRECT ADMIN - INSPECTIONS Indirect Administration - Inspections.	$ 21,191	$ 21,191
C.1.3. Strategy: INDIRECT ADMIN - RULE COMPLIANCE Indirect Administration - Rule Compliance.	$ 18,062	$ 18,062
Total, Goal C: INDIRECT ADMINISTRATION	$ 90,308	$ 90,308
Grand Total, FUNERAL SERVICE COMMISSION	$ 801,751	$ 795,751
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 533,849	$ 533,849
Other Personnel Costs	6,360	6,360
Professional Fees and Services	25,398	25,398
Consumable Supplies	10,911	10,911
Utilities	4,000	4,000
Travel	41,000	41,000
Rent - Building	500	500
Rent - Machine and Other	3,050	3,050
Other Operating Expense	176,683	170,683
Total, Object-of-Expense Informational Listing	$ 801,751	$ 795,751
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 23,468	$ 23,820
Group Insurance	54,785	58,782
Social Security	30,326	30,781
Subtotal, Employee Benefits	$ 108,579	$ 113,383
Debt Service		
Lease Payments	$ 11,995	$ 7,581
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 120,574	$ 120,964

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Funeral Service Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Funeral Service Commission. In order to achieve the objectives and service standards established by this Act, the Funeral Service Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: COMPETENT LICENSEES		
Outcome (Results/Impact):		
Percent of Licensees with No Recent Violations	96%	96%
Percent of Licensees Who Renew Online	85%	85%
Percent of New Individual Licenses Issued Online	10%	10%
A.1.1. Strategy: LICENSING REQUIREMENTS		
Output (Volume):		
Number of New Licenses Issued to Individuals	380	380
Number of Individual Licenses Renewed	2,250	2,300
Number of New Licenses Issued to Facilities	110	110
Number of Facility Licenses Renewed	1,375	1,375
Explanatory:		
Total Number of Individuals Licensed	4,900	4,900
Total Number of Facilities Licensed	1,400	1,400
B. Goal: ENFORCE STANDARDS		
Outcome (Results/Impact):		
Percent of Complaints Resolved within Six Months	80%	80%
Percent of Complaints Resulting in Disciplinary Action	25%	25%
B.1.1. Strategy: INSPECTIONS		
Output (Volume):		
Number of Complaints Resolved	230	230
Number of Establishments Inspected	1,400	1,400

Number of Complaints Pending	85	85
Efficiencies:		
Average Time for Complaint Resolution (Days)	120	120
Explanatory:		
Number of Jurisdictional Complaints Received	220	220

2. **Contingent Revenue.** Out of the amounts appropriated above to the Funeral Service Commission in Strategy A.1.1, Licensing Requirements, the amounts of $33,500 in fiscal year 2010 and $33,500 in fiscal year 2011, in Strategy B.1.1, Inspections, the amounts of $15,900 in fiscal year 2010 and $15,900 in fiscal year 2011, in Strategy B.2.1, Rule Compliance, the amounts of $20,100 in fiscal year 2010 and $20,100 in fiscal year 2011, in Strategy C.1.1, Indirect Administration – Licensing, the amounts of $4,500 in fiscal year 2010 and $4,500 in fiscal year 2011, in Strategy C.1.2 Indirect Administration – Inspections, the amounts of $1,500 in fiscal year 2010 and $1,500 in fiscal year 2011, and in Strategy C.1.3, Indirect Administration – Rule Compliance, the amounts of $1,500 in fiscal year 2010 and $1,500 in fiscal year 2011 in General Revenue are contingent upon the Funeral Service Commission assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $197,998 in excess of $2,734,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time- Equivalents (FTE)" figure indicated above includes 1 FTE in each fiscal year contingent upon the Funeral Service Commission generating the amount of revenue indicated above. The Funeral Service Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Funeral Service Commission 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

BOARD OF PROFESSIONAL GEOSCIENTISTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 795,812	$ 653,953
Total, Method of Financing	$ 795,812	$ 653,953
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 152,809	$ 155,514
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	11.0	11.0
Schedule of Exempt Positions:		
Executive Director, Group 1	$70,000	$70,000
Items of Appropriation:		
A. Goal: LICENSING		
Assure Geoscience is Practiced Only by Qualified/Registered Licensees.		
A.1.1. Strategy: APPLICATION REVIEW	$ 226,565	$ 146,366
Evaluate Applications and Ensure Proper Examination.		
A.1.2. Strategy: TEXASONLINE	$ 30,000	$ 30,000
TexasOnline. Estimated and Nontransferable.		
A.1.3. Strategy: INFORMATIONAL SERVICES	$ 220,181	$ 197,986
Maintain Current Registry and Provide Timely Information.		
Total, Goal A: LICENSING	$ 476,746	$ 374,352

BOARD OF PROFESSIONAL GEOSCIENTISTS
(Continued)

B. Goal: ENFORCEMENT		
Ensure Effective Enforcement of TX Geoscience Practice Act.		
B.1.1. Strategy: ENFORCEMENT	$ 269,554	$ 242,519
Investigate & Reach Final Resolution of Reported Violations.		
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: INDIRECT ADMIN	$ 24,181	$ 17,966
Indirect Administration - Licensing.		
C.1.2. Strategy: INDIRECT ADMIN	$ 25,331	$ 19,116
Indirect Administration - Enforcement.		
Total, Goal C: INDIRECT ADMINISTRATION	$ 49,512	$ 37,082
Grand Total, BOARD OF PROFESSIONAL GEOSCIENTISTS	$ 795,812	$ 653,953
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 480,250	$ 480,250
Other Personnel Costs	12,705	13,366
Professional Fees and Services	41,442	36,442
Consumable Supplies	9,260	4,260
Utilities	1,550	1,550
Travel	34,900	34,995
Rent - Building	1,200	1,200
Other Operating Expense	214,505	81,890
Total, Object-of-Expense Informational Listing	$ 795,812	$ 653,953
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 16,771	$ 17,022
Group Insurance	30,631	32,714
Social Security	19,739	20,035
Benefits Replacement	341	324
Subtotal, Employee Benefits	$ 67,482	$ 70,095
Debt Service		
Lease Payments	$ 4,866	$ 3,076
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 72,348	$ 73,171

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Professional Geoscientists. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Board of Professional Geoscientists. In order to achieve the objectives and service standards established by this Act, the Board of Professional Geoscientists shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: LICENSING		
Outcome (Results/Impact):		
Percent of Licensees with No Recent Violations	90%	90%
Percent of Licensees Who Renew Online	85%	85%
A.1.1. Strategy: APPLICATION REVIEW		
Output (Volume):		
Number of New Licenses Issued to Individuals	125	125
Efficiencies:		
Percentage of New Individual Licenses Issued within 10 Days	100%	100%
Percentage of Individual License Renewals Issued within 7 Days	100%	100%
Explanatory:		
Total Number of Individuals Licensed	6,700	6,700

BOARD OF PROFESSIONAL GEOSCIENTISTS
(Continued)

B. Goal: ENFORCEMENT		
Outcome (Results/Impact):		
Percent of Complaints Resulting in Disciplinary Action	25%	25%
Percent of Documented Complaints Resolved within Six Months	90%	90%
B.1.1. Strategy: ENFORCEMENT		
Output (Volume):		
Complaints Resolved	5	5
Number of Enforcement Cases and Inquiries Resolved	10	10
Number of Compliance Orders Issued	10	10
Number of Disciplinary Actions Taken	10	10
Efficiencies:		
Average Time for Complaint Resolution (Days)	85	85
Explanatory:		
Jurisdictional Complaints Received	15	15

2. **Contingent Revenue.** Out of the amounts appropriated above to the Board of Professional Geoscientists in Strategy A.1.1, Application Review, the amounts of $85,404 in fiscal year 2010 and $10,000 in fiscal year 2011, in Strategy A.1.3, Informational Services, the amounts of $133,545 in fiscal year 2010 and $111,165 in fiscal year 2011, in Strategy B.1.1, Enforcement, the amounts of $110,675 in fiscal year 2010 and $86,295 in fiscal year 2011, in Strategy C.1.1, Indirect Administration - Licensing, the amounts of $6,251 in fiscal year 2010, in Strategy C.1.2, Indirect Administration - Enforcement, the amounts of $6,251 in fiscal year 2010 in General Revenue are contingent upon the Board of Professional Geoscientists assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $650,152 in excess of $2,043,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time- Equivalents (FTE)" figure indicated above includes 4.0 FTEs in each fiscal year contingent upon the Board of Professional Geoscientists generating the amount of revenue indicated above. The Board of Professional Geoscientists, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Professional Geoscientists 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

   In addition, contingent appropriations in Strategy A.1.3, Informational Services, in the amounts of $75,499 in fiscal year 2010 and $73,960 in fiscal year 2011 and 1.0 FTE each fiscal year may only be used for the current Executive Director's salary upon his return from active military duty.

HEALTH PROFESSIONS COUNCIL

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Interagency Contracts	$ 2,513,779	$ 768,662
Total, Method of Financing	$ 2,513,779	$ 768,662
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	5.0	5.0
Items of Appropriation:		
A. Goal: COORDINATION AND SUPPORT		
A.1.1. Strategy: AGENCY COORDINATION AND SUPPORT Member Agency Coordination and Support.	$ 2,513,779	$ 768,662
Grand Total, HEALTH PROFESSIONS COUNCIL	$ 2,513,779	$ 768,662
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 339,968	$ 339,968
Other Personnel Costs	3,700	3,700
Professional Fees and Services	10,650	10,650

Consumable Supplies	2,000	2,000
Utilities	120	120
Travel	600	600
Other Operating Expense	52,765	52,765
Capital Expenditures	2,103,976	358,859
Total, Object-of-Expense Informational Listing	$ 2,513,779	$ 768,662
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 5,999	$ 6,089
Group Insurance	18,008	19,232
Social Security	6,780	6,882
Subtotal, Employee Benefits	$ 30,787	$ 32,203
Debt Service		
Lease Payments	$ 6,754	$ 4,269
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 37,541	$ 36,472

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Health Professions Council. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Health Professions Council. In order to achieve the objectives and service standards established by this Act, the Health Professions Council shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: COORDINATION AND SUPPORT		
Outcome (Results/Impact):		
Number of Events Attended by a HPC Staff Member on Behalf of HPC Member Agencies	12	12
Number of People Who Attend an HPC Sponsored Training Session	50	50

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. If a finding of fact is not issued by the Comptroller of Public Accounts to make available the contingent appropriation specified in Contingent Revenue riders elsewhere in this act for the Board of Pharmacy, the Board of Examiners of Psychologists, the Optometry Board, the Texas State Board of Dental Examiners, the Board of Plumbing Examiners, and the Board of Professional Land Surveying, this rider has no effect. Otherwise, the amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of government Code 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under

"Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Health Professions Council Shared Regulatory Database Migration	$ 2,103,976	$ 358,859
Total, Acquisition of Information Resource Technologies	$ 2,103,976	$ 358,859

OFFICE OF INJURED EMPLOYEE COUNSEL

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036	$ 7,769,542	$ 7,769,542
Total, Method of Financing	$ 7,769,542	$ 7,769,542
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 2,236,885	$ 2,302,003
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	184.0	184.0
Schedule of Exempt Positions:		
Public Counsel, Group 3	$115,500	$115,500
Items of Appropriation:		
A. Goal: OMBUDSMAN PROGRAM		
Assist Individual Injured Employees through the Ombudsman Program.		
A.1.1. Strategy: OMBUDSMAN PROGRAM Assist Unrepresented Injured Employees in Dispute Resolution.	$ 4,321,494	$ 4,321,494
B. Goal: EDUCATION AND REFERRAL		
Increase Injured Employee Education and Provide Referrals.		
B.1.1. Strategy: RIGHTS RESPONSIBILITIES & REFERRAL Assist Injured Employees & Provide Referrals to Programs & Services.	$ 2,765,553	$ 2,765,553
C. Goal: ADVOCATE FOR INJURED EMPLOYEES		
Advocate for Injured Employees in Rulemaking and Other Public Forums.		
C.1.1. Strategy: PARTICIPATE IN RULEMAKING	$ 682,495	$ 682,495
Grand Total, OFFICE OF INJURED EMPLOYEE COUNSEL	$ 7,769,542	$ 7,769,542
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 6,728,316	$ 6,728,316
Other Personnel Costs	245,420	245,420
Professional Fees and Services	62,705	62,705
Utilities	82,130	82,130
Travel	174,900	174,900
Other Operating Expense	476,071	476,071
Total, Object-of-Expense Informational Listing	$ 7,769,542	$ 7,769,542
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 363,817	$ 369,274
Group Insurance	796,114	850,250
Social Security	457,788	464,655
Benefits Replacement	60,123	57,116
Subtotal, Employee Benefits	$ 1,677,842	$ 1,741,295
Debt Service		
Lease Payments	$ 150,300	$ 140,833
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 1,828,142	$ 1,882,128

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Office of Injured Employee Counsel. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Office of Injured Employee Counsel. In order to achieve the objectives and service standards established by this Act, the Office of Injured Employee Counsel shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: OMBUDSMAN PROGRAM		
Outcome (Results/Impact):		
Percentage of Texas Department of Insurance Administrative Dispute Resolution Proceedings in which an Ombudsman assisted an Unrepresented Injured Employee	41%	41%
Percentage of Issues Raised at Contested Case Hearings (CCH) where the Injured Employee Prevailed when Assisted by an Ombudsman	43%	43%
Percentage of Issues Raised on Appeal Where the Injured Employee Prevailed when Assisted by an Ombudsman	32%	32%
A.1.1. Strategy: OMBUDSMAN PROGRAM		
Output (Volume):		
Number of Benefit Review Conferences with Ombudsman Assistance	5,100	5,100
Number of Contested Case hearings with Ombudsman Assistance	2,100	2,100
Number of Injured Employees Prepared for an Appeal by an Ombudsman	550	550
B. Goal: EDUCATION AND REFERRAL		
Outcome (Results/Impact):		
Percentage of Injured Employees Reached About their Rights and Responsibilities in the Workers Compensation System	96%	96%
B.1.1. Strategy: RIGHTS RESPONSIBILITIES & REFERRAL		
Output (Volume):		
Number of Injured Employees Reached About Their Rights and Responsibilities	212,000	212,000
Efficiencies:		
Average Number of Days from the Date of Injury to the Date an Injured Employee is Sent Their Rights and Responsibilities Packet About the Workers' Compensation System	28	28
C. Goal: ADVOCATE FOR INJURED EMPLOYEES		
Outcome (Results/Impact):		
Percentage of Adopted Worker's Compensation Rules Changed for the Benefit of Injured Employees as a Result of Office of Injured Employee Counsel Participation	78%	78%
C.1.1. Strategy: PARTICIPATE IN RULEMAKING		
Output (Volume):		
Number of Adopted Workers' Compensation Rules Analyzed by Office of Injured Employee Counsel	9	9
Number of Adopted Workers' Compensation Rules in which the Office of Injured Employee Counsel Participated	8	8

2. **Unexpended Balance Authority.** Any unexpended balances as of August 31, 2010, not to exceed 5 percent for any item of appropriation, are hereby appropriated to the Office of Injured Employee Counsel for the same purposes for the fiscal year ending August 31, 2011.

DEPARTMENT OF INSURANCE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund		
General Revenue Fund	$ 230,926	$ 230,926
Insurance Companies Maintenance Tax and Insurance Department Fees[1,2]	36,187,932	35,978,507
Subtotal, General Revenue Fund	$ 36,418,858	$ 36,209,433
General Revenue Fund - Dedicated		
Subsequent Injury Account No. 5101	4,420,140	4,420,140
Texas Department of Insurance Operating Fund Account No. 036[1]	59,592,506	59,134,784
Subtotal, General Revenue Fund - Dedicated	$ 64,012,646	$ 63,554,924
Federal Funds	2,254,623	2,254,623
Other Funds		
Appropriated Receipts	689,116	689,116
Interagency Contracts	57,600	57,600
Healthy Texas Small Employer Premium Stabilization Fund[2]	17,404,000	17,425,000
Subtotal, Other Funds	$ 18,150,716	$ 18,171,716
Total, Method of Financing	$ 120,836,843	$ 120,190,696
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 28,259,518	$ 28,849,162
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[1, 2]	1,695.5	1,695.5
Schedule of Exempt Positions:		
Commissioner of Insurance, Group 6	$175,000	$175,000
Commissioner of Workers' Compensation, Group 5	140,000	140,000
Items of Appropriation:		
A. Goal: ENCOURAGE FAIR COMPETITION		
Encourage Fair Competition in the Insurance Industry.		
A.1.1. Strategy: CONSUMER ED. AND MKT. ANALYSES	$ 3,472,710	$ 3,412,672
Analyze Market Data and Provide Information.		

[1] Incorporates Article IX, § 17.75, of this Act, due to the enactment of HB 4341, 81st Legislature, Regular Session, relating to the regulation of discount health care programs by the Texas Department of Insurance, resulting in an increase in General Revenue-Dedicated Texas Department of Insurance Operating Account Fund 36 of $97,153 in FY 2010 and $43,062 in FY 2011, an increase in General Revenue Insurance Companies Maintenance Tax and Insurance Department Fees of $44,875 in FY 2011, and an increase of 2.0 FTEs each fiscal year.

[2] Incorporates Article IX, § 17.77, of this Act, due to the enactment of SB 78, 81st Legislature, Regular Session, relating to the creation of the Healthy Texas Program resulting in an increase in General Revenue Insurance Companies Maintenance Tax and Insurance Department Fess of $96,000 in FY 2010 and $75,000 in FY 2011, the creation of a new fund, the Healthy Texas Small Employers Premium Stabilization Fund No. 00329 and an appropriation from this fund of $17,404,000 in FY 2010 and $17,425,000 in FY 2011, and an increase of 0.5 FTEs each fiscal year.

A.1.2. Strategy: RATES, FORMS AND LICENSES[3, 4] Process Rates, Forms and Licenses.	$	28,294,247	$	28,309,833
A.1.3. Strategy: PROMOTE UNDERSERVED COVERAGE Create Incentives and Requirements for Coverage in Underserved Markets.	$	188,175	$	188,952
A.2.1. Strategy: RESOLVE COMPLAINTS Respond Promptly and Act on Complaints.	$	2,789,006	$	2,795,065
A.2.2. Strategy: INVESTIGATION AND ENFORCEMENT Investigate Trade Practices and Enforcement as Needed.	$	2,855,452	$	2,860,472
A.2.3. Strategy: INSURER FRAUD Investigate Potential Insurer Fraud and Initiate Legal Action.	$	1,400,440	$	1,401,400
A.2.4. Strategy: TEXASONLINE TexasOnline. Estimated and Nontransferable.	$	380,000	$	380,000
Total, Goal A: ENCOURAGE FAIR COMPETITION	$	39,380,030	$	39,348,394
B. Goal: INSURANCE INDUSTRY FINANCIAL HEALTH Encourage the Financial Health of the Insurance Industry.				
B.1.1. Strategy: INSURERS FINANCIAL CONDITION Analyze the Financial Condition of Insurers and Take Solvency Action.	$	12,920,329	$	12,941,869
C. Goal: DECREASE INDUSTRY LOSS COSTS Decrease Insurance Industry Loss Costs.				
C.1.1. Strategy: LOSS CONTROL PROGRAMS Inspect Loss Control Programs and Assure Code and Schedule Compliance.	$	2,635,629	$	2,640,848
C.1.2. Strategy: PROVIDER AND CONSUMER FRAUD Investigate Provider/Consumer Fraud & Refer Violations for Prosecution.	$	1,293,043	$	1,296,263
C.1.3. Strategy: WORKERS' COMPENSATION FRAUD Investigate Workers' Compensation Insurance Fraud.	$	266,076	$	266,213
Total, Goal C: DECREASE INDUSTRY LOSS COSTS	$	4,194,748	$	4,203,324
D. Goal: REDUCE LOSSES DUE TO FIRE Reduce Loss of Life and Property Due to Fire.				
D.1.1. Strategy: FIRE PROTECTION Provide Fire Prevention through Education & Enforcement of Regulations.	$	4,278,762	$	4,287,682
E. Goal: SAFE AND HEALTHY WORKPLACES To Promote Safe and Healthy Workplaces.				
E.1.1. Strategy: HEALTH AND SAFETY SERVICES Provide Health and Safety Services in Texas Workplaces.	$	4,047,215	$	4,042,728
E.2.1. Strategy: RETURN-TO-WORK EDUCATION Provide Education on Disability Management and Return-to-work Programs.	$	130,591	$	130,672
Total, Goal E: SAFE AND HEALTHY WORKPLACES	$	4,177,806	$	4,173,400

[3] Incorporates Article IX, § 17.75, of this Act, due to the enactment of HB 4341, 81st Legislature, Regular Session, relating to the regulation of discount health care programs by the Texas Department of Insurance, resulting in an increase in General Revenue-Dedicated Texas Department of Insurance Operating Account Fund 36 of $97,153 in FY2010 and $43,062 in FY2011, an increase in General Revenue Insurance Companies Maintenance Tax and Insurance Department Fees of $44,875 in FY 2011, and an increase of 2.0 FTEs each fiscal year.

[4] Incorporates Article IX, § 17.77, of this Act, due to the enactment of SB 78, 81st Legislature, Regular Session, relating to the creation of the Healthy Texas Program resulting in an increase in General Revenue Insurance Companies Maintenance Tax and Insurance Department Fess of $96,000 in FY 2010 and $75,000 in FY 2011, the creation of a new fund, the Healthy Texas Small Employers Premium Stabilization Fund No. 00329 and an appropriation from this fund of $17,404,000 in FY 2010 and $17,425,000 in FY 2011, and an increase of 0.5 FTEs each fiscal year.

F. Goal: WORKERS' COMP BENEFITS & DELIVERY Ensure the Appropriate Delivery of Workers' Compensation Benefits.				
F.1.1. Strategy: MEDICAL COST CONTAINMENT Ensure Appropriate Utilization of Medical Services.	$	1,924,584	$	1,924,027
F.2.1. Strategy: MONITORING AND ENFORCEMENT Monitor Stakeholder Activity and Take Enforcement Action.	$	3,008,217	$	3,010,157
F.3.1. Strategy: DEVELOP AND IMPLEMENT PROCESSES	$	5,404,122	$	5,416,078
F.4.1. Strategy: CERTIFY SELF-INSURANCE Certify and Regulate Private Employers that Qualify to Self-Insure.	$	647,481	$	647,936
F.5.1. Strategy: DISPUTE RESOLUTION Minimize and Resolve Indemnity and Medical Disputes.	$	15,012,659	$	15,020,050
F.6.1. Strategy: SUBSEQUENT INJURY FUND ADMIN Subsequent Injury Fund Administration.	$	4,514,826	$	4,497,469
Total, Goal F: WORKERS' COMP BENEFITS & DELIVERY	$	30,511,889	$	30,515,717
G. Goal: INDIRECT ADMINISTRATION				
G.1.1. Strategy: CENTRAL ADMINISTRATION	$	10,023,250	$	10,008,362
G.1.2. Strategy: INFORMATION RESOURCES	$	11,192,613	$	10,551,692
G.1.3. Strategy: OTHER SUPPORT SERVICES	$	3,549,286	$	3,551,866
Total, Goal G: INDIRECT ADMINISTRATION	$	24,765,149	$	24,111,920
H. Goal: LONG TERM CARE				
H.1.1. Strategy: LONG TERM CARE Long Term Care Insurance Partnerships.	$	156,328	$	156,528
I. Goal: THREE-SHARE ASSISTANCE PROGRAMS Three-Share Premium Assistance Programs.				
I.1.1. Strategy: THREE-SHARE ASSISTANCE PROGRAMS Three-Share Premium Assistance Programs.	$	451,802	$	451,862
Grand Total, DEPARTMENT OF INSURANCE	$	120,836,843	$	120,190,696
Object-of-Expense Informational Listing:				
Salaries and Wages	$	75,232,294	$	75,280,032
Other Personnel Costs		2,505,500		2,684,560
Professional Fees and Services		5,838,150		5,010,151
Fuels and Lubricants		117,460		117,460
Consumable Supplies		732,693		732,193
Utilities		946,795		946,795
Travel		2,404,203		2,404,203
Rent - Building		3,313,267		3,318,267
Rent - Machine and Other		474,675		474,675
Other Operating Expense		28,324,991		28,275,545
Grants		395,000		395,000
Capital Expenditures		551,815		551,815
Total, Object-of-Expense Informational Listing	$	120,836,843	$	120,190,696
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	4,671,199	$	4,815,184
Group Insurance		13,025,949		14,350,284
Social Security		5,902,410		5,985,438
Benefits Replacement		631,024		599,473
Subtotal, Employee Benefits	$	24,230,582	$	25,750,379
Debt Service				
Lease Payments	$	1,031,819	$	640,031
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	25,262,401	$	26,390,410

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Insurance. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of Insurance. In order to achieve the objectives and service standards established by this Act, the Department of Insurance shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ENCOURAGE FAIR COMPETITION		
Outcome (Results/Impact):		
Percent of Agent License Filings Completed within 15 Days	96%	96%
Percent of Statutory Rate and Form Filings Completed within 90 Days	87%	87%
Number of Automobiles Covered by Auto Liability Policies as a Percent of Total Private Passenger Automobiles in Underserved Markets	78%	78%
Percent of Personal Auto and Residential Property Rate and Form Filings Completed within 60 Days	95%	95%
Percent of Licensees Who Renew Online	78%	84%
A.1.1. Strategy: CONSUMER ED. AND MKT. ANALYSES		
Output (Volume):		
Number of Inquiries Answered	650,000	650,000
Number of Rate Guides Distributed	1,200,000	1,200,000
A.2.1. Strategy: RESOLVE COMPLAINTS		
Output (Volume):		
Number of Complaints Resolved	23,350	23,350
Efficiencies:		
Average Response Time (in Days) to Complaints	29	29
A.2.3. Strategy: INSURER FRAUD		
Output (Volume):		
Number of Referrals of Alleged Insurer Fraud to State and Federal Prosecutors	70	70
B. Goal: INSURANCE INDUSTRY FINANCIAL HEALTH		
Outcome (Results/Impact):		
Percent of Statutorily Mandated Examinations Completed within 18 Months	88%	90%
Special Deputy Receiver Receivership Asset Recovery Expenses as a Percent of the Total Dollars Collected by Special Deputy Receivers	15%	15%
Average Number of Days from Company "At Risk" Identification to the Date of Solvency-related Regulatory Action	21	21
Percent of Companies Rehabilitated after Texas Department of Insurance Solvency-related Intervention	18%	18%
B.1.1. Strategy: INSURERS FINANCIAL CONDITION		
Output (Volume):		
Number of Entities Receiving Texas Department of Insurance Solvency-related Intervention	10	10
Number of On-site Examinations Conducted	145	145
Efficiencies:		
Average State Cost Per Examination	32,016	32,016
Explanatory:		
Dollar Amount (in Millions) of Insurance Company Insolvencies	50	50
Number of Estates Placed in Receivership	6	6
C. Goal: DECREASE INDUSTRY LOSS COSTS		
Outcome (Results/Impact):		
Percent of Commercial Property Inspections That Meet Filed Rating Schedule Requirements	85%	85%
C.1.1. Strategy: LOSS CONTROL PROGRAMS		
Output (Volume):		
Number of Windstorm Inspections Completed	11,500	11,500
Number of Inspections of Insurer Loss Control Programs Completed	200	200
Number of Commercial Property Oversight Inspections Completed	1,160	1,160
Efficiencies:		
Average Cost Per Windstorm Inspection	50	50
C.1.2. Strategy: PROVIDER AND CONSUMER FRAUD		
Output (Volume):		
Number of Referrals of Alleged Consumer and Provider Fraud to State or Federal Prosecutors	110	110

D. Goal: REDUCE LOSSES DUE TO FIRE		
Outcome (Results/Impact):		
Percent of State Fire Marshal's Office Criminal Referrals Resulting in Enforcement/Legal Action	60%	60%
Percent of Registrations, Licenses, and Permits Issued, after Receipt of a Completed Application, within 20 Days to Fire Alarm, Fire Extinguisher, Fire Sprinkler, and Fireworks Firms, Individuals, and Other Regulated Entities	99%	99%
D.1.1. Strategy: FIRE PROTECTION		
Output (Volume):		
Number of Fire Investigations Completed	507	507
Number of Registrations, Licenses, and Permits Issued to Fire Alarm, Fire Extinguisher, Fire Sprinkler and Fireworks Firms, Individuals, and Other Regulated Entities	11,700	11,700
E. Goal: SAFE AND HEALTHY WORKPLACES		
Outcome (Results/Impact):		
Percent of Employees Temporary Income Benefits (TIBs) Recipients Returning to Work Within 90 Days of Injury	54	54
E.1.1. Strategy: HEALTH AND SAFETY SERVICES		
Output (Volume):		
Number of Consultations and Inspections Provided to Employers	3,058	3,058
E.2.1. Strategy: RETURN-TO-WORK EDUCATION		
Output (Volume):		
Number of Persons Receiving Return-to-work Training	11,000	11,000
F. Goal: WORKERS' COMP BENEFITS & DELIVERY		
Outcome (Results/Impact):		
Percentage of Medical Bills Processed Timely	95%	95%
Dollar Amount Returned to Workers' Compensation System Participants through Complaint Resolution	1,100,000	1,100,000
Percentage of Medical Fee Disputes Resolved by Medical Fee Dispute Resolution Decision	90%	90%
Total Payments Made out of the Subsequent Injury Fund for Lifetime Income Benefits and Reimbursements to Insurance Carriers	3,960,000	4,285,000
F.1.1. Strategy: MEDICAL COST CONTAINMENT		
Output (Volume):		
Number of Quality of Care Reviews of Health Care Providers, Insurance Carriers, and Independent Review Organizations Completed	102	102
Efficiencies:		
Average Number of Days to Complete Quality of Care Reviews of Health Care Providers, Insurance Carriers, and Independent Review Organizations	180	180
F.2.1. Strategy: MONITORING AND ENFORCEMENT		
Output (Volume):		
Number of Complaints Completed Involving Workers' Compensation System Participants	2,756	2,756
Efficiencies:		
Average Days to Complete a Complaint Involving Workers' Compensation System Participants	120	120
F.5.1. Strategy: DISPUTE RESOLUTION		
Efficiencies:		
Average Number of Days from the Request for Benefit Review Conference to the Conclusion of the Benefit Review Conference	67	67
Average Number of Days from the Request for a Contested Case Hearing (CCH) to the Conclusion of the CCH	84	83
F.6.1. Strategy: SUBSEQUENT INJURY FUND ADMIN		
Output (Volume):		
Number of Injured Workers Receiving Lifetime Income Benefit (LIB) Payments through the SIF	39	41

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board,

capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Data Center Consolidation	$ 4,497,296	$ 3,779,797
(2) Purchase of Information Resource Technologies - Scheduled Replacement of Items	680,604	680,604
(3) Replace DWC Obsolete Infrastructure Technology	$ 238,211	$ 238,211
Total, Acquisition of Information Resource Technologies	$ 5,416,111	$ 4,698,612
b. Transportation Items		
(1) Purchase of Transportation Items	$ 198,000	$ 198,000
Total, Capital Budget	$ 5,614,111	$ 4,896,612
Method of Financing (Capital Budget):		
General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees	$ 2,107,839	$ 1,841,166
GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036	3,506,272	3,055,446
Total, Method of Financing	$ 5,614,111	$ 4,896,612

3. **Appropriation Source, Rehabilitation of Insurance Companies.** Of the amounts appropriated above, $125,000 each year of the biennium is from fees that the Department of Insurance shall collect from companies that are successfully rehabilitated by the department. Fees collected and appropriated above shall be in amounts sufficient to cover, yet not exceed, costs of rehabilitating those companies. Any such fees collected in excess of $125,000 each year of the biennium are also hereby appropriated for the biennium beginning September 1, 2009, for the sole purpose of the rehabilitation of other insurance companies pursuant to 441.203 of the Texas Insurance Code (estimated to be $0).

4. **State Support for NAIC Activities.** The agency is prohibited from using resources in support of the National Association of Insurance Commissioners in the absence of NAIC accreditation of the Department of Insurance for compliance with NAIC Financial Regulation Standards. The prohibition would be effective immediately upon loss of accreditation. The only exceptions to this prohibition shall be limited to expenditures necessary for (1) continued departmental use of the NAIC database for monitoring financial solvency of companies doing business in Texas; (2) solvency-related training; and (3) efforts to regain accreditation. The prohibition on using resources does not apply in the event that the Commissioner voluntarily determines not to participate in the state insurance department accreditation program.

5. **Liquidation Oversight and Title Examiner Full-Time-Equivalent Positions.** In addition to the "Number of Full-Time-Equivalents (FTE)" positions authorized above, an additional 32.5 FTE positions are authorized for each year of the 2010-11 biennium to support liquidation oversight and title examiner activities. These positions are excluded from the FTE cap.

6. **Appropriations Limited to Revenue Collections.** The application of special provisions limiting appropriations to revenue collections elsewhere in this Article shall be consistent with relevant statutory provisions governing the agency's assessment of tax rates and fees. As provided by the Texas Insurance Code and the Texas Labor Code, the Commissioners shall take into account unexpended funds in the preceding year when adjusting rates of assessment necessary to pay all expenses of regulating insurance and conducting the operations of the State Fire Marshal and the Office of Injured Employee Counsel during the succeeding year.

7. **Travel Cap.** Out of the funds appropriated above, expenditures for out-of-state travel by the Department of Insurance are limited to $651,697 in fiscal year 2010 and $651,697 in fiscal year 2011. Of these amounts, $483,000 in fiscal year 2010 and $483,000 in fiscal year 2011 shall be

utilized solely for out-of-state travel for the purpose of financial examinations. Notwithstanding any other provisions in this act, travel expenditures associated with federal programs and paid out of federal funds are exempt from this limitation.

8. **Limit on Estimated Appropriations.** Excluding appropriations for the TexasOnline Authority, the combined appropriation authority from the General Revenue Fund, which includes Insurance Companies Maintenance Tax (Object Code 3203) and Insurance Department Fees (Object Code 3215), and General Revenue Fund-Dedicated-Texas Department of Insurance Operating Fund Account No. Fund 36 shall not exceed $95,213,805 in fiscal year 2010 or $94,576,874 in fiscal year 2011.

9. **State Support for NCOIL Activities.** Funds appropriated above include funds from the General Revenue - Insurance Companies Maintenance Tax, Insurance Department Fees and General Revenue Fund-Dedicated for payment of state dues for the National Conference of Insurance Legislators.

10. **Crash Records Information System.** Included in Strategy D.2.1, Traffic Safety, at the Department of Transportation is $750,000 for fiscal year 2010 and $750,000 for fiscal year 2011 from General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees for on-going maintenance of the Crash Records Information System.

11. **Increase Consumer Choice.** Out of amounts appropriated above, the Department of Insurance shall contract with the Office of Public Insurance Counsel in the amount of $48,000 each fiscal year from the GR Dedicated-Texas Department of Insurance Operating Fund Account No. 036 to provide consumers with insurance information to make informed decisions.

12. **Consumer Information Report.** The Department of Insurance shall submit a report quarterly to the Legislature and the public no later than the 90th day after the last day of the quarter covered by the report the following information for each insurer that writes a line of insurance in the state: market share, profits and losses, average rate, and average loss ratio. The report shall include the change in rate over the previous 12, 24, and 36 months.

13. **Appropriation of Unexpended Balances.** Any unexpended balances as of August 31, 2010, not to exceed 5 percent for any item of appropriation above, are hereby appropriated for the same purposes, in the same strategies, for the fiscal year beginning September 1, 2010.

14. **Subsequent Injury Fund.** Amounts appropriated above in Strategy F.6.1, Subsequent Injury Fund Administration, include an estimated $4,420,140 in fiscal year 2010 and $ 4,420,140 in fiscal year 2011 out of the GR Dedicated - Subsequent Injury Account No. 5101 for payment of liabilities pursuant to Labor Code, Chapter 403. In the event that actual liabilities exceed the estimated amounts, the Division of Workers' Compensation shall furnish information supporting the estimated additional liabilities to the Comptroller of Public Accounts. If the Comptroller finds that there are sufficient balances in the GR Dedicated - Subsequent Injury Account No. 5101 to support the payment of projected liabilities, a finding of fact to that effect shall be issued and a contingent appropriation shall be made available for the intended purposes.

15. **Three-Share Premium Assistance Programs.** Amounts appropriated above to the Department of Insurance of $450,000 in fiscal year 2010 and $450,000 in fiscal year 2011 in General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees in Strategy I.1.1, Three-Share Assistance Programs, and 1.0 Full-Time-Equivalents (FTE) position each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" is for the purpose of awarding, through a competitive application process, grants to local government entities for the research, planning, development, and continuation of "three-share" premium assistance programs to increase access to private healthcare coverage for the uninsured, and providing technical assistance to grant recipients. The agency shall consider the following factors in selecting recipients of grant funds:

    a. proposals to match grant awards with local funds
    b. percentage of uninsured in the applicable area
    c. existing efforts in pursuing "three-share" premium assistance programs
    d. healthcare use and delivery factors affecting the area's healthcare infrastructure and capacity.

    The agency shall report a summary of the grants awarded to local government entities to the Legislative Budget Board and the Governor no later than January 1, 2011.

16. Division of Workers' Compensation Reporting Requirement. The Division of Workers' Compensation shall include information collected about on-the-job injuries and occupational diseases, compliance with notice requirements regarding whether employers carry workers' compensation insurance from non-subscribing employers and administrative penalties levied against non-complying employers under the provisions of the Labor Code § 411.032 and Texas Administrative Code, Title 28, Insurance §§ 110.1, 110.101, and 160.2 in its biennial report submitted to the Legislature.

17. Sunset Contingency. Funds appropriated above for fiscal year 2011 for the Texas Department of Insurance are made contingent on the continuation of the Texas Department of Insurance by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

18. Health Insurance Premiums.

a. It is the intent of the Legislature that, out of funds appropriated under Strategy A.1.1, Consumer Education and Marketing Analyses, the Texas Department of Insurance conduct reviews of the accessibility of health benefit plan coverage for and the affordability of health benefit plan premiums for:

(1) families with annual household incomes that are less than 200% of the federal poverty level for the applicable household size;

(2) families with annual household incomes that are $100,000 or less and the members of which are not eligible for coverage under a health benefit plan issued by, paid for, or sponsored by an employer of a member of the family; and

(3) individuals with annual incomes that are $55,000 or less and who are not eligible for coverage under a health benefit plan issued by, paid for, or sponsored by an employer.

b. The department shall include the results of those reviews in the biennial report submitted under Section 32.022, Insurance Code, to the appropriate committees of each house of the Legislature immediately preceding the 82nd Regular Legislative Session.

19. Study of Data Mining. It is the intent of the Legislature that, out of funds appropriated under Strategy A.1.1, Consumer Education and Market Analyses, the Texas Department of Insurance, using data collected under Chapters 38 and 2151, Insurance Code:

a. conduct a review of insurance industry practices regarding:

1) the use of data mining and pattern recognition practices and technologies that are used to predict difference in expected losses of covered persons or applicants for personal automobile or residential property insurance coverage or health benefit plan coverage; and

2) the manner in which insurers use these technologies in underwriting and setting rates for personal automobile or residential property insurance or health benefit plans; and

b. include that review in the biennial report submitted under Section 32.033, Insurance Code, to the appropriate committees of each house of the Legislature on or before December 31, 2010.

20. Coverage Reductions. Out of funds appropriated above to the Department of Insurance, the department shall conduct a review of levels of coverage to determine what, if any, changes have occurred in the level of protection offered by homeowners insurance policies since the department's adoption of approved national forms in 2002. The department shall prepare a report for the 82nd Legislature quantifying effect of the change to national forms on the level of coverage for the average homeowner in this state.

OFFICE OF PUBLIC INSURANCE COUNSEL

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,073,777	$ 1,073,777
Interagency Contracts	48,000	48,000
Total, Method of Financing	$ 1,121,777	$ 1,121,777
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 301,227	$ 298,441
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	16.5	16.5
Schedule of Exempt Positions:		
Public Counsel, Group 4	$106,500	$106,500
Items of Appropriation:		
A. Goal: ADVOCATE FOR INSURANCE CONSUMERS Advocate for TX Consumers in Rate/Rule/Judicial/Legislative Hearings.		
A.1.1. Strategy: PARTICIPATE IN RATE/RULE HEARINGS Participate in Rate, Rulemaking, Judicial, and Legislative Proceedings.	$ 1,034,100	$ 1,034,100
B. Goal: INCREASE CONSUMER CHOICE Increase Consumer Choice-Educate Texas Insurance Consumers.		
B.1.1. Strategy: INSURANCE INFORMATION Provide Consumers with Information to Make Informed Choices.	$ 87,677	$ 87,677
Grand Total, OFFICE OF PUBLIC INSURANCE COUNSEL	$ 1,121,777	$ 1,121,777
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 874,319	$ 874,319
Other Personnel Costs	39,733	39,733
Professional Fees and Services	81,463	81,463
Consumable Supplies	16,441	16,441
Utilities	2,238	2,238
Travel	9,500	9,500
Rent - Building	291	291
Rent - Machine and Other	8,169	8,169
Other Operating Expense	89,623	89,623
Total, Object-of-Expense Informational Listing	$ 1,121,777	$ 1,121,777
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 52,818	$ 53,610
Group Insurance	83,868	89,571
Social Security	66,950	67,954
Benefits Replacement	5,560	5,282
Subtotal, Employee Benefits	$ 209,196	$ 216,417
Debt Service		
Lease Payments	$ 27,326	$ 17,270
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 236,522	$ 233,687

OFFICE OF PUBLIC INSURANCE COUNSEL
(Continued)

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Office of Public Insurance Counsel. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Office of Public Insurance Counsel. In order to achieve the objectives and service standards established by this Act, the Office of Public Insurance Counsel shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ADVOCATE FOR INSURANCE CONSUMERS		
Outcome (Results/Impact):		
Percentage of Analyzed Rate and Rulemaking Proceedings in Which OPIC Participated	75%	75%
Percentage of Rate Filings and Rules Changed for the Benefit of Consumers as a Result of OPIC Participation	90%	90%
A.1.1. Strategy: PARTICIPATE IN RATE/RULE HEARINGS		
Output (Volume):		
Number of Rate Hearings in Which OPIC Participated	5	5
Number of Analyzed Rate Filings in Which OPIC Participated	32	32
Number of Rulemaking Proceedings in Which OPIC Participated	40	40
B. Goal: INCREASE CONSUMER CHOICE		
Outcome (Results/Impact):		
Percent of Texas Insurance Consumers Reached by OPIC Outreach Efforts	26%	26%
B.1.1. Strategy: INSURANCE INFORMATION		
Output (Volume):		
Number of Report Cards and Publications Produced and Distributed	850,000	850,000
Total Number of Public Presentations or Communications by OPIC	48	48

2. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 for the Office of Public Insurance Counsel are made contingent on the continuation of the Office of Public Insurance Counsel by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

BOARD OF PROFESSIONAL LAND SURVEYING

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 486,493	$ 442,124
Total, Method of Financing	$ 486,493	$ 442,124
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 75,657	$ 78,455
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	5.0	5.0
Schedule of Exempt Positions:		
Executive Director, Group 1	$70,000	$70,000

Items of Appropriation:
A. Goal: LICENSING & ENFORCEMENT
Ensure Surveys Prepared by Qualified Licensees Meet/Exceed Standards.

A.1.1. Strategy: LICENSING AND EDUCATION Examine New Applicants & Ensure Continuing Education Requirements.	$	361,416	$	317,047
A.1.2. Strategy: INDIRECT ADMIN-LICENSING/EDUCATION Indirect Administration - Licensing and Education.	$	94,927	$	94,927
A.1.3. Strategy: EXAMINATION Purchase and Grade the National Exam. Estimated and Nontransferable.	$	12,150	$	12,150
A.1.4. Strategy: TEXASONLINE TexasOnline. Estimated and Nontransferable.	$	18,000	$	18,000
Total, Goal A: LICENSING & ENFORCEMENT	$	486,493	$	442,124
Grand Total, BOARD OF PROFESSIONAL LAND SURVEYING	$	486,493	$	442,124
Object-of-Expense Informational Listing:				
Salaries and Wages	$	252,274	$	260,219
Other Personnel Costs		10,000		10,000
Professional Fees and Services		102,509		50,194
Consumable Supplies		4,000		4,000
Utilities		2,500		2,500
Travel		45,661		45,661
Rent - Machine and Other		4,000		4,000
Other Operating Expense		65,549		65,550
Total, Object-of-Expense Informational Listing	$	486,493	$	442,124
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	6,112	$	6,204
Group Insurance		30,448		32,790
Social Security		18,043		18,314
Benefits Replacement		1,798		1,708
Subtotal, Employee Benefits	$	56,401	$	59,016
Debt Service				
Lease Payments	$	13,229	$	13,209
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	69,630	$	72,225

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Professional Land Surveying. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Board of Professional Land Surveying. In order to achieve the objectives and service standards established by this Act, the Board of Professional Land Surveying shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: LICENSING & ENFORCEMENT		
Outcome (Results/Impact):		
Percent of Licensees with No Recent Violations	99%	99%
Percent of Documented Complaints Resolved within Six Months	95%	95%
Percent of Licensees Who Renew Online	50%	50%
A.1.1. Strategy: LICENSING AND EDUCATION		
Output (Volume):		
Number of New Licenses Issued to Individuals	70	70
Number of Licenses Renewed (Individuals)	2,986	2,986
Complaints Resolved	57	57

2. **Contingent Revenue.** Out of the amounts appropriated above to the Board of Professional Land Surveying in Strategy A.1.1, Licensing and Education, the amounts of $65,014 in fiscal year 2010 and $20,644 in fiscal year 2011 in General Revenue are contingent upon the Board of Professional Land Surveying assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $98,889 in excess of $1,298,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. The Board of Professional Land Surveying, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Professional Land Survey's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

DEPARTMENT OF LICENSING AND REGULATION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1, 2, 3, 4, 5]	$ 23,642,216	$ 23,636,403
General Revenue Fund - Dedicated		
GR Dedicated - Operators and Chauffeurs License Account No. 099[6]	0	106,040
Private Beauty Culture School Tuition Protection Account No. 108	20,000	20,000
Barber School Tuition Protection Account No. 5081	5,000	5,000
Subtotal, General Revenue Fund - Dedicated	$ 25,000	$ 131,040
Other Funds		
Appropriated Receipts	495,000	495,000
Interagency Contracts	18,634	18,634

[1] Incorporates Article IX, § 17.30, of this Act, due to the enactment of HB 3097, 81st Legislature, Regular Session, relating to the creation of the Department of Motor Vehicles and to the licensing and regulation of used automotive parts recyclers, providing penalties, resulting in an increase in General Revenue Funds of $193,380 and 4.0 FTEs in FY 2010 and $166,780 and 4.0 FTEs in FY 2011 contingent upon the agency generating sufficient revenue.

[2] Incorporates Article IX, § 17.56, of this Act, due to the enactment of HB 2310, 81st Legislature, Regular Session, relating to the powers and duties of the Department of Licensing and Regulation, resulting in an increase in General Revenue Funds of $763,097 and 13.0 FTEs in FY 2010 and $684,897 and 13.0 FTEs in FY 2011 contingent upon the agency generating sufficient revenue.

[3] Incorporates Article IX, § 17.59, of this Act, due to the enactment of HB 2447, 81st Legislature, Regular Session, relating to the abolition of the Board of Tax Professional Examiners and the transfer of its functions to the Department of Licensing and Regulation, resulting in an increase in General Revenue Funds of $192,763 and 3.7 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Board of Tax Professional Examiners will be transferred to the Department of Licensing and Regulation by March 1, 2010. All riders and performance measures associated with the transfer of functions have been transferred to the Department of Licensing and Regulation.

[4] Incorporates Article IX, § 17.60, of this Act, due to the enactment of HB 2571, 81st Legislature, Regular Session, relating to the licensing and regulation of towing companies and vehicle storage facilities, resulting in an increase in General Revenue Funds of $100,000 in FY 2011 contingent upon the agency generating sufficient revenue.

[5] Incorporates Article IX, § 17.118, of this Act, due to the enactment of SB 2153, 81st Legislature, Regular Session, relating to the booting of vehicles by private entities in parking facilities, resulting in an increase in General Revenue Funds of $265,490 and 5.0 FTEs in FY 2010 and $224,990 and 5.0 FTEs in FY 2011 contingent upon the agency generating sufficient revenue.

[6] Incorporates Article IX, § 17.100, of this Act, due to the enactment of SB 1005, 81st Legislature, Regular Session, relating to the regulation of polygraph examiners by the Department of Licensing and Regulation and the abolition of the Polygraph Examiners Board, resulting in an increase in General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 Funds of $106,040 and 2.0 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Polygraph Examiners Board will be transferred to the Department of Licensing and Regulation by January 1, 2010. All riders and performance measures associated with the transfer of functions have been transferred to the Department of Licensing and Regulation.

Auctioneer Education and Recovery Trust Fund No. 898	25,000	25,000
Subtotal, Other Funds	$ 538,634	$ 538,634
Total, Method of Financing	$ 24,205,850	$ 24,306,077
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 6,043,072	$ 6,278,583
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[7, 8, 9, 10,11]	407.5	413.2
Schedule of Exempt Positions:		
Executive Director, Group 4	$135,000	$135,000
Items of Appropriation:		
A. Goal: LICENSING		
License, Certify, and Register Qualified Individuals and Businesses.		
A.1.1. Strategy: LICENSE, REGISTER AND CERTIFY[9, 10]	$ 1,889,628	$ 2,055,964
Issue Licenses, Registrations, & Certificates to Qualified Individuals.		
A.1.2. Strategy: LICENSE BUSINESSES AND FACILITIES[7, 11]	$ 797,248	$ 797,248
A.1.3. Strategy: EXAMINATIONS[9]	$ 355,130	$ 422,597
Administer Exams to Applicants.		
A.1.4. Strategy: CONTINUING EDUCATION/CUSTOMER SERV[11]	$ 2,245,745	$ 2,245,745
Develop Continuing Education and Provide Customer Service.		
A.1.5. Strategy: TEXASONLINE	$ 331,200	$ 331,200
TexasOnline. Estimated and Nontransferable.		
Total, Goal A: LICENSING	$ 5,618,951	$ 5,852,754

[7] Incorporates Article IX, § 17.30, of this Act, due to the enactment of HB 3097, 81st Legislature, Regular Session, relating to the creation of the Department of Motor Vehicles and to the licensing and regulation of used automotive parts recyclers, providing penalties, resulting in an increase in General Revenue Funds of $193,380 and 4.0 FTEs in FY 2010 and $166,780 and 4.0 FTEs in FY 2011 contingent upon the agency generating sufficient revenue.

[8] Incorporates Article IX, § 17.56, of this Act, due to the enactment of HB 2310, 81st Legislature, Regular Session, relating to the powers and duties of the Department of Licensing and Regulation, resulting in an increase in General Revenue Funds of $763,097 and 13.0 FTEs in FY 2010 and $684,897 and 13.0 FTEs in FY 2011 contingent upon the agency generating sufficient revenue.

[9] Incorporates Article IX, § 17.59, of this Act, due to the enactment of HB 2447, 81st Legislature, Regular Session, relating to the abolition of the Board of Tax Professional Examiners and the transfer of its functions to the Department of Licensing and Regulation, resulting in an increase in General Revenue Funds of $192,763 and 3.7 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Board of Tax Professional Examiners will be transferred to the Department of Licensing and Regulation by March 1, 2010. All riders and performance measures associated with the transfer of functions have been transferred to the Department of Licensing and Regulation.

[10] Incorporates Article IX, § 17.100, of this Act, due to the enactment of SB 1005, 81st Legislature, Regular Session, relating to the regulation of polygraph examiners by the Department of Licensing and Regulation and the abolition of the Polygraph Examiners Board, resulting in an increase in General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 Funds of $106,040 and 2.0 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Polygraph Examiners Board will be transferred to the Department of Licensing and Regulation by January 1, 2010. All riders and performance measures associated with the transfer of functions have been transferred to the Department of Licensing and Regulation.

[11] Incorporates Article IX, § 17.118, of this Act, due to the enactment of SB 2153, 81st Legislature, Regular Session, relating to the booting of vehicles by private entities in parking facilities, resulting in an increase in General Revenue funds of $265,490 and 5.0 FTEs in FY 2010 and $224,990 and 5.0 FTEs in FY 2011 contingent upon the agency generating sufficient revenue.

B. Goal: ENFORCEMENT
Protect the Public by Enforcing Laws Administered by the Agency.

B.1.1. Strategy: CONDUCT INSPECTIONS[12, 13, 14] Enforce Laws by Conducting Routine, Complex, and Special Inspections.	$	6,123,469	$	6,172,375
B.1.2. Strategy: BUILDING PLAN REVIEWS Perform Building Plan Reviews.	$	1,108,897	$	1,108,897
B.1.3. Strategy: RESOLVE COMPLAINTS[15] Enforce Compliance by Settlement, Prosecution, Penalty and Sanction.	$	2,929,602	$	2,929,602
B.1.4. Strategy: INVESTIGATION[12, 15, 16] Investigate Complaints.	$	3,587,396	$	3,468,696
Total, Goal B: ENFORCEMENT	$	13,749,364	$	13,679,570
C. Goal: INDIRECT ADMINISTRATION				
C.1.1. Strategy: CENTRAL ADMINISTRATION	$	2,628,829	$	2,628,829
C.1.2. Strategy: INFORMATION RESOURCES	$	1,782,675	$	1,718,893
C.1.3. Strategy: OTHER SUPPORT SERVICES	$	426,031	$	426,031
Total, Goal C: INDIRECT ADMINISTRATION	$	4,837,535	$	4,773,753
Grand Total, DEPARTMENT OF LICENSING AND REGULATION	$	24,205,850	$	24,306,077
Object-of-Expense Informational Listing:				
Salaries and Wages	$	18,135,185	$	18,325,311
Other Personnel Costs		346,657		346,657
Professional Fees and Services		423,093		459,821
Fuels and Lubricants		5,000		5,000
Consumable Supplies		132,825		132,825
Utilities		100,000		100,000
Travel		1,008,500		1,011,500
Rent - Building		730,232		730,232
Rent - Machine and Other		41,080		41,080
Other Operating Expense		3,224,078		3,153,651
Capital Expenditures		59,200		0
Total, Object-of-Expense Informational Listing	$	24,205,850	$	24,306,077

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

---

[12] Incorporates Article IX, § 17.30, of this Act, due to the enactment of HB 3097, 81st Legislature, Regular Session, relating to the creation of the Department of Motor Vehicles and to the licensing and regulation of used automotive parts recyclers, providing penalties, resulting in an increase in General Revenue Funds of $193,380 and 4.0 FTEs in FY 2010 and $166,780 and 4.0 FTEs in FY 2011 contingent upon the agency generating sufficient revenue.

[13] Incorporates Article IX, § 17.60, of this Act, due to the enactment of HB 2571, 81st Legislature, Regular Session, relating to the licensing and regulation of towing companies and vehicle storage facilities, resulting in an increase in General Revenue Funds of $100,000 in FY 2011 contingent upon the agency generating sufficient revenue.

[14] Incorporates Article IX, § 17.100, of this Act, due to the enactment of SB 1005, 81st Legislature, Regular Session, relating to the regulation of polygraph examiners by the Department of Licensing and Regulation and the abolition of the Polygraph Examiners Board, resulting in an increase in General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 Funds of $106,040 and 2.0 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Polygraph Examiners Board will be transferred to the Department of Licensing and Regulation by January 1, 2010. All riders and performance measures associated with the transfer of functions have been transferred to the Department of Licensing and Regulation.

[15] Incorporates Article IX, § 17.118, of this Act, due to the enactment of SB 2153, 81st Legislature, Regular Session, relating to the booting of vehicles by private entities in parking facilities, resulting in an increase in General Revenue Funds of $265,490 and 5.0 FTEs in FY 2010 and $224,990 and 5.0 FTEs in FY 2011 contingent upon the agency generating sufficient revenue.

[16] Incorporates Article IX, § 17.56, of this Act, due to the enactment of HB 2310, 81st Legislature, Regular Session, relating to the powers and duties of the Department of Licensing and Regulation, resulting in an increase in General Revenue Funds of $763,097 and 13.0 FTEs in FY 2010 and $684,897 and 13.0 FTEs in FY 2011 contingent upon the agency generating sufficient revenue.

Employee Benefits		
Retirement	$ 891,844	$ 924,606
Group Insurance	2,185,801	2,401,650
Social Security	1,152,785	1,180,152
Benefits Replacement	78,612	75,561
Subtotal, Employee Benefits	$ 4,309,042	$ 4,581,969
Debt Service		
Lease Payments	$ 88,458	$ 60,532
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 4,397,500	$ 4,642,501

1. **Performance Measure Targets.**[17, 18] The following is a listing of the key performance target levels for the Department of Licensing and Regulation. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of Licensing and Regulation. In order to achieve the objectives and service standards established by this Act, the Department of Licensing and Regulation shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: LICENSING		
Outcome (Results/Impact):		
Percent of Licensees with No Recent Violations	98%	98%
Percent of Licensees Who Renew Online	78%	79%
Percent of New Individual Licenses Issued Online	64%	65%
Number of Approved Courses Offered: Tax Professionals	160	160
Percent of Complaints Resulting in Disciplinary Action: Tax Professionals	13%	13%
A.1.1. Strategy: LICENSE, REGISTER AND CERTIFY		
Output (Volume):		
Number of New Licenses Issued to Individuals	107,687	100,285
Number of Licenses Renewed (Individuals)	176,492	191,044
Number of Persons Certified/Recertified: Tax Professionals	450	450
Number of Course, Sponsor, and Instructor Applications Processed: Tax Professionals	20	20
Efficiencies:		
Average Licensing Cost Per Individual License Issued: Tax Pros	38.65	38.65
Explanatory:		
Total Number of Individuals Licensed	430,531	435,531
A.1.2. Strategy: LICENSE BUSINESSES AND FACILITIES		
Explanatory:		
Total Number of Business Facilities Licensed	256,868	266,958
B. Goal: ENFORCEMENT		
Outcome (Results/Impact):		
Percent of Documented Complaints Resolved within Six Months	70%	71%
Percent of Architectural Barrier Building Plan Reviews Completed within Thirty Days	98%	98%

[17] Incorporates Article IX, § 17.59, of this Act, due to the enactment of HB 2447, 81st Legislature, Regular Session, relating to the abolition of the Board of Tax Professional Examiners and the transfer of its functions to the Department of Licensing and Regulation, resulting in an increase in General Revenue Funds of $192,763 and 3.7 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Board of Tax Professional Examiners will be transferred to the Department of Licensing and Regulation by March 1, 2010. All riders and performance measures associated with the transfer of functions have been transferred to the Department of Licensing and Regulation.

[18] Incorporates Article IX, § 17.100, of this Act, due to the enactment of SB 1005, 81st Legislature, Regular Session, relating to the regulation of polygraph examiners by the Department of Licensing and Regulation and the abolition of the Polygraph Examiners Board, resulting in an increase in General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 Funds of $106,040 and 2.0 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Polygraph Examiners Board will be transferred to the Department of Licensing and Regulation by January 1, 2010. All riders and performance measures associated with the transfer of functions have been transferred to the Department of Licensing and Regulation.

Inspection Coverage Rate	98%	98%
Percentage of Boilers Inspected for Certification within Appropriate Timelines	71%	73%
B.1.1. Strategy: CONDUCT INSPECTIONS		
Output (Volume):		
Total Number of Architectural Barrier Inspections Completed by Agency and Third Party Inspectors	20,920	20,670
Number of Examination Sessions Conducted: Polygraph	8	8
Efficiencies:		
Average Number of Months to Complete Architectural Barrier Inspections by Agency Staff	3	3
Explanatory:		
Total Number of Inspections Completed	142,634	143,599
B.1.3. Strategy: RESOLVE COMPLAINTS		
Output (Volume):		
Number of Complaints Resolved	9,622	9,784
Efficiencies:		
Average Time for Consumer Complaint Resolution (Days)	143	140
B.1.4. Strategy: INVESTIGATION		
Explanatory:		
Number of Jurisdictional Complaints Received	12,820	12,980

2. **Capital Budget.** None of the funds appropriated may be expended for capital budget items except as listed below. If a finding of fact is not issued by the Comptroller of Public Accounts to make the contingent appropriation specified in Rider 14, Contingent Revenue, the capital budget expenditure and transfer authority provided to the Department of Licensing and Regulation by Article IX, Section 14.03, Limitation on Expenditures - Capital Budget, of this act, only applies to $236,602 in fiscal year 2010 and $236,602 in 2011 for capital projects included in items (1) and (2) under Acquisition of Information Resource Technologies. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Acquisition of Information Resource Technologies - Scheduled Replacement	$ 74,270	$ 74,270
(2) Data Center Consolidation	330,635	266,853
Total, Acquisition of Information Resource Technologies	$ 404,905	$ 341,123
b. Transportation Items		
(1) Rider 14 Contingency - Scheduled Replacement of 2 Vehicles	59,200	0
Total, Capital Budget	$ 464,105	$ 341,123
Method of Financing (Capital Budget):		
General Revenue Fund	$ 464,105	$ 341,123
Total, Method of Financing	$ 464,105	$ 341,123

3. **Appropriation: Travel Expenses and Fee Reimbursements.** Funds appropriated above include reimbursements for travel expenses and special inspection fees collected pursuant to Health and Safety Code § 755.030, Boilers Fees. Contingent upon certification by the Department of Licensing and Regulation and verification by the Comptroller, all fees collected in excess of $182,400 each year of the biennium (estimated to be $0) are hereby appropriated to the Texas Department of Licensing and Regulation for the same purpose.

4. **Auctioneer Education and Recovery.** Funds appropriated above in Strategy B.1.3, Resolve Complaints, include all revenue deposited to the Auctioneer Education and Recovery Fund for the purpose and in the amounts specified in Subchapter D § 1802.151, Occupations Code, not to exceed $25,000 in each fiscal year from the interest on the fund.

5. **Elimination of Architectural Barriers.** Out of the General Revenue appropriated above, $4,624,050 for each year of the biennium, is appropriated from fees collected pursuant to Government Code, Chapter 469, Subchapter B, for the purposes of administering and enforcing the Architectural Barrier Act. Any fees collected above those annual amounts (estimated to be $0) are hereby appropriated to the Department of Licensing and Regulation for the same purpose.

6. **Elevators, Escalators, and Related Equipment.** Out of the General Revenue appropriated above, $1,260,080 for each year of the biennium, is appropriated from fees collected pursuant to Health and Safety Code, Chapter 754, Subchapter B, for the purposes of administering and enforcing laws relating to elevators, escalators and related equipment, as set out in Chapter 754, Health and Safety Code. Any fees collected above those annual amounts (estimated to be $0) are hereby appropriated to the Department of Licensing and Regulation for the same purpose.

7. **Reciprocity Agreements.** It is the intent of the Legislature that the Department of Licensing and Regulation use funds appropriated by this act to initiate and enter into reciprocity agreements with other states for the purpose of performing industrialized housing inspections in order to minimize the need for the agency sending state employees out of state to perform such inspections. The department may use funds appropriated by this act to enter into contracts with out-of-state inspectors to conduct such inspections.

8. **Elimination of Architectural Barriers: Reduce Duplicate Inspections.** None of the funds appropriated by this Act shall be expended for the purpose of conducting inspections and plan reviews within the corporate boundaries of a municipality which has applied with the department to perform review and inspection functions pursuant to the Elimination of Architectural Barriers Act, Government Code, Chapter 469, Subchapter C.

9. **Architectural Barrier Standards: Exemption.** None of the funds appropriated by this Act shall be expended for the purpose of enforcing the accessibility standards under the Elimination of Architectural Barriers program, Government Code, Chapter 469, with respect to a structure or facility used primarily for religious rituals within a building or facility of a religious organization and which is exempt from the application of Government Code, Chapter 469, Subchapter A, pursuant to § 469.003 of that article.

10. **Appropriation: Barber School Tuition Protection Account.** Out of the amounts appropriated above to the Texas Department of Licensing and Regulation in Strategy A.1.4, Continuing Education/Customer Service, the amounts of $5,000 in fiscal year 2010 and $5,000 in fiscal year 2011 are appropriated from the GR-Dedicated Barber School Tuition Protection Account No. 5081, for the purpose of paying expenses and refunds authorized by the department under the provisions of Occupations Code §1601.3571. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase additional fees, shall furnish copies of the Department of Licensing and Regulation's 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.

11. **Appropriation: Private Beauty Culture School Tuition Protection Account.** Out of the amounts appropriated above to the Texas Department of Licensing and Regulation in Strategy A.1.4, Continuing Education/Customer Service, the amounts of $20,000 in fiscal year 2010 and $20,000 in fiscal year 2011 from the GR-Dedicated Private Beauty Culture School Tuition Protection Account No. 108, for the purpose of paying expenses and refunds authorized by the department under the provisions of Occupations Code §1602.464. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase additional fees, shall furnish copies of the Department of Licensing and Regulation's 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.

12. **Reimbursement of Advisory Committee Members for Travel Expenses.** Pursuant to VTCA, Government Code §2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above, is limited to the following advisory committees: Air Conditioning and Refrigeration Contractors Advisory Board, Architectural Barriers Advisory Committee, Advisory Board on Barbering, Board of Boiler Rules, Advisory Board on Cosmetology, Electrical Safety and Licensing Advisory Board, Elevator Advisory Board, Texas Industrial Building Code

Council, Licensed Court Interpreters Advisory Board, Medical Advisory Committee, Property Tax Consultants Advisory Council, Towing and Storage Advisory Board, Water Well Drillers Advisory Council, and Weather Modification Advisory Committee.

13. Unexpended Balance Authority. The unobligated and unexpended balances of appropriations to the Department of Licensing and Regulation for the fiscal year ending August 31, 2010, are hereby appropriated to the Department of Licensing and Regulation for the same purposes for the fiscal year ending August 31, 2011.

14. Contingent Revenue. Out of the amounts appropriated above to the Department of Licensing and Regulation, in Strategy B.1.1, Conduct Inspections, the amounts of $575,186 in fiscal year 2010 and $485,692 in fiscal year 2011, in Strategy B.1.2, Building Plan Reviews, the amounts of $34,910 in fiscal year 2010 and $34,910 in fiscal year 2011, in Strategy B.1.3, Resolve Complaints, the amounts of $69,234 in fiscal year 2010 and $69,234 in fiscal year 2011, in Strategy B.1.4, Investigation, the amounts of $85,149 in fiscal year 2010 and $85,149 in fiscal year 2011, and in Strategy C.1.2, Information Resources, the amounts of $168,303 in fiscal year 2010 and $104,521 in fiscal year 2011 in General Revenue are contingent upon the Department of Licensing and Regulation assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $1,855,321 in excess of $62,551,340 (Object Codes 3035, 3146, 3147, 3160, 3161, 3164, 3175, 3366, 3727), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above includes 6.0 FTEs in each fiscal year contingent upon the Department of Licensing and Regulation generating the amount of revenue indicated above. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Licensing and Regulation's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

15. Fees Established.[19] To provide for the recovery of costs for the preceding appropriations, the following fee rates shall be in effect for fiscal years 2010 and 2011, pursuant to provisions of Government Code § 316.041-316.045:

(1)	Registration Fee	Not Less Than $45 or More Than $75
(2)	Annual Renewal Fee	Not Less Than $45 or More Than $75

16. Polygraph Examiner Fee Rates.[20] The Polygraph Examiners Board shall establish reasonable fees pursuant to Government Code § 316.043, to be effective during the biennium beginning on the effective date of this Act, not to exceed:

a.	Polygraph Examiners License	$	500.00
b.	Internship License Application Fee		300.00
c.	Duplicate License		100.00
d.	Renewal Fee for Examiners License		500.00
e.	Extension or Renewal of an Internship License		150.00
f.	Examination Fee		200.00
g.	Late Fee		200.00

[19] Incorporates Article IX, § 17.59, of this Act, due to the enactment of HB 2447, 81st Legislature, Regular Session, relating to the abolition of the Board of Tax Professional Examiners and the transfer of its functions to the Department of Licensing and Regulation, resulting in an increase in General Revenue Funds of $192,763 and 3.7 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Board of Tax Professional Examiners will be transferred to the Department of Licensing and Regulation by March 1, 2010. All riders and performance measures associated with the transfer of functions have been transferred to the Department of Licensing and Regulation.

[20] Incorporates Article IX, § 17.100, of this Act, due to the enactment of SB 1005, 81st Legislature, Regular Session, relating to the regulation of polygraph examiners by the Department of Licensing and Regulation and the abolition of the Polygraph Examiners Board, resulting in an increase in General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 Funds of $106,040 and 2.0 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Polygraph Examiners Board will be transferred to the Department of Licensing and Regulation by January 1, 2010. All riders and performance measures associated with the transfer of functions have been transferred to the Department of Licensing and Regulation.

TEXAS MEDICAL BOARD

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1, 2]	$ 9,363,536	$ 9,098,759
Public Assurance Account No. 5105	2,228,281	2,229,642
Appropriated Receipts	64,423	64,423
Total, Method of Financing	$ 11,656,240	$ 11,392,824
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 2,232,144	$ 2,277,776
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	160.0	162.5
Schedule of Exempt Positions:		
Executive Director, Group 4	$121,000	$121,000
Salary Supplement	12,000	12,000
Items of Appropriation:		
A. Goal: LICENSURE[1]		
Protect the Public through Licensure of Qualified Practitioners.		
A.1.1. Strategy: LICENSING	$ 1,834,896	$ 1,768,160
Conduct a Timely, Efficient, Cost-effective Licensure Process.		
A.1.2. Strategy: TEXASONLINE	$ 316,841	$ 316,841
TexasOnline. Estimated and Nontransferable.		
Total, Goal A: LICENSURE	$ 2,151,737	$ 2,085,001
B. Goal: ENFORCE ACTS		
Protect the Public with Investigations, Discipline and Education.		
B.1.1. Strategy: ENFORCEMENT[2]	$ 7,691,355	$ 7,554,678
Conduct Competent, Fair, Timely Investigations and Monitor Results.		
B.2.1. Strategy: PUBLIC EDUCATION	$ 452,625	$ 438,167
Provide Programs to Educate the Public and Licensees.		
Total, Goal B: ENFORCE ACTS	$ 8,143,980	$ 7,992,845
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: INDIRECT ADMIN	$ 548,427	$ 533,351
Indirect Administration - Licensing.		
C.1.2. Strategy: INDIRECT ADMIN	$ 812,096	$ 781,627
Indirect Administration - Enforcement.		
Total, Goal C: INDIRECT ADMINISTRATION	$ 1,360,523	$ 1,314,978
Grand Total, TEXAS MEDICAL BOARD	$ 11,656,240	$ 11,392,824
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 7,108,253	$ 7,227,958
Other Personnel Costs	231,700	244,920
Professional Fees and Services	2,224,406	2,224,406

[1] Incorporates Article IX, § 17.97, of this Act, due to the enactment of SB 911, 81st Legislature, Regular Session, relating to the certification and regulation of pain management clinics, resulting in an increase in General Revenue Funds of $35,000 and 1.0 FTE each fiscal year contingent upon the agency generating sufficient revenue.

[2] Incorporates Article IX, § 17.108, of this Act, due to the enactment of SB 292, 81st Legislature, Regular Session, relating to the creation of the Texas Physician Health Program, resulting in an increase in General Revenue Funds of $148,530 and 2.5 FTEs in FY 2010 and $288,036 and 5.0 FTEs in FY 2011 contingent upon the agency generating sufficient revenue.

Fuels and Lubricants	5,000	5,000
Consumable Supplies	82,500	82,500
Utilities	83,825	83,825
Travel	307,600	307,600
Rent - Building	22,000	22,000
Rent - Machine and Other	14,575	14,575
Other Operating Expense	1,272,015	1,180,040
Capital Expenditures	304,366	0
Total, Object-of-Expense Informational Listing	$ 11,656,240	$ 11,392,824
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 343,419	$ 348,570
Group Insurance	940,594	1,018,312
Social Security	448,266	454,990
Benefits Replacement	30,175	28,666
Subtotal, Employee Benefits	$ 1,762,454	$ 1,850,538
Debt Service		
Lease Payments	$ 81,148	$ 51,285
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 1,843,602	$ 1,901,823

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Medical Board. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Medical Board. In order to achieve the objectives and service standards established by this Act, the Texas Medical Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: LICENSURE		
Outcome (Results/Impact):		
Percent of Licensees Who Renew Online (Physicians)	93%	93%
Percent of Licensees Who Renew Online (Physician Assistant)	85%	85%
A.1.1. Strategy: LICENSING		
Output (Volume):		
Number of New Licenses Issued to Individuals (Physicians)	6,261	6,261
Number of New Licenses Issued to Individuals (Acupuncture)	72	72
Number of New Licenses Issued to Individuals (Physician Assistant)	500	500
Number of New Licenses Issued to Individuals (Surgical Assistant)	10	10
Number of Licenses Renewed (Individuals) (Physicians)	31,720	32,338
Number of Licenses Renewed (Individuals) (Acupuncture)	900	900
Number of Licenses Renewed (Individuals) (Physician Assistant)	5,428	5,892
Number of Licenses Renewed (Individuals) (Surgical Assistant)	139	143
Efficiencies:		
Average Number of Days for Individual License Issuance - Physicians	51	51
B. Goal: ENFORCE ACTS		
Outcome (Results/Impact):		
Percent of Complaints Resulting in Disciplinary Action (Physician)	18%	18%
Percent of Complaints Resulting in Disciplinary Action (Acupuncture)	18%	18%
Percent of Complaints Resulting in Disciplinary Action (Physician Assistant)	18%	18%
Percent of Complaints Resulting in Disciplinary Action (Surgical Assistant)	18%	18%

B.1.1. Strategy: ENFORCEMENT		
Output (Volume):		
Number of Complaints Resolved (Physicians)	2,400	2,550
Number of Complaints Resolved (Acupuncture)	6	6
Number of Complaints Resolved (Physician Assistant)	75	105
Number of Complaints Resolved (Surgical Assistant)	3	3
Efficiencies:		
Average Time for Complaint Resolution (Physician) (Days)	260	240
Explanatory:		
Number of Jurisdictional Complaints Received (Physicians)	2,500	2,500
Number of Jurisdictional Complaints Received (Acupuncture)	6	6
Number of Jurisdictional Complaints Received (Physician Assistant)	100	100
Number of Jurisdictional Complaints Received (Surgical Assistant)	3	3

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Replacement of Desktops and Laptops	$ 30,000	$ 30,000
(2) Replace Network Hardware	120,500	0
(3) Replace Software	$ 52,500	$ 0
Total, Acquisition of Information Resource Technologies	$ 203,000	$ 30,000
Total, Capital Budget	$ 203,000	$ 30,000
Method of Financing (Capital Budget):		
General Revenue Fund	$ 203,000	$ 30,000
Total, Method of Financing	$ 203,000	$ 30,000

3. **Salary Supplementation.** In addition to the amount specified in the schedule of exempt positions for the salary of the executive director, the Texas Medical Board may approve a salary supplement not to exceed $12,000 annually if the executive director is a medical doctor and an attorney.

4. **Rural Physician Assistant Loan Reimbursement.** Out of the amounts appropriated above to the Texas Medical Board in Strategy B.2.1, Public Education, and in accordance with § 204.104, Occupations Code, the Physician Assistant Board shall authorize and the Texas Medical Board shall transfer annually to the Texas Department of Rural Affairs[3] $112,000 in General Revenue each year for the Rural Physician Assistant Loan Reimbursement program.

5. **Quarterly Financial Reports.** The Texas Medical Board shall submit the following information to the Legislative Budget Board, the Office of the Governor and the State Auditor's Office on a quarterly basis:

   (1) Information on appropriated, budgeted, expended, and projected funds and full-time-equivalents, by strategy and method of finance.

   (2) Information on appropriated, budgeted, expended, and projected revenues, including program income, interest earnings, fee revenues, and appropriated receipts.

[3] HB 1918, 81st Legislature, Regular Session, changed the name of the Office of Rural Community Affairs to the Texas Department of Rural Affairs, effective September 1, 2009.

(3) Narrative explanations of significant budget adjustments, ongoing budget issues, and other items as appropriate.

(4) Any other information requested by the Legislative Budget Board, the Office of the Governor or the State Auditor's Office.

The quarterly financial reports shall be prepared in a format specified by the Legislative Budget Board. It is further the intent of the Legislature that the Texas Medical Board comply with requirements related to the planning and submission of the Information Technology Detail to the Legislative Budget Board.

6. **Licensing Physicians.** Out of the amounts appropriated above in Strategy A.1.1, Licensing, the amounts of $267,000 in fiscal year 2010 and $198,000 in fiscal year 2011, and 6.0 Full-Time-Equivalents (FTE) in each fiscal year are contingent upon the Texas Medical Board prioritizing the licensing of physicians who treat Medicare and Medicaid patients. The Texas Medical Board shall submit a report to the Legislative Budget Board, the Comptroller of Public Accounts, the House Appropriations Committee and the Senate Finance Committee no later than December 1st of each year verifying the implementation of the requirements listed above.

7. **Contingent Revenue.** Out of the amounts appropriated above to the Texas Medical Board in Strategy A.1.1, Licensing, the amounts of $105,945 in fiscal year 2010 and $80,375 in fiscal year 2011, in Strategy B.1.1, Enforcement, the amounts of $1,878,672 in fiscal year 2010 and $1,686,085 in fiscal year 2011, in Strategy B.2.1, Public Education, the amounts of $118,364 in fiscal year 2010 and $103,566 in fiscal year 2011, in Strategy C.1.1, Indirect Administration - Licensing, the amounts of $56,990 in fiscal year 2010 and $51,066 in fiscal year 2011, and in Strategy C.1.2, Indirect Administration - Enforcement, the amounts of $89,378 in fiscal year 2010 and $77,937 in fiscal year 2011 in General Revenue are contingent upon the Texas Medical Board assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $5,014,684 in excess of $28,688,000 (Object Code 3560 and 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time- Equivalents (FTE)" figure indicated above includes 14.0 FTEs in each fiscal year contingent upon the Texas Medical Board generating the amount of revenue indicated above. The Texas Medical Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas Medical Board's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

TEXAS BOARD OF NURSING

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1]	$ 7,550,283	$ 7,805,533
Appropriated Receipts	823,100	823,100
Total, Method of Financing	$ 8,373,383	$ 8,628,633
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 1,356,732	$ 1,371,100
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	96.7	96.7

[1] Incorporates Article IX, § 17.74, of this Act, due to the enactment of HB 3961, 81st Legislature, Regular Session, relating to the regulation of nursing, resulting in an increase in General Revenue Funds of $300,000 in FY 2011 contingent upon the agency generating sufficient revenue.

TEXAS BOARD OF NURSING
(Continued)

Schedule of Exempt Positions:		
Executive Director, Group 3	$92,600	$92,600
Items of Appropriation:		
A. Goal: LICENSING		
Accredit, Examine, and License Nurse Education and Practice.		
A.1.1. Strategy: LICENSING[2]	$ 2,444,605	$ 2,730,105
Operate Efficient System of Nursing Credential Verification.		
A.1.2. Strategy: TEXASONLINE	$ 325,000	$ 325,000
TexasOnline. Estimated and Nontransferable.		
A.2.1. Strategy: ACCREDITATION	$ 524,386	$ 524,386
Accredit Programs That Include Essential Competencies Curricula.		
Total, Goal A: LICENSING	$ 3,293,991	$ 3,579,491
B. Goal: PROTECT PUBLIC		
Protect Public and Enforce Nursing Practice Act.		
B.1.1. Strategy: ADJUDICATE VIOLATIONS	$ 3,472,727	$ 3,442,477
Administer System of Enforcement and Adjudication.		
B.1.2. Strategy: PEER ASSISTANCE	$ 700,000	$ 700,000
Identify, Refer and Assist Those Nurses Whose Practice Is Impaired.		
Total, Goal B: PROTECT PUBLIC	$ 4,172,727	$ 4,142,477
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: INDIRECT ADMIN - LICENSING	$ 550,060	$ 550,060
Indirect Administration for Licensing Programs.		
C.1.2. Strategy: INDIRECT ADMIN - ENFORCEMENT	$ 356,605	$ 356,605
Indirect Administration for Enforcement and Adjudication Programs.		
Total, Goal C: INDIRECT ADMINISTRATION	$ 906,665	$ 906,665
Grand Total, TEXAS BOARD OF NURSING	$ 8,373,383	$ 8,628,633
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 4,336,602	$ 4,336,602
Other Personnel Costs	104,700	106,300
Professional Fees and Services	44,000	344,000
Consumable Supplies	65,825	65,800
Utilities	4,275	4,375
Travel	78,000	78,000
Rent - Building	7,000	7,000
Rent - Machine and Other	16,100	16,100
Other Operating Expense	3,686,881	3,640,456
Capital Expenditures	30,000	30,000
Total, Object-of-Expense Informational Listing	$ 8,373,383	$ 8,628,633
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 229,861	$ 233,309
Group Insurance	468,544	504,894
Social Security	278,728	282,909
Benefits Replacement	14,849	14,107
Subtotal, Employee Benefits	$ 991,982	$ 1,035,219

[2] Incorporates Article IX, § 17.74, of this Act, due to the enactment of HB 3961, 81st Legislature, Regular Session, relating to the regulation of nursing, resulting in an increase in General Revenue Funds of $300,000 in FY 2011 contingent upon the agency generating sufficient revenue.

Debt Service		
Lease Payments	$ 67,659	$ 42,792
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 1,059,641	$ 1,078,011

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Board of Nursing. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Board of Nursing. In order to achieve the objectives and service standards established by this Act, the Texas Board of Nursing shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: LICENSING		
Outcome (Results/Impact):		
Percentage of Licensees with No Recent Violations (RN)	98.5%	98.5%
Percent of Licensees Who Renew Online (RN)	92%	92%
Percent of New Individual Licenses Issued Online (RN)	60%	60%
Percentage of Licensees with No Recent Violations (LVN)	97.5%	97.5%
Percent of Licensees Who Renew Online (LVN)	82%	82%
Percent of New Individual Licenses Issued Online (LVN)	40%	40%
A.1.1. Strategy: LICENSING		
Output (Volume):		
Number of New Licenses Issued to Individuals (RN)	12,500	12,500
Number of Individual Licenses Renewed (RN)	96,000	97,000
Number of New Licenses Issued to Individuals (LVN)	6,000	6,000
Number of Individual Licenses Renewed (LVN)	38,500	38,500
B. Goal: PROTECT PUBLIC		
Outcome (Results/Impact):		
Percent of Complaints Resulting in Disciplinary Action (RN)	24%	24%
Percent of Complaints Resulting in Disciplinary Action (LVN)	28%	28%
B.1.1. Strategy: ADJUDICATE VIOLATIONS		
Output (Volume):		
Number of Complaints Resolved (RN)	5,000	5,000
Number of Complaints Resolved (LVN)	4,000	4,000
Efficiencies:		
Average Time for Complaint Resolution (Days) (RN)	223	223
Explanatory:		
Number of Jurisdictional Complaints Received (RN)	5,300	5,300
Number of Jurisdictional Complaints Received (LVN)	3,300	3,300
B.1.2. Strategy: PEER ASSISTANCE		
Output (Volume):		
Number of Licensed Individuals Participating in a Peer Assistance Program (RN)	600	600
Number of Licensed Individuals Participating in a Peer Assistance Program (LVN)	250	250

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Purchase of Information Resource Technologies - Scheduled Replacement	$ 30,000	$ 30,000
Total, Capital Budget	$ 30,000	$ 30,000

Method of Financing (Capital Budget):		
General Revenue Fund	$ 30,000	$ 30,000
Total, Method of Financing	$ 30,000	$ 30,000

3. Texas Center for Nursing Workforce Studies Funding. Out of amounts appropriated above in Strategy A.1.1, Licensing, the Board of Nursing shall establish an Interagency Contract with the Department of State Health Services to provide funding for the Texas Center for Nursing Workforce Studies of $365,000 each year.

OPTOMETRY BOARD

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 483,778	$ 440,381
Other Funds		
Appropriated Receipts	13,574	13,575
Interagency Contracts	36,006	36,006
Subtotal, Other Funds	$ 49,580	$ 49,581
Total, Method of Financing	$ 533,358	$ 489,962
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 111,912	$ 112,337
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	7.0	7.0
Schedule of Exempt Positions:		
Executive Director, Group 1	$70,000	$70,000
Items of Appropriation:		
A. Goal: LICENSURE AND ENFORCEMENT		
Manage Quality Program of Examination and Licensure, Enforce Statutes.		
A.1.1. Strategy: LICENSURE AND ENFORCEMENT	$ 376,614	$ 333,217
Operate an Efficient & Comprehensive Licensure & Enforcement System.		
A.1.2. Strategy: TEXASONLINE	$ 16,750	$ 16,750
TexasOnline. Estimated and Nontransferable.		
A.1.3. Strategy: INDIRECT ADMINISTRATION	$ 103,994	$ 103,995
A.1.4. Strategy: PEER ASSISTANCE	$ 36,000	$ 36,000
Provide a Peer Assistance Program for Licensed Individuals.		
Total, Goal A: LICENSURE AND ENFORCEMENT	$ 533,358	$ 489,962
Grand Total, OPTOMETRY BOARD	$ 533,358	$ 489,962
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 290,129	$ 290,129
Other Personnel Costs	10,300	10,300
Professional Fees and Services	80,600	80,600
Consumable Supplies	2,000	2,000
Utilities	625	625
Travel	24,152	24,152
Rent - Building	50	50
Rent - Machine and Other	1,750	1,750
Other Operating Expense	123,752	80,356
Total, Object-of-Expense Informational Listing	$ 533,358	$ 489,962
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 15,119	$ 15,345
Group Insurance	44,633	48,364
Social Security	21,591	21,915
Benefits Replacement	1,798	1,708
Subtotal, Employee Benefits	$ 83,141	$ 87,332
Debt Service		
Lease Payments	$ 7,262	$ 4,590
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 90,403	$ 91,922

OPTOMETRY BOARD
(Continued)

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Optometry Board. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Optometry Board. In order to achieve the objectives and service standards established by this Act, the Optometry Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: LICENSURE AND ENFORCEMENT		
Outcome (Results/Impact):		
Percent of Licensees with No Recent Violations	98%	98%
Percent of Licensees Who Renew Online	85%	85%
A.1.1. Strategy: LICENSURE AND ENFORCEMENT		
Output (Volume):		
Number of New Licenses Issued to Individuals	165	165
Number of Licenses Renewed (Individuals)	3,686	3,750
Number of Complaints Resolved	145	145
Number of Investigations Conducted	63	63
Efficiencies:		
Average Time for Complaint Resolution (Days)	70	70

2. **Investigative Expenses Authorized.** The Texas Optometry Board is authorized to hire investigators as independent contractors and to establish a petty cash account not to exceed $5,000 for the advancement of monies for purposes of purchases of evidence and investigative expenses, including travel, deemed necessary by the Board.

3. **Contingent Revenue.** Out of the amounts appropriated above to the Optometry Board in Strategy A.1.1, Licensure and Enforcement, the amounts of $52,668 in fiscal year 2010 and $9,270 in fiscal year 2011, and in Strategy A.1.3, Indirect Administration, the amounts of $1,047 in fiscal year 2010 and $1,047 in fiscal year 2011, and in Strategy A.1.4, Peer Assistance, the amounts of $36,000 in fiscal year 2010 and $36,000 in fiscal year 2011 in General Revenue are contingent upon the Optometry Board assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $137,963 in excess of $1,310,000 (Object Codes 3562 and 3570), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. The Optometry Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Optometry Board's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

BOARD OF PHARMACY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1]	$ 6,103,241	$ 5,133,340
Appropriated Receipts	7,730	7,730
Total, Method of Financing	$ 6,110,971	$ 5,141,070
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 1,111,536	$ 1,142,341

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

[1] Incorporates Article IX, § 17.114, of this Act, due to the enactment of SB 1853, 81st Legislature, Regular Session, relating to disciplinary actions regarding a pharmacy technician or pharmacy technician trainee, resulting in an increase in General Revenue Funds of $61,060 and 1.0 FTE in FY 2010 and $44,231 and 1.0 FTE in FY 2011.

BOARD OF PHARMACY
(Continued)

Number of Full-Time-Equivalents (FTE):[2]	72.0	72.0
Schedule of Exempt Positions:		
Executive Director, Group 4	$106,500	$106,500
Items of Appropriation:		
A. Goal: MAINTAIN STANDARDS		
Establish and Maintain Standards for Pharmacy Education and Practice.		
A.1.1. Strategy: LICENSING	$ 1,527,685	$ 663,154
Operate an Application and Renewal Licensure System.		
A.1.2. Strategy: TEXASONLINE	$ 217,345	$ 221,785
TexasOnline. Estimated and Nontransferable.		
Total, Goal A: MAINTAIN STANDARDS	$ 1,745,030	$ 884,939
B. Goal: ENFORCE REGULATIONS		
Protect Public Health by Enforcing All Laws Relating to Practice.		
B.1.1. Strategy: ENFORCEMENT[2]	$ 3,481,601	$ 3,386,746
Operate System of Inspection Assistance Education.		
B.1.2. Strategy: PEER ASSISTANCE	$ 189,044	$ 189,044
Provide a Peer Assistance Program for Licensed Individuals.		
Total, Goal B: ENFORCE REGULATIONS	$ 3,670,645	$ 3,575,790
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: LICENSING - INDIRECT ADMINISTRATION	$ 102,532	$ 101,947
C.1.2. Strategy: ENFORCEMENT-INDIRECT ADMINISTRATION	$ 592,764	$ 578,394
Total, Goal C: INDIRECT ADMINISTRATION	$ 695,296	$ 680,341
Grand Total, BOARD OF PHARMACY	$ 6,110,971	$ 5,141,070
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 3,645,394	$ 3,719,603
Other Personnel Costs	85,170	89,840
Professional Fees and Services	386,895	370,556
Fuels and Lubricants	57,609	57,609
Consumable Supplies	35,402	35,402
Utilities	6,781	6,781
Travel	200,370	200,370
Rent - Building	2,808	2,808
Rent - Machine and Other	10,000	10,000
Other Operating Expense	1,477,101	560,001
Capital Expenditures	203,441	88,100
Total, Object-of-Expense Informational Listing	$ 6,110,971	$ 5,141,070
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 161,668	$ 164,093
Group Insurance	422,370	456,568
Social Security	218,587	221,866
Benefits Replacement	15,699	14,914
Subtotal, Employee Benefits	$ 818,324	$ 857,441

[2] Incorporates Article IX, § 17.114, of this Act, due to the enactment of SB 1853, 81st Legislature, Regular Session, relating to disciplinary actions regarding a pharmacy technician or pharmacy technician trainee, resulting in an increase in General Revenue Funds of $61,060 and 1.0 FTE in FY 2010 and $44,231 and 1.0 FTE in FY 2011 contingent upon the agency generating sufficient revenue.

Debt Service		
Lease Payments	$ 38,579	$ 24,383
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 856,903	$ 881,824

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Pharmacy. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Board of Pharmacy. In order to achieve the objectives and service standards established by this Act, the Board of Pharmacy shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: MAINTAIN STANDARDS		
Outcome (Results/Impact):		
Percent of Licensees with No Recent Violations	95%	95%
Percent of Licensees Who Renew Online	84%	84%
A.1.1. Strategy: LICENSING		
Output (Volume):		
Number of New Licenses Issued to Individuals	1,140	1,210
Number of Licenses Renewed (Individuals)	12,759	13,451
Explanatory:		
Total Number of Business Facilities Licensed	6,615	6,721
B. Goal: ENFORCE REGULATIONS		
Outcome (Results/Impact):		
Percent of Complaints Resulting in Disciplinary Action	15%	15%
B.1.1. Strategy: ENFORCEMENT		
Output (Volume):		
Number of Complaints Resolved	4,980	4,980
Efficiencies:		
Average Time for Complaint Resolution (Days)	180	180
Explanatory:		
Number of Jurisdictional Complaints Received	5,000	5,000
B.1.2. Strategy: PEER ASSISTANCE		
Output (Volume):		
Number of Individuals Participating in a Peer Assistance Program	160	160

2. **Capital Budget Items.** None of the funds appropriated may be expended for capital budget items except as listed below. If a finding of fact is not issued by the Comptroller of Public Accounts to make the contingent appropriation specified in Rider 4, Contingent Revenue, the capital budget expenditure and transfer authority provided to the Board of Pharmacy by Article IX, Section 14.03, Limitation on Expenditures - Capital Budget, of this act, only applies to $35,100 in fiscal year 2010 and $55,100 in 2011 for the scheduled replacement of computer hardware, and $16,500 in 2010 and $33,000 in 2011 for transportation vehicles replacement. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

	2010	2011
a. Repair or Rehabilitation of Buildings and Facilities		
(1) Rider 4 Contingency - Office Space Remodeling	$ 101,500	$ 0
Total, Repair or Rehabilitation of Buildings and Facilities	$ 101,500	$ 0
b. Acquisition of Information Resource Technologies		
(1) Replacement of Computer Hardware	35,100	55,100

(2) Rider 4 Contingency - Purchase of New Computers	17,341	0
Total, Acquisition of Information Resource Technologies	$ 52,441	$ 55,100
c. Transportation Items		
(1) Transportation Vehicles Replacement	16,500	33,000
(2) Rider 4 Contingency - Purchase of New Agency Vehicles	33,000	0
Total, Transportation Items	$ 49,500	$ 33,000
Total, Capital Budget	$ 203,441	$ 88,100
Method of Financing (Capital Budget):		
General Revenue Fund	$ 203,441	$ 88,100
Total, Method of Financing	$ 203,441	$ 88,100

3. **Controlled Substance Forfeiture Program.** In addition to amounts appropriated above, all forfeited money collected under federal or state forfeiture programs, proceeds from the sale of forfeited property or similar monetary awards related to the Board of Pharmacy's participation in the seizure of controlled substances or other contraband, are hereby appropriated to the Board of Pharmacy to be used for enforcement purposes. Any funds unexpended at the close of fiscal year 2010 are appropriated for fiscal year 2011.

4. **Contingent Revenue.** Out of the amounts appropriated above to the Board of Pharmacy in Strategy A.1.1, Licensing, the amounts of $1,004,444 in fiscal year 2010 and $140,353 in fiscal year 2011, in Strategy B.1.1, Enforcement, the amounts of $790,677 in fiscal year 2010 and $703,525 in fiscal year 2011, in Strategy B.1.2, Peer Assistance, the amounts of $14,906 in fiscal year 2010, in Strategy C.1.1, Licensing - Indirect Administration, the amounts of $1,721 in fiscal year 2010 and $3,486 in fiscal year 2011, and in Strategy C.1.2, Enforcement - Indirect Administration, the amounts of $9,752 in fiscal year 2010 and $19,753 in fiscal year 2011 in General Revenue are contingent upon the Board of Pharmacy assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $3,056,074 in excess of $12,081,060 (Object Codes 3570 and 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above includes 9.0 FTEs in each fiscal year contingent upon the Board of Pharmacy generating the amount of revenue indicated above. The Board of Pharmacy, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Pharmacy's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

EXECUTIVE COUNCIL OF PHYSICAL THERAPY & OCCUPATIONAL THERAPY EXAMINERS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,060,722	$ 1,051,119
Appropriated Receipts	80,676	80,678
Total, Method of Financing	$ 1,141,398	$ 1,131,797
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 298,471	$ 300,606

EXECUTIVE COUNCIL OF PHYSICAL THERAPY & OCCUPATIONAL THERAPY EXAMINERS
(Continued)

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.				
Number of Full-Time-Equivalents (FTE):		18.0		18.0
Schedule of Exempt Positions:				
Executive Director, Group 1		$70,000		$70,000
Items of Appropriation:				
A. Goal: LICENSING AND REGISTRATION				
License Physical and Occupational Therapists and Register Facilities.				
A.1.1. Strategy: OPERATE LICENSING SYSTEM	$	649,964	$	646,387
Issue and Renew Licenses and Register Facilities.				
A.1.2. Strategy: TEXASONLINE	$	131,175	$	131,175
TexasOnline. Estimated and Nontransferable.				
Total, Goal A: LICENSING AND REGISTRATION	$	781,139	$	777,562
B. Goal: ENFORCEMENT				
Promote Compliance and Enforce PT and OT Practice Acts and Rules.				
B.1.1. Strategy: ADMINISTER ENFORCEMENT	$	349,567	$	344,024
Enforce the Physical Therapy and Occupational Therapy Practice Acts.				
C. Goal: INDIRECT ADMINISTRATION				
C.1.1. Strategy: LICENSING INDIRECT ADMINISTRATION	$	6,414	$	6,126
C.1.2. Strategy: ENFORCEMENT INDIRECT ADMINISTRATION	$	4,278	$	4,085
Total, Goal C: INDIRECT ADMINISTRATION	$	10,692	$	10,211
Grand Total, EXECUTIVE COUNCIL OF PHYSICAL THERAPY & OCCUPATIONAL THERAPY EXAMINERS	$	1,141,398	$	1,131,797
Object-of-Expense Informational Listing:				
Salaries and Wages	$	801,996	$	801,996
Other Personnel Costs		29,100		29,100
Professional Fees and Services		15,350		15,350
Consumable Supplies		15,000		15,000
Utilities		10,250		10,250
Travel		44,378		44,377
Rent - Building		400		400
Other Operating Expense		224,924		215,324
Total, Object-of-Expense Informational Listing	$	1,141,398	$	1,131,797
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:				
Employee Benefits				
Retirement	$	51,405	$	52,176
Group Insurance		114,767		123,114
Social Security		60,072		60,974
Benefits Replacement		5,560		5,282
Subtotal, Employee Benefits	$	231,804	$	241,546
Debt Service				
Lease Payments	$	16,721	$	10,567
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$	248,525	$	252,113

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Executive Council of Physical Therapy & Occupational Therapy Examiners. It is the

intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Executive Council of Physical Therapy & Occupational Therapy Examiners. In order to achieve the objectives and service standards established by this Act, the Executive Council of Physical Therapy & Occupational Therapy Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: LICENSING AND REGISTRATION		
Outcome (Results/Impact):		
Percent of Licensees with No Recent Violations: Physical Therapy	99%	99%
Percent of Licensees with No Recent Violations: Occupational Therapy	100%	100%
Percent of Licensees Who Renew Online	92%	92%
Percent of New Individual Licenses Issued Online	80%	80%
A.1.1. Strategy: OPERATE LICENSING SYSTEM		
Output (Volume):		
Number of New Licenses Issued to Individuals: Physical Therapy	950	1,000
Number of New Licenses Issued to Individuals: Occupational Therapy	590	600
Number of Licenses Renewed (Individuals): Physical Therapy	6,600	6,700
Number of Licenses Renewed (Individuals): Occupational Therapy	4,200	4,300
Explanatory:		
Total Number of Business Facilities Registered	3,100	3,100
B. Goal: ENFORCEMENT		
Outcome (Results/Impact):		
Percent of Complaints Resulting in Disciplinary Action: Physical Therapy	25%	25%
Percent of Complaints Resulting in Disciplinary Action: Occupational Therapy	25%	25%
B.1.1. Strategy: ADMINISTER ENFORCEMENT		
Output (Volume):		
Number of Complaints Resolved: Physical Therapy	325	350
Number of Complaints Resolved: Occupational Therapy	125	130
Efficiencies:		
Average Time for Complaint Resolution: Physical Therapy (Days)	125	125
Average Time for Complaint Resolution: Occupational Therapy (Days)	125	125
Explanatory:		
Number of Jurisdictional Complaints Received: Physical Therapy	325	325
Number of Jurisdictional Complaints Received: Occupational Therapy	125	125

2. **Contingent Revenue.** Out of the amounts appropriated above to the Executive Council of Physical Therapy & Occupational Therapy Examiners in Strategy A.1.1, Operate Licensing System, the amounts of $40,696 in fiscal year 2010 and $31,120 in fiscal year 2011, in Strategy B.1.1, Administer Enforcement, the amounts of $21,775 in fiscal year 2010 and $16,231 in fiscal year 2011, in Strategy C.1.1, Licensing Indirect Administration, the amounts of $1,074 in 2010 and $786 in 2011, and in Strategy C.1.2, Enforcement Indirect Administration, the amounts of $716 in 2010 and $524 in 2011 in General Revenue are contingent upon the Executive Council of Physical Therapy & Occupational Therapy Examiners assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $129,185 in excess of $7,625,000 (Object Code 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. The Executive Council of Physical Therapy & Occupational Therapy Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Executive Council of Physical Therapy & Occupational Therapy Examiners 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

BOARD OF PLUMBING EXAMINERS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund[1]	$ 2,623,794	$ 2,078,909
Appropriated Receipts	48,750	48,750
Total, Method of Financing	$ 2,672,544	$ 2,127,659
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 445,894	$ 474,026
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):[1]	26.3	27.0
Schedule of Exempt Positions:		
Executive Director, Group 1	$77,000	$77,000
Items of Appropriation:		
A. Goal: ENSURE PUBLIC SAFETY/PLUMBING		
Ensure Public Health by Licensing and Registering Plumbers.		
A.1.1. Strategy: EXAMINE AND LICENSE PLUMBERS	$ 1,112,726	$ 748,410
Administer Competency Examinations, Issue and Renew Licenses.		
A.1.2. Strategy: TEXASONLINE	$ 155,000	$ 155,000
TexasOnline. Estimated and Nontransferable.		
A.1.3. Strategy: INSPECTIONS AND ENFORCEMENT[1]	$ 1,140,220	$ 958,751
Inspect and Monitor Job Sites, Investigate and Resolve Complaints.		
Total, Goal A: ENSURE PUBLIC SAFETY/PLUMBING	$ 2,407,946	$ 1,862,161
B. Goal: INDIRECT ADMINISTRATION		
B.1.1. Strategy: INDIRECT ADMIN - EXAM/LICENSE	$ 105,905	$ 106,405
Indirect Administration - Exam/License.		
B.1.2. Strategy: INDIRECT ADMIN - INSPECT/ENFORCE	$ 158,693	$ 159,093
Indirect Administration - Inspections/Enforcement.		
Total, Goal B: INDIRECT ADMINISTRATION	$ 264,598	$ 265,498
Grand Total, BOARD OF PLUMBING EXAMINERS	$ 2,672,544	$ 2,127,659
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 1,238,195	$ 1,270,278
Other Personnel Costs	65,600	65,600
Professional Fees and Services	87,100	88,100
Fuels and Lubricants	25,050	31,000
Consumable Supplies	15,800	16,950
Utilities	27,775	29,600
Travel	56,050	63,300
Rent - Building	183,791	183,791
Rent - Machine and Other	8,000	8,000
Other Operating Expense	896,183	371,040
Capital Expenditures	69,000	0
Total, Object-of-Expense Informational Listing	$ 2,672,544	$ 2,127,659
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		

[1] Incorporates Article IX, § 17.67, due to the enactment of SB 1354, 81st Legislature, Regular Session, relating to the licensing and regulation of plumbers, resulting in an increase in General Revenue Funds of $40,320 and 0.3 FTEs in FY 2010 and $55,278 and 1.0 FTEs in FY 2011 contingent upon the agency generating sufficient revenue.

Employee Benefits		
Retirement	$ 74,237	$ 75,351
Group Insurance	222,774	242,924
Social Security	89,174	90,511
Benefits Replacement	9,654	9,171
Subtotal, Employee Benefits	$ 395,839	$ 417,957
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 395,839	$ 417,957

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Plumbing Examiners. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Board of Plumbing Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Plumbing Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ENSURE PUBLIC SAFETY/PLUMBING		
Outcome (Results/Impact):		
Percentage of Complaints Resolved Resulting in Disciplinary Action	50%	50%
Percentage of Licensees with No Recent Violations	98.5%	98.5%
Percent of Licensees Who Renew Online	35%	36%
Percent of New Individual Licenses Issued Online	22%	23%
A.1.1. Strategy: EXAMINE AND LICENSE PLUMBERS		
Output (Volume):		
Number of New Licenses Issued to Individuals	2,060	2,110
A.1.3. Strategy: INSPECTIONS AND ENFORCEMENT		
Output (Volume):		
Number of Job Sites Monitored	10,125	10,610
Number of Field Investigations Conducted	860	860
Number of Complaints Resolved	950	950

2. **Capital Budget.**[2] None of the funds appropriated above may be expended for capital budget items except as listed below. If a finding of fact is not issued by the Comptroller of Public Accounts to make the contingent appropriations specified in Rider 3, Contingent Revenue, and in Article IX, Sec. 17.67, the capital budget expenditure and transfer authority provided to the Board of Plumbing Examiners by Article IX, Section 14.03, Limitation on Expenditures - Capital Budget, of this act, only applies to $23,000 in fiscal year 2010 for the purpose of new vehicles. The amount shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

	2010	2011
a. Transportation Items		
(1) Purchase of New Vehicle (1)	$ 23,000	$ 0
(2) Rider 3 Contingency - Purchase of New Vehicle (1)	23,000	0
(3) Contingency for SB 1354 - Purchase of New Vehicle (1)	23,000	0
Total, Transportation Items	$ 69,000	$ 0
Total, Capital Budget	$ 69,000	$ 0

[2] Incorporates Article IX, § 17.67, due to the enactment of SB 1354, 81st Legislature, Regular Session, relating to the licensing and regulation of plumbers, resulting in an increase in General Revenue Funds of $40,320 and 0.3 FTEs in FY 2010 and $55,278 and 1.0 FTEs in FY 2011 contingent upon the agency generating sufficient revenue. Rider 2 has been edited to increase capital budget authority for the purchase of a vehicle which is included in contingent appropriations provided under Article IX, § 17.67.

Method of Financing (Capital Budget):		
General Revenue Fund	$ 69,000	$ 0
Total, Method of Financing	$ 69,000	$ 0

3. **Contingent Revenue.** Out of the amounts appropriated above to the Board of Plumbing Examiners in Strategy A.1.1, Examine and License Plumbers, the amounts of $448,385 in fiscal year 2010 and $84,069 in fiscal year 2011, in Strategy A.1.3, Inspections and Enforcement, the amounts of $276,736 in fiscal year 2010 and $95,173 in fiscal year 2011, in Strategy B.1.1, Indirect Administration - Exam/Licensing, the amounts of $750 in fiscal year 2010 and $750 in fiscal year 2011, and in Strategy B.1.2, Indirect Administration-Inspections/Enforcement, the amounts of $1,250 in fiscal year 2010 and $1,250 in fiscal year 2011 in General Revenue are contingent upon the Board of Plumbing Examiners assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $974,645 in excess of $6,164,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time- Equivalents (FTE)" figure indicated above includes 2 FTEs in each fiscal year contingent upon the Board of Plumbing Examiners generating the amount of revenue indicated above. The Board of Plumbing Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Plumbing Examiners' 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

BOARD OF PODIATRIC MEDICAL EXAMINERS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 239,798	$ 238,375
Appropriated Receipts	3,200	3,200
Total, Method of Financing	$ 242,998	$ 241,575
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 72,321	$ 71,480
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	4.0	4.0
Schedule of Exempt Positions:		
Executive Director, Group 1	$70,000	$70,000
Items of Appropriation:		
A. Goal: PROTECT TEXANS		
Protect Citizens of Texas from Incompetent and Unethical Podiatrists.		
A.1.1. Strategy: LICENSURE AND ENFORCEMENT	$ 198,634	$ 199,211
Provide Exams and Continuing Education & Investigate Violations of Act.		
A.1.2. Strategy: TEXASONLINE	$ 4,130	$ 4,130
TexasOnline. Estimated and Nontransferable.		
A.1.3. Strategy: INDIRECT ADMINISTRATION	$ 40,234	$ 38,234
Total, Goal A: PROTECT TEXANS	$ 242,998	$ 241,575
Grand Total, BOARD OF PODIATRIC MEDICAL EXAMINERS	$ 242,998	$ 241,575

BOARD OF PODIATRIC MEDICAL EXAMINERS
(Continued)

Object-of-Expense Informational Listing:		
Salaries and Wages	$ 169,798	$ 169,798
Other Personnel Costs	6,920	7,580
Professional Fees and Services	17,000	15,000
Consumable Supplies	6,100	6,100
Utilities	400	400
Travel	16,500	16,500
Other Operating Expense	26,280	26,197
Total, Object-of-Expense Informational Listing	$ 242,998	$ 241,575
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 10,026	$ 10,176
Group Insurance	20,366	21,751
Social Security	12,613	12,803
Benefits Replacement	927	880
Subtotal, Employee Benefits	$ 43,932	$ 45,610
Debt Service		
Lease Payments	$ 6,408	$ 4,049
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 50,340	$ 49,659

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Podiatric Medical Examiners. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Board of Podiatric Medical Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Podiatric Medical Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: PROTECT TEXANS		
Outcome (Results/Impact):		
Percent of Licensees with No Recent Violations	98.5%	98.5%
Percent of Documented Complaints Resolved within Six Months	77.5%	77.5%
Percent of Licensees Who Renew Online	80%	80%
A.1.1. Strategy: LICENSURE AND ENFORCEMENT		
Output (Volume):		
Number of New Licenses Issued to Individuals	45	45
Complaints Resolved	135	135
Efficiencies:		
Average Time for Complaint Resolution (Days)	260	260
Explanatory:		
Total Number of Individuals Licensed	1,130	1,130

2. **Contingent Revenue.** Out of the amounts appropriated above to the Board of Podiatric Medical Examiners in Strategy A.1.1, Licensure and Enforcement, the amounts of $5,612 in fiscal year 2010 and $5,612 in fiscal year 2011, and in Strategy A.1.3, Indirect Administration, the amounts of $803 in fiscal year 2010 and $803 in fiscal year 2011 in General Revenue are contingent upon the Board of Podiatric Medical Examiners assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $17,875 in excess of $862,000 (Object Code 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. The Board of Podiatric Medical Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Podiatric Medical Examiners' 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

BOARD OF EXAMINERS OF PSYCHOLOGISTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 892,976	$ 800,206
Other Funds		
Appropriated Receipts	57,000	57,000
Interagency Contracts	22,398	22,398
Subtotal, Other Funds	$ 79,398	$ 79,398
Total, Method of Financing	$ 972,374	$ 879,604
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 223,941	$ 225,176
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	14.0	14.0
Schedule of Exempt Positions:		
Executive Director, Group 1	$75,075	$75,075
Items of Appropriation:		
A. Goal: LICENSURE		
Protect Public through Quality Program of Licensure.		
A.1.1. Strategy: LICENSING	$ 465,917	$ 415,056
Operate Quality Program of Licensure.		
A.1.2. Strategy: TEXASONLINE	$ 32,000	$ 32,000
TexasOnline. Estimated and Nontransferable.		
Total, Goal A: LICENSURE	$ 497,917	$ 447,056
B. Goal: ENFORCEMENT LAWS & RULES		
Protect the Public through Enforcement of Laws & Rules.		
B.1.1. Strategy: ENFORCEMENT	$ 316,863	$ 274,954
Operate a Quality Investigation/Enforcement Program.		
C. Goal: INDIRECT ADMINISTRATION		
C.1.1. Strategy: INDIRECT ADMIN - LICENSING	$ 84,193	$ 84,193
Indirect Administration - Licensing.		
C.1.2. Strategy: INDIRECT ADMIN - ENFORCEMENT	$ 73,401	$ 73,401
Indirect Administration - Enforcement.		
Total, Goal C: INDIRECT ADMINISTRATION	$ 157,594	$ 157,594
Grand Total, BOARD OF EXAMINERS OF PSYCHOLOGISTS	$ 972,374	$ 879,604
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 627,889	$ 627,889
Other Personnel Costs	19,860	19,860
Professional Fees and Services	79,988	79,989
Fuels and Lubricants	172	172
Consumable Supplies	5,000	5,000
Utilities	500	500
Travel	22,400	22,400
Rent - Building	3,800	3,800
Rent - Machine and Other	6,600	6,600
Other Operating Expense	193,265	104,994
Capital Expenditures	12,900	8,400
Total, Object-of-Expense Informational Listing	$ 972,374	$ 879,604

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 33,182	$ 33,680
Group Insurance	75,441	80,842
Social Security	43,393	44,044
Benefits Replacement	5,505	5,230
Subtotal, Employee Benefits	$ 157,521	$ 163,796
Debt Service		
Lease Payments	$ 13,203	$ 8,344
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 170,724	$ 172,140

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Examiners of Psychologists. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Board of Examiners of Psychologists. In order to achieve the objectives and service standards established by this Act, the Board of Examiners of Psychologists shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: LICENSURE		
Outcome (Results/Impact):		
Percent of Licensees with No Recent Violations	99%	99%
Percent of Licensees Who Renew Online	80%	80%
A.1.1. Strategy: LICENSING		
Output (Volume):		
Number of New Certificates/Licenses Issued to Individuals	550	550
Number of Certificates/Licenses Renewed (Individuals)	7,200	7,200
B. Goal: ENFORCEMENT LAWS & RULES		
Outcome (Results/Impact):		
Percent of Documented Complaints Resolved within Six Months	50%	50%
B.1.1. Strategy: ENFORCEMENT		
Output (Volume):		
Complaints Resolved	210	210
Efficiencies:		
Average Time for Complaint Resolution (Days)	235	235
Explanatory:		
Number of Jurisdictional Complaints Received	225	225

2. **Contingent Revenue.** Out of the amounts appropriated above to the Board of Examiners of Psychologists in Strategy A.1.1, Licensing, the amounts of $81,503 in fiscal year 2010 and $30,641 in fiscal year 2011, in Strategy B.1.1, Enforcement, the amounts of $84,037 in fiscal year 2010 and $42,128 in fiscal year 2011, in Strategy C.1.1, Indirect Administration - Licensing, the amounts of $6,000 in fiscal year 2010 and $6,000 in fiscal year 2011, and in Strategy C.1.2, Indirect Administration - Enforcement, the amounts of $3,900 in fiscal year 2010 and $3,900 in fiscal year 2011 in General Revenue are contingent upon the Board of Examiners of Psychologists assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $300,450 in excess of $2,518,000 (Object Codes 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above includes 1.5 FTEs in each fiscal year contingent upon the Board of Examiners of Psychologists generating the amount of revenue indicated above. The Board of Examiners of Psychologists, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Examiners of Psychologists' 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

RACING COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Texas Racing Commission Account No. 597	$ 10,148,402	$ 10,148,401
Total, Method of Financing	$ 10,148,402	$ 10,148,401
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 1,065,524	$ 1,100,224
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	75.5	75.5
Number of FTEs in Riders:	5.0	5.0
Schedule of Exempt Positions:		
Executive Director, Group 2	$94,090	$94,090
Items of Appropriation:		
A. Goal: ENFORCE RACING REGULATION		
Enforce Racing Regulations in Texas.		
A.1.1. Strategy: LICENSE/REGULATE RACETRACKS	$ 252,046	$ 253,188
Provide Regulatory and Enforcement Services to Racetrack Owners.		
A.2.1. Strategy: TEXAS BRED INCENTIVE PROGRAM	$ 5,092,661	$ 5,092,661
Allocate Texas Bred Funds to Breed Registries. Nontransferable.		
A.3.1. Strategy: SUPERVISE & CONDUCT LIVE RACES	$ 1,007,337	$ 1,010,419
Supervise the Conduct of Racing through Enforcement and Monitoring.		
A.3.2. Strategy: MONITOR LICENSEE ACTIVITIES	$ 434,187	$ 435,347
Monitor Occupational Licensee Activities.		
A.4.1. Strategy: INSPECT & PROVIDE EMERGENCY CARE	$ 461,548	$ 461,888
Inspect and Provide Emergency Care.		
A.4.2. Strategy: ADMINISTER DRUG TESTS	$ 396,382	$ 397,102
Total, Goal A: ENFORCE RACING REGULATION	$ 7,644,161	$ 7,650,605
B. Goal: REGULATE PARTICIPATION		
Regulate the Participation in Racing.		
B.1.1. Strategy: OCCUPATIONAL LICENSING PROGRAM	$ 453,764	$ 449,684
Administer the Occupational Licensing Program through Enforcement.		
B.1.2. Strategy: TEXASONLINE	$ 23,250	$ 23,250
TexasOnline. Estimated and Nontransferable.		
Total, Goal B: REGULATE PARTICIPATION	$ 477,014	$ 472,934
C. Goal: REGULATE PARI-MUTUEL WAGERING		
Regulate pari-mutuel wagering in Texas.		
C.1.1. Strategy: MONITOR WAGERING AND AUDIT	$ 479,610	$ 480,630
Regulate Pari-mutuel Wagering to Maintain an Honest Racing Industry.		
C.1.2. Strategy: WAGERING COMPLIANCE INSPECTIONS	$ 307,330	$ 304,850
Conduct Wagering Compliance Inspections.		
Total, Goal C: REGULATE PARI-MUTUEL WAGERING	$ 786,940	$ 785,480
D. Goal: INDIRECT ADMINISTRATION		
D.1.1. Strategy: CENTRAL ADMIN & OTHER SUPPORT SVCS	$ 789,117	$ 789,917
Central Administration and Other Support Services.		
D.1.2. Strategy: INFORMATION RESOURCES	$ 451,170	$ 449,465
Total, Goal D: INDIRECT ADMINISTRATION	$ 1,240,287	$ 1,239,382
Grand Total, RACING COMMISSION	$ 10,148,402	$ 10,148,401

Supplemental Appropriations Made in Riders:	$ 635,637	$ 635,637
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 3,987,955	$ 3,987,955
Other Personnel Costs	162,532	163,514
Professional Fees and Services	204,720	204,720
Consumable Supplies	31,000	31,000
Utilities	26,500	26,500
Travel	346,670	346,670
Rent - Building	108,014	108,014
Rent - Machine and Other	14,500	14,500
Other Operating Expense	419,912	417,667
Grants	5,424,698	5,424,698
Capital Expenditures	57,538	58,800
Total, Object-of-Expense Informational Listing	$ 10,784,039	$ 10,784,038
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 220,077	$ 223,378
Group Insurance	435,020	469,305
Social Security	270,616	274,675
Benefits Replacement	26,694	25,359
Subtotal, Employee Benefits	$ 952,407	$ 992,717
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 952,407	$ 992,717

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Racing Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Racing Commission. In order to achieve the objectives and service standards established by this Act, the Racing Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ENFORCE RACING REGULATION		
Outcome (Results/Impact):		
Percentage of Investigations (Individuals) Resulting in Disciplinary Action	97%	97%
Percentage of Licensees with No Recent Violations	97%	97%
Percentage of Race Animals Injured or Dismissed from the Racetrack	0.35%	0.35%
A.1.1. Strategy: LICENSE/REGULATE RACETRACKS		
Output (Volume):		
Number of Racetrack Inspections	100	100
Explanatory:		
Number of Horse Tracks Regulated	13	13
Number of Greyhound Tracks Regulated	3	3
A.2.1. Strategy: TEXAS BRED INCENTIVE PROGRAM		
Output (Volume):		
Number of Texas-bred Awards	16,562	16,562
A.3.1. Strategy: SUPERVISE & CONDUCT LIVE RACES		
Output (Volume):		
Number of Occupational Licenses Suspended or Revoked	175	175
A.3.2. Strategy: MONITOR LICENSEE ACTIVITIES		
Output (Volume):		
Number of Investigations Completed	210	210
A.4.1. Strategy: INSPECT & PROVIDE EMERGENCY CARE		
Output (Volume):		
Number of Race Animals Inspected Pre-race	77,860	77,860
B. Goal: REGULATE PARTICIPATION		
Outcome (Results/Impact):		
Average Time Required to Issue a New Occupational License (Minutes)	7	7

B.1.1. Strategy: OCCUPATIONAL LICENSING PROGRAM		
Output (Volume):		
Number of New Occupational Licenses Issued	4,775	4,775
Number of Occupational Licenses Renewed	7,500	7,625
C. Goal: REGULATE PARI-MUTUEL WAGERING		
Outcome (Results/Impact):		
Percentage of Compliance Audits Passed	98%	98%
C.1.1. Strategy: MONITOR WAGERING AND AUDIT		
Explanatory:		
Total Pari-mutuel Handle (In Millions)	450.2	463.55
Total Take to the State Treasury from Pari-mutuel Wagering on Live and Simulcast Races	4,080,382	3,991,884

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. If a finding of fact is not issued by the Comptroller of Public Accounts to make the contingent appropriation specified in Rider 8, Contingent Appropriation: New Horse Racetrack and Accredited Texas Bred Program, available, the capital budget expenditure and transfer authority provided to the Racing Commission by Article IX, Section 14.03, Limitation on Expenditures - Capital Budget, of this act, only applies to $32,538 in fiscal year 2010 and $33,800 in fiscal year 2011 to purchase computer hardware and software. The amount shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase" or for other items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by commission management to be in the best interest of the State of Texas.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Purchase Computer Hardware and Software	$ 32,538	$ 33,800
(2) Rider 8 Contingency - New Operational Horse Racetrack	$ 25,000	$ 25,000
Total, Acquisition of Information Resource Technologies	$ 57,538	$ 58,800
Total, Capital Budget	$ 57,538	$ 58,800
Method of Financing (Capital Budget):		
General Revenue Fund - Dedicated		
GR Dedicated - Texas Racing Commission Account No. 597	$ 57,538	$ 58,800
Subtotal, General Revenue Fund - Dedicated	$ 57,538	$ 58,800
Total, Method of Financing	$ 57,538	$ 58,800

3. **Limitation on Travel Reimbursement.** Out of the funds appropriated above, not more than $1,500 per Commissioner may be expended on out-of-state travel and not more than $6,000 per Commissioner may be expended on in-state travel in each year of the biennium.

4. **Appropriation: Unexpended Balances.** Unexpended balances remaining in Racing Commission receipts as of August 31, 2010, are hereby appropriated for the fiscal year beginning September 1, 2010.

5. **Texas Bred Incentive Program Receipts.** Amounts set aside by the Texas Racing Act for the Texas Bred Incentive Program are appropriated above in Strategy A.2.1, Texas Bred Incentive Program.

6. **Criminal History Checks and Background Checks.** Out of the funds appropriated above in Strategy B.1.1, Occupational Licensing Program, $25,000 in fiscal year 2010 and $25,000 in fiscal year 2011 are appropriated to the Racing Commission for the purpose of reimbursing the Department of Public Safety for costs incurred in conducting criminal history checks or background checks on individuals seeking to transfer ownership interest in an existing racetrack

license on Racing Commission license applicants and renewals. Any additional revenue received from occupational license fees to cover the costs of criminal history checks or background checks (estimated to be $0) is hereby appropriated to the Racing Commission for the purpose of reimbursing the Department of Public Safety.

7. **Texas Bred Incentive Program Awards.** None of the funds appropriated above for Texas Bred Incentive Program Awards may be expended for payments to a member serving on the commission. The Racing Commission shall take all necessary steps to ensure compliance with this provision.

8. **Contingent Appropriation: New Horse Racetrack and Accredited Texas Bred Program.**

   a. In addition to the amounts appropriated above, the Texas Racing Commission shall be appropriated out of funds collected by the agency and deposited to GR Dedicated-Texas Racing Commission Account No. 597 during each fiscal year of the 2010-11biennium, the following amounts for each new horse racetrack that begins operation for the first time during the biennium (estimated to be one new horse racetrack) contingent upon the Texas Racing Commission assessing fees sufficient to generate, in addition to revenue requirements elsewhere in this act, during the 2010-11 biennium, $370,540 for fiscal year 2010 and $370,540 for fiscal year 2011 for each new horse racetrack during the 2010-11 biennium in excess of $9,904,000 in fiscal year 2010 and $9,772,000 in fiscal year 2011 (Object Codes 3188, 3189, 3190, 3193, 3194, and 3197) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011:

      (1) $88,561 in Strategy A.3.1, Supervise and Conduct Live Races;
      (2) $66,893 in Strategy A.3.2, Monitor Licensee Activities;
      (3) $48,200 in Strategy A.4.1, Inspect and Provide Emergency Care;
      (4) $27,946 in Strategy A.4.2, Administer Drug Tests;
      (5) $34,000 in Strategy B.1.1, Occupational Licensing Program;
      (6) $38,000 in Strategy C.1.1, Monitor Wagering and Audit.

   Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above shall be increased by 5.0 FTEs in each fiscal year for each new horse racetrack that begins operations for the first time during the biennium contingent upon the Texas Racing Commission generating the amount of revenue indicated above for each new horse racetrack. The Texas Racing Commission upon completion of necessary actions to access or increase such additional revenue shall furnish copies of the Texas Racing Commissions' 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.

   Also, contingent upon the Texas Racing Commission assessing fees to cover the costs of the regulation of each new horse racetrack, the Texas Racing Commission's Capital Budget authority includes the purchase of computer hardware and software in the amount of $25,000 each year.

   b. In addition to amounts appropriated above in GR Dedicated - Texas Racing Commission Account No. 597, the Texas Racing Commission shall be appropriated in Strategy A.2.1, Texas Bred Incentive Program, revenue set aside by the Texas Racing Act pursuant to VTCS, Article 179e § 6.08 (j) for the Texas Bred Incentive Program that is collected by the agency from each new horse racetrack that begins operations for the first time in the 2010-11 biennium in an amount not to exceed $332,037 from GR Dedicated - Texas Racing Commission Account No. 597 each year for each new horse racetrack. Any appropriations from revenue collected by the agency from new horse racetracks for the Texas Bred Incentive Program during the 2010-11 biennium may be used only for that purpose and are not transferable to any other strategy.

9. **Contingent Appropriation: New Racetrack Application.** All fees collected to cover the cost of the racetrack application process, in excess of the $15,000 in each fiscal year from GR Dedicated - Texas Racing Commission Account No. 597 (Object Code 3191) in the Comptroller's Biennial Revenue Estimate (estimated to be $0 each fiscal year), are hereby appropriated to Strategy A.1.1, License and Regulate Racetracks. Any appropriations from revenue collected by the agency from new racetrack applications shall be used only for the racetrack application review process for those

racetracks that have a scheduled hearing before the State Office of Administrative Hearing or the Texas Racing Commission during the 2010-11 biennium and are not transferable to any other strategy.

10. Sunset Contingency.[1] Funds appropriated above for fiscal year 2011 for the Racing Commission are made contingent on the continuation of the Racing Commission by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

11. Contingent Revenue. Out of the amounts appropriated above to the Racing Commission in Strategy A.2.1, Texas Bred Incentive Program, the amounts of $3,657 in fiscal year 2010 and $3,657 in fiscal year 2011, Strategy A.3.1, Supervise and Conduct Live Races, the amounts of $4,496 in fiscal year 2010 and $4,496 in fiscal year 2011, Strategy B.1.1, Occupational Licensing Program, the amounts of $2,620 in fiscal year 2010 and $2,620 in fiscal year 2011, and Strategy C.1.1, Monitor Wagering and Audit, the amounts of $2,095 in fiscal year 2010 and $2,095 in fiscal year 2011in General Revenue Dedicated Texas Racing Commission Account No. 597 are contingent upon the Racing Commission assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $15,500 in excess of $9,904,000 in fiscal year 2010 and $15,500 in excess of $9,772,000 in fiscal year 2011 (Object Code 3188, 3189, 3190, 3193, 3194, and 3197), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate. The Racing Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Racing Commission's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

12. Contingency for SB 1013.[2] Contingent on the enactment of Senate Bill 1013, or similar legislation, relating to the continuation and functions of the Racing Commission, the abolishment of the Equine Research Account Advisory Committee, and the authority of Texas AgriLife Research, amending the Texas Racing Act, Section 3.09, by the Eighty-first Legislature, Regular Session:

a. the Racing Commission, subject to prior approval by the Legislative Budget Board, shall be appropriated $1,500,000 in fiscal year 2010 from General Revenue and shall have appropriations in the amount of $1,500,000 from the General Revenue Dedicated Texas Racing Commission Account No. 597 decreased in fiscal year 2010;

b. the revenue amounts included in rider 8, Contingent Appropriation: New Horse Racetrack and Accredited Texas Bred Program, and rider 11, Contingent Revenue, subject to prior approval by the Legislative Budget Board, shall be decreased by $1,500,000 in fiscal year 2010; and

c. the Legislative Budget Board shall notify the Racing Commission and the Comptroller of Public Accounts of either its approval or disapproval no later than October 1, 2009.

---

[1] Article IX, § 17.48, of this Act, resulted in Rider 10, Sunset Contingency, not taking effect. In addition, SB 2, 81st Legislature, First Called Session, was enacted which continues the Racing Commission through September 1, 2011.

[2] SB 1013, 81st Legislature, Regular Session, did not pass, resulting in no General Revenue increase of $1,500,000 or General Revenue-Dedicated decrease of $1,500,000 made to the Racing Commission.

REAL ESTATE COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 8,013,351	$ 8,131,234
GR Dedicated - Appraiser Registry Account No. 028	120,000	120,000
Other Funds		
Appropriated Receipts	186,500	186,500
Real Estate Recovery Trust Fund	3,500	3,500
Real Estate Inspection Trust Fund	500	500
Subtotal, Other Funds	$ 190,500	$ 190,500
Total, Method of Financing	$ 8,323,851	$ 8,441,734
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 1,449,875	$ 1,501,566
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	110.5	110.5
Schedule of Exempt Positions:		
Administrator, Group 4	$106,500	$106,500
Items of Appropriation:		
A. Goal: ENSURE STANDARDS		
Determine the Eligibility of TREC Applicants for Licensure.		
A.1.1. Strategy: TREC LICENSING	$ 2,479,853	$ 3,000,562
Review Apps, Perform Criminal Checks, Administer Exams, Issue Licenses.		
A.1.2. Strategy: TEXASONLINE	$ 322,000	$ 322,000
TexasOnline. Estimated and Nontransferable.		
Total, Goal A: ENSURE STANDARDS	$ 2,801,853	$ 3,322,562
B. Goal: ENFORCE REGULATIONS		
Promptly, Aggressively, and Fairly Enforce TREC Laws and Rules.		
B.1.1. Strategy: TREC INVESTIGATION	$ 1,785,342	$ 1,780,382
Investigate and Resolve Valid Complaint Cases.		
C. Goal: PROVIDE EDUCATION		
To Communicate Effectively with the Public and Licensees.		
C.1.1. Strategy: LICENSEE/CONSUMER EDUCATION	$ 828,606	$ 859,777
Prepare and Distribute Information Describing TREC Functions.		
D. Goal: LICENSING APPRAISERS		
Implement and Enforce TALCB and Standards.		
D.1.1. Strategy: TALCB LICENSING	$ 496,847	$ 356,723
Process Applications and License Applicants.		
D.2.1. Strategy: TALCB ENFORCEMENT	$ 637,826	$ 602,510
Investigate and Resolve Complaints; Impose Penalties as Appropriate.		
Total, Goal D: LICENSING APPRAISERS	$ 1,134,673	$ 959,233
E. Goal: INDIRECT ADMINISTRATION		
E.1.1. Strategy: INDIRECT ADMINISTRATION	$ 1,773,377	$ 1,519,780
Grand Total, REAL ESTATE COMMISSION	$ 8,323,851	$ 8,441,734
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 4,753,404	$ 4,753,404
Other Personnel Costs	155,233	168,633
Professional Fees and Services	84,900	85,100
Consumable Supplies	75,000	75,000

Utilities	47,900	44,900
Travel	96,000	96,000
Rent - Building	445,747	445,747
Rent - Machine and Other	41,700	41,700
Other Operating Expense	1,934,267	2,716,550
Capital Expenditures	689,700	14,700
Total, Object-of-Expense Informational Listing	$ 8,323,851	$ 8,441,734
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 236,756	$ 240,308
Group Insurance	707,015	768,402
Social Security	319,094	323,881
Benefits Replacement	26,025	24,724
Subtotal, Employee Benefits	$ 1,288,890	$ 1,357,315
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 1,288,890	$ 1,357,315

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Real Estate Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Real Estate Commission. In order to achieve the objectives and service standards established by this Act, the Real Estate Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ENSURE STANDARDS		
Outcome (Results/Impact):		
Percent of Licensees with No Recent Violations	99%	99%
Percent of Licensees Who Renew Online	82%	82%
Percent of New Licenses Issued Online	73%	73%
A.1.1. Strategy: TREC LICENSING		
Output (Volume):		
Number of New Licenses Issued to Individuals	20,000	20,000
Number of Licenses Renewed (Individuals)	60,000	60,000
Efficiencies:		
Average Time for Individual License Issuance (Days)	40	40
Percentage of New Individual Licenses Issued Within Ten Days	95%	95%
Percentage of Individual License Renewals Issued within Seven Days	95%	95%
B. Goal: ENFORCE REGULATIONS		
Outcome (Results/Impact):		
Percent of Documented Complaints Resolved Within Six Months	85%	85%
B.1.1. Strategy: TREC INVESTIGATION		
Output (Volume):		
Number of Complaints Resolved	2,240	2,240
Efficiencies:		
Average Time for Complaint Resolution (Days)	135	135
C. Goal: PROVIDE EDUCATION		
C.1.1. Strategy: LICENSEE/CONSUMER EDUCATION		
Output (Volume):		
Number of Calls Received	400,000	400,000
D. Goal: LICENSING APPRAISERS		
Outcome (Results/Impact):		
Percent of Licensed or Certified Appraisers with No Recent Violations	99%	99%
Percent of Licensees Who Renew Online	65%	65%
Percent of Documented Complaints Resolved Within Six Months	60%	65%
D.1.1. Strategy: TALCB LICENSING		
Output (Volume):		
Number of New Licenses/Certifications/Registrations Issued to Individuals	600	600

Number of Licenses and Certifications Renewed (Individuals)	2,500	2,500
D.2.1. Strategy: TALCB ENFORCEMENT		
Output (Volume):		
Number of Complaints Resolved	300	330
Efficiencies:		
Average Time for Complaint Resolution (Days)	300	240

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by commission management to be in the best interest of the State of Texas.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Core Application Conversion	$ 275,000	$ 0
(2) Image System Implementation	196,000	0
(3) TALCB Licensee automation	150,000	0
Total, Acquisition of Information Resource Technologies	$ 621,000	$ 0
b. Other Lease Payments to the Master Lease Purchase Program (MLPP)		
(1) Lease Payments for (MLPP) for Enterprise Server Acquisition	54,000	0
(2) Upgrade Obsolete Telephone System	14,700	14,700
Total, Other Lease Payments to the Master Lease Purchase Program (MLPP)	$ 68,700	$ 14,700
Total, Capital Budget	$ 689,700	$ 14,700
Method of Financing (Capital Budget):		
General Revenue Fund	$ 689,700	$ 14,700
Total, Method of Financing	$ 689,700	$ 14,700

3. **Appropriation of Residential Service Company Examination Fees.** In addition to the funds appropriated above ($5,500 each year of the biennium), all monies collected pursuant to §1303.052 (c), Occupations Code, are hereby appropriated to the Texas Real Estate Commission for the purposes of conducting examinations and related activities included within Strategy B.1.1, TREC Investigation.

4. **Appropriation of Receipts: National Registry Fees.** Fee revenue deposited to the Appraiser Registry Account No. 028, in the General Revenue Fund pursuant to § 1103.156, Occupations Code, including the estimated amounts appropriated above, $120,000 in fiscal year 2010 and $120,000 in fiscal year 2011, is hereby appropriated to the Texas Appraiser Licensing and Certification Board, as an independent subdivision of the Texas Real Estate Commission. The appropriation made herein shall be expended only for the purpose specified in § 1103.156, Occupations Code, relating to revenue transmitted to the federal Appraisal Subcommittee.

5. **Real Estate Recovery Fund and Inspection Recovery Fund.** The amounts appropriated above include an estimated total of $4,000 per year from the Real Estate Recovery Trust Fund and the Real Estate Inspection Trust Fund to recover travel and related expenses incurred for collection of court judgments affecting the funds.

6. **Reimbursement of Advisory Committee Members.** Pursuant to Government Code § 2110.004, reimbursement of expenses for advisory committee members, out of amounts appropriated above, is limited to the following advisory committees: Texas Real Estate Broker-Lawyer Committee and the Texas Real Estate Inspector Committee.

7. **Contingent Revenue.** Out of the amounts appropriated above to the Texas Real Estate Commission, in Strategy A.1.1, TREC Licensing, the amounts of $43,479 in fiscal year 2010 and $343,479 in fiscal year 2011, in Strategy B.1.1, TREC Investigation, the amounts of $93,876 in fiscal year 2010 and $85,016 in fiscal year 2011, in Strategy C.1.1, Licensee/Consumer Education, the amounts of $36,616 in fiscal year 2010 and $36,616 in fiscal year 2011, in Strategy D.1.1, TALCB Licensing, the amounts of $11,451 in fiscal year 2010 and $61,451 in fiscal year 2011, in Strategy D.2.1, TALCB Enforcement, the amounts of $197,739 in fiscal year 2010 and $162,299 in fiscal year 2011, in Strategy E.1.1, Indirect Administration, the amounts of $59,743 in fiscal year 2010 and $59,743 in fiscal year 2011 in General Revenue are contingent upon the Texas Real Estate Commission assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $1,408,984 in excess of $18,372,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time- Equivalents (FTE)" figure indicated above includes 5.0 FTEs in each fiscal year contingent upon the Texas Real Estate Commission generating the amount of revenue indicated above. The Texas Real Estate Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas Real Estate Commission's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

RESIDENTIAL CONSTRUCTION COMMISSION[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 8,991,102	$ 0
Appropriated Receipts	4,000	0
Total, Method of Financing	$ 8,995,102	$ 0
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 962,215	$ 0
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	80.0	0.0
Schedule of Exempt Positions:		
Executive Director, Group 3	$98,000	$0
Items of Appropriation:		
A. Goal: REGISTRATION Ensure Effective Supervision of Residential Construction/Remodeling.		
A.1.1. Strategy: REGISTRATION PROGRAM Implement and Monitor the Registration Program.	$ 1,942,958	$ 0
A.1.2. Strategy: TEXASONLINE TexasOnline. Estimated and Nontransferable.	$ 350,000	$ 0
Total, Goal A: REGISTRATION	$ 2,292,958	$ 0

[1] HB 2295, 81st Legislature, Regular Session, or similar legislation providing for the continuation of the agency did not pass. The Governor vetoed the FY 2011 appropriations. See the Governor's Veto Proclamation. See also Rider 4, Sunset Contingency.

RESIDENTIAL CONSTRUCTION COMMISSION
(Continued)

B. Goal: COMPLAINT RESOLUTION & COMPLIANCE		
Complaint Resolution and Compliance.		
B.1.1. Strategy: COMPLAINT RESOLUTION Implement and Monitor the SIRP Process.	$ 2,499,559	$ 0
B.1.2. Strategy: PERFORMANCE STANDARDS & WARRANTIES Develop Performance Standards and Warranties for Review.	$ 1,783,595	$ 0
B.1.3. Strategy: THIRD-PARTY INSPECTIONS Third-party Inspections. Estimated and Nontransferable.	$ 400,000	$ 0
Total, Goal B: COMPLAINT RESOLUTION & COMPLIANCE	$ 4,683,154	$ 0
C. Goal: INDUSTRY & CONSUMER EDUCATION		
Provide Information for Industry & Consumers.		
C.1.1. Strategy: EDUCATION Implement an Education Program for Industry and Consumers.	$ 929,827	$ 0
D. Goal: INDIRECT ADMINISTRATION		
Indirect Administration and Support.		
D.1.1. Strategy: INDIRECT ADMINISTRATION Indirect Administration and Support.	$ 1,089,163	$ 0
Grand Total, RESIDENTIAL CONSTRUCTION COMMISSION	$ 8,995,102	$ 0
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 3,757,008	$ 0
Other Personnel Costs	68,000	0
Professional Fees and Services	1,299,518	0
Consumable Supplies	70,000	0
Utilities	60,500	0
Travel	243,000	0
Rent - Building	471,300	0
Rent - Machine and Other	432,600	0
Other Operating Expense	2,569,176	0
Capital Expenditures	24,000	0
Total, Object-of-Expense Informational Listing	$ 8,995,102	$ 0
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 139,572	$ 0
Group Insurance	229,188	0
Social Security	185,942	0
Benefits Replacement	8,039	0
Subtotal, Employee Benefits	$ 562,741	$ 0
Debt Service		
Lease Payments	$ 5,987	$ 0
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 568,728	$ 0

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Residential Construction Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Residential Construction Commission. In order to achieve the objectives and service standards established by this Act, the Residential Construction Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: REGISTRATION		
Outcome (Results/Impact):		
Percent of Registrants Who Renew Online	60%	0%
Percent of Home Registrations Completed Online	86%	0%
A.1.1. Strategy: REGISTRATION PROGRAM		
Output (Volume):		
Number of Home Registrations Issued	130,000	0
Number of New Builder/Remodeler Registrations Issued	2,000	0
Number of Registrations Renewed	13,000	0
B. Goal: COMPLAINT RESOLUTION & COMPLIANCE		
B.1.1. Strategy: COMPLAINT RESOLUTION		
Output (Volume):		
Total Number of SIRP Actions Closed	600	0
Efficiencies:		
Average Days to Complete the SIRP	130	0
Explanatory:		
Total Number of Complaints Received	2,500	0
Number of Non-jurisdictional Complaints	450	0
Number of SIRP Requests Received	650	0
C. Goal: INDUSTRY & CONSUMER EDUCATION		
C.1.1. Strategy: EDUCATION		
Output (Volume):		
Total Number of Events with TRCC Participation	40	0

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Scheduled Replacement of IT Items	$ 24,000	$ 0
Total, Capital Budget	$ 24,000	$ 0
Method of Financing (Capital Budget):		
General Revenue Fund	$ 24,000	$ 0
Total, Method of Financing	$ 24,000	$ 0

3. **Builder/Remodeler Registration Applications.** It is the intent of the Legislature that the Residential Construction Commission thoroughly investigate each builder or remodeler registration application in its efforts to be satisfied with the person's honesty, trustworthiness and integrity pursuant to Property Code § 416.005(2).

4. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 for the Texas Residential Construction Commission are made contingent on the continuation of the Texas Residential Construction Commission by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

SECURITIES BOARD

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 7,851,340	$ 7,871,716
Total, Method of Financing	$ 7,851,340	$ 7,871,716
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 1,429,322	$ 1,442,726
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	109.0	109.0
Schedule of Exempt Positions:		
Securities Commissioner, Group 5	$130,000	$130,000
Items of Appropriation:		
A. Goal: PROTECT INVESTORS		
Protect Investors and Assure Access to Capital for Business.		
A.1.1. Strategy: LAW ENFORCEMENT	$ 2,719,117	$ 2,728,491
Investigate Violations, Coordinate Appropriate Action by Authorities.		
A.2.1. Strategy: SECURITIES REGISTRATION	$ 526,645	$ 527,256
Review Security Documentation for Conformity.		
A.3.1. Strategy: DEALER REGISTRATION	$ 597,108	$ 597,923
Perform Extensive Review of Applications and Submissions.		
A.4.1. Strategy: INSPECT RECORDS	$ 1,617,608	$ 1,624,536
Inspect Dealer & Investment Adviser Records for Regulatory Compliance.		
Total, Goal A: PROTECT INVESTORS	$ 5,460,478	$ 5,478,206
B. Goal: INDIRECT ADMINISTRATION		
B.1.1. Strategy: CENTRAL ADMINISTRATION	$ 1,257,604	$ 1,260,252
B.1.2. Strategy: INFORMATION TECHNOLOGY	$ 199,186	$ 199,186
Total, Goal B: INDIRECT ADMINISTRATION	$ 1,456,790	$ 1,459,438
C. Goal: REGULATORY RESPONSE		
C.1.1. Strategy: CONTINGENCY REGULATORY RESPONSE	$ 934,072	$ 934,072
Contingency Appropriation.		
Grand Total, SECURITIES BOARD	$ 7,851,340	$ 7,871,716
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 6,674,526	$ 6,703,436
Other Personnel Costs	135,357	135,357
Professional Fees and Services	58,288	58,288
Consumable Supplies	38,228	38,228
Utilities	27,585	27,585
Travel	275,886	306,518
Rent - Building	171,011	171,011
Rent - Machine and Other	19,467	19,467
Other Operating Expense	345,807	322,051
Capital Expenditures	105,185	89,775
Total, Object-of-Expense Informational Listing	$ 7,851,340	$ 7,871,716
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 307,050	$ 311,656
Group Insurance	654,503	709,323
Social Security	370,671	376,231

Benefits Replacement	26,246	24,934
Subtotal, Employee Benefits	$ 1,358,470	$ 1,422,144
Debt Service		
Lease Payments	$ 71,745	$ 33,651
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 1,430,215	$ 1,455,795

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Securities Board. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Securities Board. In order to achieve the objectives and service standards established by this Act, the Securities Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: PROTECT INVESTORS		
Outcome (Results/Impact):		
Percentage of Texas Dealers and Investment Advisers Inspected	20%	20%
Percentage of Inspected Dealers and Investment Advisers Found to Require Corrective Action	80%	80%
A.1.1. Strategy: LAW ENFORCEMENT		
Output (Volume):		
Number of Investigations Opened	370	370
A.2.1. Strategy: SECURITIES REGISTRATION		
Output (Volume):		
Number of Securities Filings and Submissions Processed	53,000	53,000
Explanatory:		
Revenues Deposited to the State Treasury from Securities Applications	117,451,876	119,800,913
A.3.1. Strategy: DEALER REGISTRATION		
Output (Volume):		
Number of New Applications Processed	56,000	56,000
Explanatory:		
Number of Dealers, Agents, Investment Advisers, and Investment Adviser Representatives Registered	210,000	210,000
A.4.1. Strategy: INSPECT RECORDS		
Output (Volume):		
Number of Inspections Conducted	225	225

2. **Capital Budget.** None of the funds appropriated may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Purchase of Information Technologies	$ 89,775	$ 89,775
Total, Capital Budget	$ 89,775	$ 89,775
Method of Financing (Capital Budget):		
General Revenue Fund	$ 89,775	$ 89,775
Total, Method of Financing	$ 89,775	$ 89,775

3. **Appropriation of Unexpended Balances Within the Biennium.** The unobligated and unexpended balances of appropriations to the Securities Board for the fiscal year ending August 31, 2010, are hereby appropriated to the Securities Board for the same purposes for the fiscal year ending August 31, 2011.

4. **Out-of-State Travel Cap Exemption.** Out of the funds appropriated above, expenditures for out-of-state travel by the Securities Board are limited to $5,300 in fiscal year 2010 and $5,300 in fiscal year 2011. Travel related to regulatory matters, including examinations, inspections and the training of financial examiners, inspectors, investigators, attorneys and related directors is exempt from this limitation.

5. **Contingent Revenue.** Out of the amounts appropriated above to the Securities Board in Strategy A.1.1, Law Enforcement, the amounts of $327,306 in fiscal year 2010 and $336,680 in fiscal year 2011, in Strategy A.2.1, Securities Registration, the amounts of $54,188 in fiscal year 2010 and $54,799 in fiscal year 2011, in Strategy A.3.1, Dealer Registration, the amounts of $65,594 in 2010 and $66,409 in 2011, in Strategy A.4.1, Inspect Records, the amounts of $518,750 in 2010 and $525,678 in 2011, in Strategy B.1.1, and in Central Administration, $45,723 in 2010 and $48,371 in 2011 in General Revenue are contingent upon the Securities Board assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $2,594,920 in excess of $255,094,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time- Equivalents (FTE)" figure indicated above includes 4.0 FTEs in each fiscal year contingent upon the Securities Board generating the amount of revenue indicated above. The Securities Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Securities Board 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

6. **Contingency Appropriation: State Regulatory Response.**

   a. Amounts appropriated above to the Securities Board not to exceed $934,072 each fiscal year in General Revenue in Strategy C.1.1, Contingency Regulatory Response, and 10.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are contingent upon a finding of fact by the Securities Board that additional resources are needed by the Securities Board because:

      (1) the number of inspections required of state regulated dealers and investment advisers under the jurisdiction of the Securities Board, increase to a point where additional appropriations are required to maintain adequate regulation of the industry;

      (2) federal regulatory oversight applied to issuers, dealers and investment advisers has been reduced; or

      (3) the Securities Board is unable to maintain adequate supervision of the industry and is unable to meet its examination frequency performance measures due to reductions in the quality or quantity of its examination staff, resulting either from examiner turnover, or an inability to recruit adequately qualified examiners because of salary levels, or the salary is at a level that is not competitive and is less than 95 percent of a comparable position with a state or federal regulatory agency with similar responsibilities considering the experience, knowledge, and skill sets required to undertake the requirements of a particular position.

   b. None of the funds appropriated above in Strategy C.1.1, Contingency Regulatory Response, above may be expended and none of the 10.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may be used by the Securities Board unless the Securities Board files a finding of fact with the Governor and the Legislative Budget Board and neither the Governor nor the Legislative Budget Board issues a written disapproval not later than:

      (1) the 10th day after the date the staff of the Legislative Budget Board concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or comments of the Legislative Budget Board staff to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor; and

      (2) within 10 business days of the receipt of the finding of fact by the Governor.

c. The appropriations above in Strategy C.1.1, Contingency Regulatory Response, and 10.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are also contingent upon the Securities Board assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this act, during the 2010-11 biennium, $1,152,818 in fiscal year 2010 and $1,161,078 in fiscal year 2011 in excess of $127,547,000 each fiscal year (Object Code 3175) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for each fiscal year 2010 and 2011. The Securities Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Securities Board 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

d. Funds appropriated above in Strategy C.1.1, Contingency Regulatory Response, and 10.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may only be used to address issues included in the finding of fact submitted to the Governor and the Legislative Budget Board pursuant to subsection (b) above.

e. Notwithstanding transfer limits under Section 14.01, Article IX of this Act, at the discretion of the agency, amounts appropriated above may be transferred to another appropriation item in an amount not to exceed $934,072 each fiscal year in General Revenue in Strategy C.1.1.

BOARD OF TAX PROFESSIONAL EXAMINERS[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 192,763	$ 0
Total, Method of Financing	$ 192,763	$ 0
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 84,768	$ 0
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	3.7	0.0
Schedule of Exempt Positions:		
Executive Director, Group 1	$70,000	$0
Items of Appropriation:		
A. Goal: ESTABLISH AND OVERSEE PROCESS Maintain Registration & Certification Process and Enforce Statute.		
A.1.1. Strategy: CERTIFICATION PROGRAM Conduct Exams, Register Candidates, Manage CE Program, Distribute Info.	$ 169,763	$ 0
A.1.2. Strategy: TEXASONLINE TexasOnline. Estimated and Nontransferable.	$ 16,250	$ 0

[1] Incorporates Article IX, § 17.59, of this Act, due to the enactment of HB 2447, 81st Legislature, Regular Session, relating to the abolition of the Board of Tax Professional Examiners and the transfer of its functions to the Department of Licensing and Regulation, resulting in a decrease in General Revenue Funds of $192,763 and 3.7 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Board of Tax Professional Examiners will be transferred to the Department of Licensing and Regulation by March 1, 2010. All riders and performance measures associated with the transfer of functions have been transferred to the Department of Licensing and Regulation.

A.1.3. Strategy: INDIRECT ADMINISTRATION	$ 6,750	$ 0
Total, Goal A: ESTABLISH AND OVERSEE PROCESS	$ 192,763	$ 0
Grand Total, BOARD OF TAX PROFESSIONAL EXAMINERS	$ 192,763	$ 0
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 138,408	$ 0
Professional Fees and Services	15,000	0
Consumable Supplies	2,000	0
Travel	6,800	0
Rent - Building	250	0
Rent - Machine and Other	3,600	0
Other Operating Expense	24,905	0
Capital Expenditures	1,800	0
Total, Object-of-Expense Informational Listing	$ 192,763	$ 0
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 19,099	$ 0
Group Insurance	35,628	0
Social Security	9,926	0
Benefits Replacement	927	0
Subtotal, Employee Benefits	$ 65,580	$ 0
Debt Service		
Lease Payments	$ 4,489	$ 0
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 70,069	$ 0

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Tax Professional Examiners. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Board of Tax Professional Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Tax Professional Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: ESTABLISH AND OVERSEE PROCESS		
Outcome (Results/Impact):		
Percent of Licensees with No Recent Violations	99%	0%
Number of Approved Courses Offered	160	0
Percent of Complaints Resulting in Disciplinary Action	13%	0%
A.1.1. Strategy: CERTIFICATION PROGRAM		
Output (Volume):		
Number of Persons Certified/Recertified	485	0
Number of New Licenses Issued to Individuals	450	0
Number of Course, Sponsor and Instructor Applications Processed	20	0
Number of Complaints Resolved	12	0
Efficiencies:		
Average Licensing Cost per Individual License Issued	38.65	0
Explanatory:		
Total Number of Individuals Licensed	4,000	0

BOARD OF TAX PROFESSIONAL EXAMINERS
(Continued)

2. **Fees Established.**[2] To provide for the recovery of costs for the preceding appropriations, the following fee rates shall be in effect for fiscal years 2010 and 2011, pursuant to provisions of Government Code § 316.041-316.045:

   (1) Registration Fee — Not Less Than $45 or More Than $75
   (2) Annual Renewal Fee — Not Less Than $45 or More Than $75

3. **Interagency Agreement.** Out of funds appropriated above in Strategy A.1.3, Indirect Administration, the Board of Tax Professional Examiners shall transfer no less than $6,750 each fiscal year of biennium beginning September 1, 2009, to the Comptroller of Public Accounts through an interagency contract, for administrative support services which shall consist of the same levels of service as were provided to the Board by the Comptroller of Public Accounts during the 2008-09 biennium.

4. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 for the Board of Tax Professional Examiners are made contingent on the continuation of the Board of Tax Professional Examiners by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

---

[2] Incorporates Article IX, § 17.59, of this Act, due to the enactment of HB 2447, 81st Legislature, Regular Session, relating to the abolition of the Board of Tax Professional Examiners and the transfer of its functions to the Department of Licensing and Regulation, resulting in a decrease in General Revenue Funds of $192,763 and 3.7 FTEs in FY 2011. For FY 2010, all unexpended funds and FTEs appropriated to the Board of Tax Professional Examiners will be transferred to the Department of Licensing and Regulation by March 1, 2010. All riders and performance measures associated with the transfer of functions have been transferred to the Department of Licensing and Regulation.

PUBLIC UTILITY COMMISSION OF TEXAS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 10,877,758	$ 10,785,198
GR Dedicated - System Benefit Account No. 5100	122,525,075	135,246,066
Appropriated Receipts	475,000	475,000
Total, Method of Financing	$ 133,877,833	$ 146,506,264
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	188.6	188.6
Schedule of Exempt Positions:		
Executive Director, Group 4	$125,000	$125,000
Commission Chairman, Group 6	150,000	150,000
Commissioners, Group 6 (2)	(2) 150,000	(2) 150,000
Items of Appropriation:		
A. Goal: COMPETITION/CHOICE/RATES/SERVICE Ensure Competition, Choice, Just Rates, and Reliable Quality Service.		
A.1.1. Strategy: MARKET COMPETITION Foster and Monitor Market Competition.	$ 4,647,439	$ 4,614,765
A.2.1. Strategy: UTILITY REGULATION Conduct Rate Cases for Regulated Telephone and Electric Utilities.	$ 3,289,531	$ 3,262,303
A.3.1. Strategy: INVESTIGATION AND ENFORCEMENT Conduct Investigations and Initiate Enforcement Actions.	$ 1,973,719	$ 1,957,382
Total, Goal A: COMPETITION/CHOICE/RATES/SERVICE	$ 9,910,689	$ 9,834,450

B. Goal: EDUCATION AND CUSTOMER ASSISTANCE		
Educate Customers and Assist Customers.		
B.1.1. Strategy: PROVIDE FACTS ABOUT CHANGES	$ 1,187,240	$ 1,177,438
Provide Information about Changes in Electric and Telecom Industries.		
B.2.1. Strategy: ASSIST CUSTOMERS	$ 529,333	$ 524,977
Assist Customers in Resolving Disputes.		
Total, Goal B: EDUCATION AND CUSTOMER ASSISTANCE	$ 1,716,573	$ 1,702,415
C. Goal: ELECTRIC UTILITY RESTRUCTURING		
C.1.1. Strategy: ENERGY ASSISTANCE	$ 119,570,603	$ 132,291,594
Energy Assistance. Nontransferable.		
C.1.2. Strategy: CONSUMER EDUCATION	$ 750,000	$ 750,000
Customer Education. Nontransferable.		
Total, Goal C: ELECTRIC UTILITY RESTRUCTURING	$ 120,320,603	$ 133,041,594
D. Goal: INDIRECT ADMINISTRATION		
D.1.1. Strategy: CENTRAL ADMINISTRATION	$ 1,248,803	$ 1,236,823
D.1.2. Strategy: INFORMATION RESOURCES	$ 567,638	$ 578,544
D.1.3. Strategy: OTHER SUPPORT SERVICES	$ 113,527	$ 112,438
Total, Goal D: INDIRECT ADMINISTRATION	$ 1,929,968	$ 1,927,805
Grand Total, PUBLIC UTILITY COMMISSION OF TEXAS	$ 133,877,833	$ 146,506,264
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 10,539,457	$ 10,539,457
Other Personnel Costs	402,500	402,500
Professional Fees and Services	3,904,423	3,842,652
Consumable Supplies	60,000	60,000
Utilities	23,260	23,260
Travel	70,000	50,000
Rent - Building	10,000	10,000
Rent - Machine and Other	400,000	400,000
Other Operating Expense	830,590	866,801
Client Services	117,637,603	130,311,594
Total, Object-of-Expense Informational Listing	$ 133,877,833	$ 146,506,264
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 653,065	$ 662,861
Group Insurance	1,202,372	1,297,013
Social Security	793,146	805,043
Benefits Replacement	54,425	51,704
Subtotal, Employee Benefits	$ 2,703,008	$ 2,816,621
Debt Service		
Lease Payments	$ 47,971	$ 45,136
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 2,750,979	$ 2,861,757

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Public Utility Commission of Texas. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Public Utility Commission of Texas. In order to achieve the objectives and service standards established by this Act, the Public Utility Commission of Texas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: COMPETITION/CHOICE/RATES/SERVICE		
Outcome (Results/Impact):		
Percent of Texas Cities Served by Three or More Certificated Telecommunication Providers	82%	81%
Average Price of Electricity Per kWh in Texas for Residential Customers from Competitive Suppliers as a Percentage of the National Residential Average	121%	119%
Average Annual Residential Electric Bill from Competitive Suppliers as a Percentage of the National Average	150%	148%
Average Annual Residential Telephone Bill in Texas as a Percentage of the National Average	73%	73%
A.1.1. Strategy: MARKET COMPETITION		
Output (Volume):		
Number of Investigations Conducted for Market Power, Market Design, or Anti-competitive Conduct in the Electric Market	1	1
Number of Investigations Conducted for Market Power, Market Design, or Anti-competitive Conduct in the Telephone Market	1	1
Number of Cases Completed Related to Competition Among Providers	450	450
Efficiencies:		
Average Number of Days to Process an Application for a Certificate of Authority and Service Provider Certificate of Authority	52	52
A.2.1. Strategy: UTILITY REGULATION		
Output (Volume):		
Number of Rate Cases Completed for Regulated Electric Utilities	30	30
Number of Rate Cases Completed for Regulated Telecommunications Providers	9	9
Efficiencies:		
Average Number of Days to Process a Major Rate Case for a Transmission and Distribution Utility	220	220
B. Goal: EDUCATION AND CUSTOMER ASSISTANCE		
Outcome (Results/Impact):		
Percentage of Customer Complaints Resolved through Informal Complaint Resolution Process	99%	99%
B.1.1. Strategy: PROVIDE FACTS ABOUT CHANGES		
Output (Volume):		
Number of Information Requests to Which Responses Were Provided	80,000	85,000
Efficiencies:		
Percent of Customer Information Product Distributed Electronically	75%	75%
Explanatory:		
Number of Calls Completed through Relay Texas	1,700,000	1,700,000
B.2.1. Strategy: ASSIST CUSTOMERS		
Output (Volume):		
Number of Customer Complaints Concluded	15,000	15,000
Efficiencies:		
Average Number of Days to Conclude Customer Complaints	24	24
C. Goal: ELECTRIC UTILITY RESTRUCTURING		
Outcome (Results/Impact):		
Percent of Eligible Low-income Customers Provided a Discount for Electric Service	93%	93%

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budget funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by commission management to be in the best interest of the State of Texas.

	2010	2011
a. Acquisition of Information Resource Technologies		
(1) Digital Copiers Lease	$ 160,000	$ 160,000
(2) Desktop Software and Desktop Computer Lease	240,000	240,000
(3) Data Center Consolidation	$ 479,000	$ 386,440
Total, Acquisition of Information Resource Technologies	$ 879,000	$ 786,440
Total, Capital Budget	$ 879,000	$ 786,440
Method of Financing (Capital Budget):		
General Revenue Fund	$ 879,000	$ 786,440
Total, Method of Financing	$ 879,000	$ 786,440

3. **Transfer Authority.** The Public Utility Commission shall not transfer an appropriation to or from any item under Goal C: Electric Utility Restructuring, and shall not expend amounts above those appropriated above in each strategy of Goal C: Electric Utility Restructuring.

4. **System Benefit Account Reporting.** The Public Utility Commission shall submit a quarterly report to the Legislative Budget Board and the Governor on revenues and expenditures made from the GR Dedicated - System Benefit Account No. 5100. The report shall be submitted with documentation as specified by the Legislative Budget Board and the Governor.

5. **Appropriation of Unexpended Balances: 2010 Appropriations.** The unobligated and unexpended balances of appropriations to the Public Utility Commission for the fiscal year ending August 31, 2010, are hereby appropriated to the commission for the same purposes for the fiscal year ending August 31, 2011.

6. **Contingent Revenue.** Of the amounts appropriated above to the Public Utility Commission from the GR Dedicated - System Benefit Account No. 5100, the estimated amounts of $122,525,075 in fiscal year 2010 and $135,246,066 in fiscal year 2011 are contingent on the Public Utility Commission assessing a rate sufficient to generate the estimated needs of the GR Dedicated - System Benefit Account No. 5100. The Public Utility Commission, upon completion of necessary actions for the assessment, shall furnish copies of the Public Utility Commission's order and other 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 revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

7. **Allocation of System Benefit Account.** The maximum statutory assessment rate of the GR Dedicated - System Benefit Account No. 5100 is estimated to be $147,936,000 in fiscal year 2010 and $149,922,000 in fiscal year 2011. The estimated balance as of August 31, 2009 is $565,169,000 and interest income is estimated to be $66,640,000 for the biennium. The total account balance available for appropriation for 2010-11, estimated to be $929,667,000, has been allocated throughout this act as follows:

	2010	2011
Public Utility Commission:		
Electric Market Oversight Contracts Wholesale and Retail Market	$ 1,200,000	$ 1,200,000
Low Income Discount	119,570,603	132,291,594
Customer Education	750,000	750,000
Administration	$ 1,004,472	$ 1,004,472
Total	$ 122,525,075	$ 135,246,066

8. **Low Income Discount.** All amounts appropriated above in Strategy C.1.1, Energy Assistance, shall only be expended to provide a discount of up to 17 percent during the months of May through September in each fiscal year.

9. **Consumer Education Requirements.** Out of amounts appropriated above, the Public Utility Commission shall develop a section on its "power to choose" website as well as other educational materials for retail and commercial customers that provides easily comparable information about buy back rates offered by all retail electric providers (REPs) for electricity generated on-site, and renewable energy credit marketers and the contract terms they offer. If a REP does not offer a buy-back rate for on-site generated power, the column will indicate "no offer." The PUC shall also make available on its website information about on-site renewable rebates and tax incentives offered by the state, federal government and utilities.

10. **Cable and Video Service Provider Study.** Out of the funds appropriated above, the Public Utility Commission shall conduct a comprehensive and objective study to determine the extent to which any cable service providers or video service providers currently offering cable services or video services in Texas engage in the discriminatory practice of redlining. The commission shall report any and all objective and verifiable data at its disposal, including but not limited to average home value, median household income, race of household occupants, and whether or not the cable service or video service consumers own or rent their residences, of areas served per county compared to these same statistics for areas not served within the same county. The commission shall include in its study an analysis, for all cable service providers or video service providers that have been granted a state-issued certificate of franchise authority, of workforce diversity and ways to increase opportunities for historically underutilized businesses. The commission shall provide a copy of its study to every member of the Texas Legislature, and the Texas Sunset Commission, by December 31, 2009.

OFFICE OF PUBLIC UTILITY COUNSEL

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,758,717	$ 1,758,717
Total, Method of Financing	$ 1,758,717	$ 1,758,717
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	23.0	23.0
Schedule of Exempt Positions:		
Public Counsel, Group 4	$115,000	$115,000
Items of Appropriation:		
A. Goal: EQUITABLE ELECTRIC RATES		
Equitable Electric Rates for Residential and Small Business Consumers.		
A.1.1. Strategy: PARTICIPATION IN PROCEEDINGS	$ 1,262,871	$ 1,262,871
Participate in Major Electric Rate Cases, Rules and Other Proceedings.		
B. Goal: TELEPHONE COMPETITION		
Provide Benefits and Protect Telephone Consumers in Competitive Market.		
B.1.1. Strategy: TELECOMMUNICATIONS PROCEEDINGS	$ 495,846	$ 495,846
Participate in Telecom Proceedings Involving Competitive Issues.		
Grand Total, OFFICE OF PUBLIC UTILITY COUNSEL	$ 1,758,717	$ 1,758,717
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 1,261,903	$ 1,261,903
Other Personnel Costs	60,461	60,461

Professional Fees and Services	256,152	256,152
Consumable Supplies	12,500	12,500
Travel	5,500	5,500
Rent - Building	3,264	3,264
Rent - Machine and Other	26,116	26,116
Other Operating Expense	132,821	132,821
Total, Object-of-Expense Informational Listing	$ 1,758,717	$ 1,758,717
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 63,709	$ 64,664
Group Insurance	109,747	118,537
Social Security	90,784	92,146
Benefits Replacement	8,024	7,623
Subtotal, Employee Benefits	$ 272,264	$ 282,970
Debt Service		
Lease Payments	$ 7,444	$ 7,004
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 279,708	$ 289,974

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Office of Public Utility Counsel. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Office of Public Utility Counsel. In order to achieve the objectives and service standards established by this Act, the Office of Public Utility Counsel shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: EQUITABLE ELECTRIC RATES		
Outcome (Results/Impact):		
Percentage of OPUC Electric Proceedings That Are Competition Related	55%	55%
A.1.1. Strategy: PARTICIPATION IN PROCEEDINGS		
Output (Volume):		
Number of Electric Cases in Which OPUC Participates	45	45
Number of Electric Projects in Which OPUC Participates	15	15
Efficiencies:		
Average Cost Per Electric Proceeding in Which OPUC Participates	11,400	11,400
B. Goal: TELEPHONE COMPETITION		
Outcome (Results/Impact):		
Percent of OPUC Telecommunications Proceedings That Are Competition Related	65%	65%
B.1.1. Strategy: TELECOMMUNICATIONS PROCEEDINGS		
Output (Volume):		
Number of Telecommunications Cases in Which OPUC Participates	3	3
Number of Telecommunications Projects in Which OPUC Participates	24	24
Efficiencies:		
Average Cost Per Telecommunications Proceeding in Which OPUC Participates	3,300	3,300

2. **Unexpended Balance Authority.** The unobligated and unexpended balances of appropriations to the Office of Public Utility Counsel for the fiscal year ending August 31, 2010, are hereby appropriated to the agency for the same purposes for the fiscal year ending August 31, 2011.

BOARD OF VETERINARY MEDICAL EXAMINERS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,009,773	$ 1,003,143
Appropriated Receipts	1,884	1,884
Total, Method of Financing	$ 1,011,657	$ 1,005,027
Other Direct and Indirect Costs Appropriated Elsewhere in this Act	$ 226,307	$ 229,334
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Number of Full-Time-Equivalents (FTE):	17.0	17.0
Schedule of Exempt Positions:		
Executive Director, Group 2	$80,500	$80,500
Items of Appropriation:		
A. Goal: VETERINARY REGULATION		
Implement Standards of Veterinary Practice, Enforce Statutes and Rules.		
A.1.1. Strategy: OPERATE LICENSURE SYSTEM	$ 160,983	$ 160,233
Examine and License Veterinarians and Renew Licenses.		
A.1.2. Strategy: TEXASONLINE	$ 33,650	$ 33,650
TexasOnline. Estimated and Nontransferable.		
A.2.1. Strategy: COMPLAINTS AND ACTION	$ 669,950	$ 662,903
Investigate Complaints, Take Disciplinary Action, Compliance Program.		
A.2.2. Strategy: PEER ASSISTANCE	$ 30,000	$ 30,000
Total, Goal A: VETERINARY REGULATION	$ 894,583	$ 886,786
B. Goal: INDIRECT ADMINISTRATION		
B.1.1. Strategy: LICENSING INDIRECT ADMINISTRATION	$ 28,943	$ 29,235
B.1.2. Strategy: COMPLAINTS & ACTION INDIRECT ADMIN	$ 88,131	$ 89,006
Complaints and Action Indirect Administration.		
Total, Goal B: INDIRECT ADMINISTRATION	$ 117,074	$ 118,241
Grand Total, BOARD OF VETERINARY MEDICAL EXAMINERS	$ 1,011,657	$ 1,005,027
Object-of-Expense Informational Listing:		
Salaries and Wages	$ 747,330	$ 752,700
Other Personnel Costs	23,020	23,020
Professional Fees and Services	53,530	53,530
Consumable Supplies	8,850	8,850
Utilities	2,737	2,737
Travel	60,341	60,341
Rent - Building	1,964	1,964
Other Operating Expense	113,885	101,885
Total, Object-of-Expense Informational Listing	$ 1,011,657	$ 1,005,027
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 26,456	$ 26,853
Group Insurance	70,960	76,747
Social Security	44,713	45,384
Benefits Replacement	1,580	1,501
Subtotal, Employee Benefits	$ 143,709	$ 150,485

Debt Service		
Lease Payments	$ 11,504	$ 7,271
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 155,213	$ 157,756

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Veterinary Medical Examiners. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Board of Veterinary Medical Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Veterinary Medical Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	2010	2011
A. Goal: VETERINARY REGULATION		
Outcome (Results/Impact):		
Percentage of Licensees with No Recent Violations	99%	99%
Percent of Licensees Who Renew Online	84%	84%
Percentage of Complaints Resulting in Disciplinary Action	20%	20%
Recidivism Rate for Peer Assistance Programs	16%	16%
A.1.1. Strategy: OPERATE LICENSURE SYSTEM		
Output (Volume):		
Number of New Licenses Issued to Individuals	345	345
Number of Licenses Renewed (Individuals)	7,085	7,250
A.2.1. Strategy: COMPLAINTS AND ACTION		
Output (Volume):		
Number of Complaints Resolved	500	500
Efficiencies:		
Average Time for Complaint Resolution (Days)	180	180
Explanatory:		
Number of Jurisdictional Complaints Received	440	460
A.2.2. Strategy: PEER ASSISTANCE		
Output (Volume):		
Number of Licensed Individuals Participating in a Peer Assistance Program	15	15

2. **Contingent Revenue.** Out of the amounts appropriated above to the Board of Veterinary Medical Examiners in Strategy A.1.1, Operate Licensure System, the amounts of $750 in fiscal year 2010, in Strategy A.2.1, Complaints and Action, the amounts of $141,328 in fiscal year 2010 and $134,281 in fiscal year 2011, in Strategy B.1.1, Licensing Indirect Administration, the amounts of $7,347 in 2010 and $7,639 in 2011, and in Strategy B.1.2, Complaints and Action Indirect Administration, the amounts of $22,042 in 2010 and $22,917 in 2011in General Revenue are contingent upon the Board of Veterinary Medical Examiners assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $414,673 in excess of $2,110,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time- Equivalents (FTE)" figure indicated above includes 4.0 FTEs in each fiscal year contingent upon the Board of Veterinary Medical Examiners generating the amount of revenue indicated above. The Board of Veterinary Medical Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Veterinary Medical Examiners 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

3. **Inspection of Non-Licensed Veterinarians.** Out of amounts appropriated above in Strategy A.2.1, Complaints and Action, the Board of Veterinary Medical Examiners shall use one full-time equivalent position for inspecting unauthorized or non-licensed practices of veterinarian medicine.

RETIREMENT AND GROUP INSURANCE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1, 2]		
General Revenue Fund, estimated	$ 16,378,282	$ 17,593,720
General Revenue Dedicated Accounts, estimated	18,956,001	20,249,574
Total, Method of Financing	$ 35,334,283	$ 37,843,294
Items of Appropriation:		
A. Goal: EMPLOYEES RETIREMENT SYSTEM		
A.1.1. Strategy: RETIREMENT CONTRIBUTIONS[1]	$ 10,281,190	$ 10,509,325
Retirement Contributions. Estimated.		
A.1.2. Strategy: GROUP INSURANCE[2]	$ 25,053,093	$ 27,333,969
Group Insurance. Estimated.		
Total, Goal A: EMPLOYEES RETIREMENT SYSTEM	$ 35,334,283	$ 37,843,294
Grand Total, RETIREMENT AND GROUP INSURANCE	$ 35,334,283	$ 37,843,294

[1] Incorporates Article IX, § 17.02(a), of this Act, relating to additional appropriations for employee benefits, which increases Retirement benefits proportionally with the number of full-time equivalents increased in agency bill patterns, resulting in increases of $193,500 in General Revenue Funds, and $38,700 in General Revenue-Dedicated Funds in FY 2010; and increases of $258,000 in General Revenue Funds and $51,600 in General Revenue-Dedicated Funds in FY 2011.

[2] Incorporates Article IX, §17.02(a), of this Act, relating to additional appropriations for employee benefits, which increases Group Insurance benefits proportionally with the number of full-time equivalents increased in agency bill patterns, resulting in increases of $510,224 in General Revenue Funds, and $102,045 in General Revenue-Dedicated Funds in FY 2010; and increases of $726,560 in General Revenue Funds, and $145,312 in General Revenue-Dedicated Funds in FY 2011.

SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:[1]		
General Revenue Fund, estimated	$ 6,765,577	$ 6,836,704
General Revenue Dedicated Accounts, estimated	7,164,252	7,223,567
State Highway Fund No. 006, estimated	202,096	204,025
Total, Method of Financing	$ 14,131,925	$ 14,264,296
Items of Appropriation:		
A. Goal: SOCIAL SECURITY/BENEFIT REPLACEMENT		
Comptroller - Social Security.		
A.1.1. Strategy: STATE MATCH – EMPLOYER[1]	$ 12,991,953	$ 13,181,323
State Match — Employer. Estimated.		
A.1.2. Strategy: BENEFIT REPLACEMENT PAY	$ 1,139,972	$ 1,082,973
Benefit Replacement Pay. Estimated.		
Total, Goal A: SOCIAL SECURITY/BENEFIT REPLACEMENT	$ 14,131,925	$ 14,264,296
Grand Total, SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY	$ 14,131,925	$ 14,264,296

[1] Incorporates Article IX, §17.02(a), of this Act, relating to additional appropriations for employee benefits, which increases Social Security benefits proportionally with the number of full-time equivalents increased in agency bill patterns, resulting in increases of $306,000 in General Revenue Funds, and $61,200 in General Revenue-Dedicated Funds in FY 2010; and increases of $306,000 in General Revenue Funds, and $61,200 in General Revenue-Dedicated Funds in FY 2011.

LEASE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,185,526	$ 978,405
GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036	1,031,819	640,031
Total, Method of Financing	$ 2,217,345	$ 1,618,436
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: LEASE PAYMENTS	$ 2,217,345	$ 1,618,436 & UB
To TFC for Payment to TPFA.		
Grand Total, LEASE PAYMENTS	$ 2,217,345	$ 1,618,436

SPECIAL PROVISIONS RELATING TO ALL REGULATORY AGENCIES

Sec. 2. Appropriations Limited to Revenue Collections. It is the intent of the Legislature that fees, fines, and other miscellaneous revenues as authorized and generated by each of the following agencies cover, at a minimum, the cost of appropriations made above and elsewhere in this Act to those agencies as well as an amount equal to the amount identified in the informational item "Other Direct and Indirect Costs Appropriated Elsewhere in This Act."

Department of Banking[1]
Board of Chiropractic Examiners
Office of Consumer Credit Commissioner[1]
Credit Union Department[1]
Texas State Board of Dental Examiners
Funeral Service Commission
Board of Professional Geoscientists
Office of Injured Employee Counsel
Department of Insurance
Office of Public Insurance Counsel
Board of Professional Land Surveying
Department of Licensing and Regulation
Texas Medical Board
Texas Board of Nursing
Optometry Board
Board of Pharmacy
Executive Council of Physical Therapy and Occupational Therapy Examiners
Board of Plumbing Examiners
Board of Podiatric Medical Examiners
Board of Examiners of Psychologists
Racing Commission
Real Estate Commission
Residential Construction Commission
Department of Savings and Mortgage Lending[1]
Securities Board
Board of Tax Professional Examiners
Board of Veterinary Medical Examiners

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

---

[1] HB 2774, 81st Legislature, Regular Session, was enacted, resulting in the agency becoming a self-directed and semi-independent agency. As such, the agency appropriations are voided since the agency is removed from the legislative budgeting process and is generally allowed to operate outside the provisions of the 2010-11 General Appropriations Act.

Sec. 3. Funding for Health Professions Council. An agency participating in the Health Professions Council shall transfer funds through interagency contract to the Health Professions Council from appropriations made to the agency elsewhere in this Act in order to carry out the functions required under Chapter 101, Occupation Code. Included in the amounts appropriated above to the Health Professions Council, are funds transferred by the following participating agencies in the amounts noted below for each year of the 2010-11 biennium:

	2010	2011
Department of State Health Services	$ 11,846	$ 11,846
Board of Chiropractic Examiners	5,435	5,435
Texas State Board of Dental Examiners	20,187	20,187
Funeral Service Commission	8,468	8,468
Texas Medical Board	25,646	25,646
Texas Board of Nursing	22,638	22,638
Optometry Board	5,481	5,481
Board of Pharmacy	20,384	20,384
Executive Council of Physical Therapy & Occupational Therapy Examiners	11,004	11,004
Board of Podiatric Medical Examiners	4,877	4,877
Board of Examiners of Psychologists	9,082	9,082
Board of Veterinary Medical Examiners	8,173	8,173
Total	$ 153,221	$ 153,221

Sec. 4. TexasOnline Authority Appropriation.

a. Each Article VIII licensing agency participating in the TexasOnline Authority is authorized in accordance with § 2054.252 of the Government Code to increase the occupational license, permit, and registration fees imposed on the licensees by an amount sufficient to cover the cost of the subscription fee charged by the TexasOnline Authority.

b. The following is an informational listing for each Article VIII licensing agency participating in TexasOnline of appropriated fee revenue for the purpose of paying TexasOnline Authority subscription fees.

	2010	2011
Board of Chiropractic Examiners	$ 29,850	$ 29,850
Office of Consumer Credit Commissioner[2]	15,000	15,000
Texas State Board of Dental Examiners	184,629	184,629
Funeral Services Commission	39,000	39,000
Board of Professional Geoscientists	30,000	30,000
Department of Insurance	380,000	380,000
Board of Professional Land Surveying	18,000	18,000
Department of Licensing and Regulation	331,200	331,200
Texas Medical Board	316,841	316,841
Texas Board of Nursing	325,000	325,000
Optometry Board	16,750	16,750
Board of Pharmacy	217,345	221,785
Executive Council of Physical Therapy & Occupational Therapy Examiners	131,175	131,175
Board of Plumbing Examiners	155,000	155,000
Board of Podiatric Medical Examiners	4,130	4,130
Board of Examiners of Psychologists	32,000	32,000
Racing Commission	23,250	23,250
Real Estate Commission	322,000	322,000
Residential Construction Commission	350,000	350,000
Department of Savings and Mortgage Lending[2]	52,000	52,000

[2] HB 2774, 81st Legislature, Regular Session, was enacted, resulting in the agency becoming a self-directed and semi-independent agency. As such, the agency appropriations are voided since the agency is removed from the legislative budgeting process and is generally allowed to operate outside the provisions of the 2010-11 General Appropriations Act.

Board of Tax Professional Examiners	16,250	16,250
Board of Veterinary Medical Examiners	33,650	33,650
Total	$ 3,023,070	$ 3,027,510

c. In the event that actual and/or projected revenue collections from fee increases to cover the cost of TexasOnline subscription fees are insufficient to offset the costs identified above, the Comptroller is hereby directed to reduce the appropriation authority provided by this Act to agencies participating in TexasOnline to be within the amount of fee revenue expected to be available.

d. For new licensing applications, the Article VIII licensing agencies participating in TexasOnline are hereby appropriated the additional revenue generated from occupational license, permit, or registration fees in excess of the Comptroller's biennial revenue estimate 2010-11 for the sole purpose of payment to the TexasOnline Authority contractor of subscription fees for implementing and maintaining electronic services for the licensing agencies. Each agency, upon completion of necessary actions to access or increase fees, shall furnish copies of board meeting minutes, an annual schedule of the number of license issuances or renewals and associated annual fee total, and any other supporting documentation to the Comptroller. If the Comptroller finds the information sufficient to support the projection of increased revenues, a notification letter will be issued and the contingent appropriation made available for the intended purposes.

e. Each Article VIII licensing agency participating in TexasOnline shall notify the Legislative Budget Board and the Comptroller of Public Accounts in writing upon receiving an exemption from participating in TexasOnline. Within 45 days of receiving an exemption, an agency shall provide the Legislative Budget Board and the Comptroller with a report of the effective date, the reason for exemption, and all estimated expenditures for TexasOnline costs in the fiscal year in which the exemption is made.

Sec. 5. Peer Assistance Program Funding Requirements. Funds collected during the biennium beginning September 1, 2009, by the Board of Pharmacy pursuant to Chapter 564, Occupations Code, and by the Texas Board of Nursing, the Texas State Board of Dental Examiners, the Optometry Board, and the Board of Veterinary Medical Examiners pursuant to Chapter 467 of the Health and Safety Code, in order to administer or finance peer assistance programs for professionals impaired by chemical dependency or mental illness, are appropriated elsewhere in this Act as identified in each Board's peer assistance strategy. The expenditure of the appropriations identified by this section is hereby made contingent upon sufficient revenue collections from peer assistance surcharges or other receipts collected pursuant to Chapter 467 of the Health and Safety Code or Chapter 564, Occupations Code as appropriate. None of the appropriations identified by this section may be expended unless each agency with a peer assistance program has on file the following current documents:

a. a request for proposal documentation and contracts documenting that the respective agency governing board has a competitively bid contract with the peer assistance program;

b. documentation for programs authorized under Chapter 467 of the Health and Safety Code that the agency's peer assistance program has been certified by the Department of State Health Services (DSHS) as meeting all DSHS criteria for peer assistance programs;

c. documentation for programs authorized under Chapter 467 showing compliance with statutory requirements regarding eligible participants and conditions for which services may be offered; and

d. documentation that the program has been approved by the agency governing board.

Sec. 6. Contingency Appropriation for Criminal History Record Information.

a. For each Article VIII licensing agency conducting criminal history background checks that is authorized in accordance with the Government Code to increase the occupational license, permit, and/or registration fee imposed on the licensees by an amount sufficient to cover the cost of the fee charged by the Department of Public Safety (DPS), Federal Bureau of Investigation (FBI), and/or any other entity authorized to conduct criminal history background checks, in the event that actual and/or projected revenue collections from fee increases to cover the cost of criminal history background checks are insufficient to offset the costs

included in the agency's appropriations that is budgeted for criminal history background checks, the Comptroller is hereby directed to reduce the appropriation authority provided by this Act to agencies conducting criminal history background checks to be within the amount of revenue expected to be available.

b. Each Article VIII licensing agency conducting criminal history background checks is hereby appropriated the additional revenue generated from occupational license, permit, and/or registration fees in excess of the Comptroller's biennial revenue estimate for 2010-11 for the sole purpose of conducting criminal history background checks. Each agency, upon completion of necessary actions to assess or increase fees, shall furnish copies of board meeting minutes, an annual schedule of the number of license issuances or renewals and associated annual fee total, and any other supporting documentation to the Comptroller. If the Comptroller finds the information sufficient to support the projection of increased revenues, a notification letter will be issued and the contingent appropriation made available for the intended purpose.

c. The following is an informational listing of agency appropriations included for each Article VIII licensing agency conducting criminal history background checks.

	2010	2011
Office of Consumer Credit Commissioner[3]	$ 130,000	$ 130,000
Department of Licensing and Regulation	276,000	283,000
Texas Board of Nursing	928,225	928,225
Optometry Board	6,500	6,500
Board of Plumbing Examiners	2,500	2,500
Board of Podiatric Medical Examiners	3,000	3,000
Racing Commission	25,000	25,000
Real Estate Commission	1,089,550	1,449,525
Department of Savings and Mortgage Lending[3]	225,000	225,000
Board of Veterinary Medical Examiners	200	200
Total	$ 2,685,975	$ 3,052,950

Sec. 7. Contingent Funding for Health Professions Council Shared Regulatory Database Migration.

a. If a finding of fact is not issued by the Comptroller of Public Accounts to make available the contingent appropriation specified in Contingent Revenue riders elsewhere in this Act for all of the agencies identified below, this subsection (a) has no effect. Otherwise, an agency participating in the Health Professions Council Shared Regulatory Database Migration Project shall transfer funds through interagency contract to the Health Professions Council from appropriations made elsewhere in this Act in order to fund the new shared database. Included in the amounts appropriated above to the Health Professions Council and in addition to amounts identified in Sec. 3, Funding for Health Professions Council, are funds transferred by the following participating agencies in the amounts noted below for each year of the 2010-11 biennium:

	2010	2011
Texas State Board of Dental Examiners	$ 644,427	$ 158,125
Board of Professional Land Surveying	54,409	17,843
Optometry Board	47,784	32,991
Board of Pharmacy	943,228	206,321
Board of Plumbing Examiners	569,121	133,048
Board of Examiners of Psychologists	93,339	58,862
Total	$2,352,308	$ 607,190

[3] HB 2774, 81st Legislature, Regular Session, was enacted, resulting in the agency becoming a self-directed and semi-independent agency. As such, the agency appropriations are voided since the agency is removed from the legislative budgeting process and is generally allowed to operate outside the provisions of the 2010-11 General Appropriations Act.

b. If subsection (a) has no effect, amounts identified below for each agency may not be expended if a finding of fact has been issued by the Comptroller of Public Accounts making available contingent appropriations specified in Contingent Revenue riders elsewhere in this Act. Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated elsewhere for the Health Professions Council shall be reduced by 3.0 FTEs in each fiscal year if subsection (a) has no effect.

	2010	2011
Texas State Board of Dental Examiners	$ 644,427	$ 59,155
Board of Professional Land Surveying	54,409	4,994
Optometry Board	47,784	4,386
Board of Pharmacy	943,228	86,583
Board of Plumbing Examiners	569,121	52,242
Board of Examiners of Psychologists	93,339	8,568
Total	$2,352,308	$ 215,928

Sec. 8. Self-Leveling Agency Fee Change Notification Requirements.

a. Upon completion of actions to increase fees to cover an increase in appropriations and other necessary costs, an agency listed below in subsection (c) shall furnish copies of the agency's minutes and other information supporting the estimated revenues to be generated for the 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, a finding of fact to that effect shall be issued and the increased appropriations shall be made available for the intended purposes.

b. Upon completion of actions to decrease fees or upon receiving information that actual and/or projected revenue collections will be insufficient to offset appropriations and other necessary costs, an agency listed below in subsection (c) shall immediately provide notification to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts. The Comptroller of Public Accounts shall reduce the appropriation authority provided by this Act to be within the amount of revenue expected to be available unless the agency completes actions to increase revenues and receives a finding of fact from the Comptroller of Public Accounts pursuant to the requirements of subsection (a) above.

c. Department of Banking[4]
Office of Consumer Credit Commissioner[4]
Credit Union Department[4]
Department of Insurance
Department of Savings and Mortgage Lending[4]

[4] HB 2774, 81st Legislature, Regular Session, was enacted, resulting in the agency becoming a self-directed and semi-independent agency. As such, the agency appropriations are voided since the agency is removed from the legislative budgeting process and is generally allowed to operate outside the provisions of the 2010-11 General Appropriations Act.

RECAPITULATION - ARTICLE VIII
REGULATORY
(General Revenue)[1, 2]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
State Office of Administrative Hearings	$ 3,490,002	$ 3,484,353
Board of Chiropractic Examiners	610,620	592,620
Texas State Board of Dental Examiners	2,699,845	2,102,718
Funeral Service Commission	743,751	737,751
Board of Professional Geoscientists	795,812	653,953
Department of Insurance	36,418,858	36,209,433
Office of Public Insurance Counsel	1,073,777	1,073,777
Board of Professional Land Surveying	486,493	442,124
Department of Licensing and Regulation	23,642,216	23,636,403
Texas Medical Board	9,363,536	9,098,759
Texas Board of Nursing	7,550,283	7,805,533
Optometry Board	483,778	440,381
Board of Pharmacy	6,103,241	5,133,340
Executive Council of Physical Therapy & Occupational Therapy Examiners	1,060,722	1,051,119
Board of Plumbing Examiners	2,623,794	2,078,909
Board of Podiatric Medical Examiners	239,798	238,375
Board of Examiners of Psychologists	892,976	800,206
Real Estate Commission	8,013,351	8,131,234
Residential Construction Commission	8,991,102	0
Securities Board	7,851,340	7,871,716
Board of Tax Professional Examiners	192,763	0
Public Utility Commission of Texas	10,877,758	10,785,198
Office of Public Utility Counsel	1,758,717	1,758,717
Board of Veterinary Medical Examiners	1,009,773	1,003,143
Subtotal, Regulatory	$ 136,974,306	$ 125,129,762
Retirement and Group Insurance	16,378,282	17,593,720
Social Security and Benefit Replacement Pay	6,765,577	6,836,704
Subtotal, Employee Benefits	$ 23,143,859	$ 24,430,424
Lease Payments	1,185,526	978,405
Subtotal, Debt Service	$ 1,185,526	$ 978,405
TOTAL, ARTICLE VIII - REGULATORY	$ 161,303,691	$ 150,538,591

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

[2] HB 2774, 81st Legislature, Regular Session, was enacted, resulting in the Department of Banking, the Office of Consumer Credit Commissioner, the Credit Union Department, and the Department of Savings and Mortgage Lending becoming self-directed and semi-independent agencies. As such, appropriations for these agencies are voided since these agencies are removed from the legislative budgeting process and are generally allowed to operate outside the provisions of the 2010-11 General Appropriations Act.

RECAPITULATION - ARTICLE VIII
REGULATORY
(General Revenue - Dedicated)[i]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Office of Injured Employee Counsel	$ 7,769,542	$ 7,769,542
Department of Insurance	64,012,646	63,554,924
Department of Licensing and Regulation	25,000	131,040
Texas Medical Board	2,228,281	2,229,642
Racing Commission	10,148,402	10,148,401
Contingency Appropriations	635,637	635,637
Total	10,784,039	10,784,038
Real Estate Commission	120,000	120,000
Public Utility Commission of Texas	122,525,075	135,246,066
Subtotal, Regulatory	$ 207,464,583	$ 219,835,252
Retirement and Group Insurance	18,956,001	20,249,574
Social Security and Benefit Replacement Pay	7,164,252	7,223,567
Subtotal, Employee Benefits	$ 26,120,253	$ 27,473,141
Lease Payments	1,031,819	640,031
Subtotal, Debt Service	$ 1,031,819	$ 640,031
TOTAL, ARTICLE VIII - REGULATORY	$ 234,616,655	$ 247,948,424

[i] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE VIII
REGULATORY
(Federal Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Department of Insurance	$ 2,254,623	$ 2,254,623
Subtotal, Regulatory	$ 2,254,623	$ 2,254,623
TOTAL, ARTICLE VIII - REGULATORY	$ 2,254,623	$ 2,254,623

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE VIII
REGULATORY
(Other Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
State Office of Administrative Hearings	$ 7,059,211	$ 7,059,212
Board of Chiropractic Examiners	31,000	31,000
Texas State Board of Dental Examiners	72,000	72,000
Funeral Service Commission	58,000	58,000
Health Professions Council	2,513,779	768,662
Department of Insurance	18,150,716	18,171,716
Office of Public Insurance Counsel	48,000	48,000
Department of Licensing and Regulation	538,634	538,634
Texas Medical Board	64,423	64,423
Texas Board of Nursing	823,100	823,100
Optometry Board	49,580	49,581
Board of Pharmacy	7,730	7,730
Executive Council of Physical Therapy & Occupational Therapy Examiners	80,676	80,678
Board of Plumbing Examiners	48,750	48,750
Board of Podiatric Medical Examiners	3,200	3,200
Board of Examiners of Psychologists	79,398	79,398
Real Estate Commission	190,500	190,500
Residential Construction Commission	4,000	0
Public Utility Commission of Texas	475,000	475,000
Board of Veterinary Medical Examiners	1,884	1,884
Subtotal, Regulatory	$ 30,299,581	$ 28,571,468
Social Security and Benefit Replacement Pay	202,096	204,025
Subtotal, Employee Benefits	$ 202,096	$ 204,025
Less Interagency Contracts	$ 6,365,865	$ 4,620,749
TOTAL, ARTICLE VIII - REGULATORY	$ 24,135,812	$ 24,154,744

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE VIII
REGULATORY
(All Funds)[1, 2]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
State Office of Administrative Hearings	$ 10,549,213	$ 10,543,565
Board of Chiropractic Examiners	641,620	623,620
Texas State Board of Dental Examiners	2,771,845	2,174,718
Funeral Service Commission	801,751	795,751
Board of Professional Geoscientists	795,812	653,953
Health Professions Council	2,513,779	768,662
Office of Injured Employee Counsel	7,769,542	7,769,542
Department of Insurance	120,836,843	120,190,696
Office of Public Insurance Counsel	1,121,777	1,121,777
Board of Professional Land Surveying	486,493	442,124
Department of Licensing and Regulation	24,205,850	24,306,077
Texas Medical Board	11,656,240	11,392,824
Texas Board of Nursing	8,373,383	8,628,633
Optometry Board	533,358	489,962
Board of Pharmacy	6,110,971	5,141,070
Executive Council of Physical Therapy & Occupational Therapy Examiners	1,141,398	1,131,797
Board of Plumbing Examiners	2,672,544	2,127,659
Board of Podiatric Medical Examiners	242,998	241,575
Board of Examiners of Psychologists	972,374	879,604
Racing Commission	10,148,402	10,148,401
Contingency Appropriations	635,637	635,637
Total	10,784,039	10,784,038
Real Estate Commission	8,323,851	8,441,734
Residential Construction Commission	8,995,102	0
Securities Board	7,851,340	7,871,716
Board of Tax Professional Examiners	192,763	0
Public Utility Commission of Texas	133,877,833	146,506,264
Office of Public Utility Counsel	1,758,717	1,758,717
Board of Veterinary Medical Examiners	1,011,657	1,005,027
Subtotal, Regulatory	$ 376,993,093	$ 375,791,105
Retirement and Group Insurance	35,334,283	37,843,294
Social Security and Benefit Replacement Pay	14,131,925	14,264,296
Subtotal, Employee Benefits	$ 49,466,208	$ 52,107,590
Lease Payments	2,217,345	1,618,436
Subtotal, Debt Service	$ 2,217,345	$ 1,618,436
Less Interagency Contracts	$ 6,365,865	$ 4,620,749
TOTAL, ARTICLE VIII - REGULATORY	$ 422,310,781	$ 424,896,382
Number of Full-Time-Equivalents (FTE)	3,521.8	3,448.0

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

[2] HB 2774, 81st Legislature, Regular Session, was enacted, resulting in the Department of Banking, the Office of Consumer Credit Commissioner, the Credit Union Department, and the Department of Savings and Mortgage Lending becoming self-directed and semi-independent agencies. As such, appropriations for these agencies are voided since these agencies are removed from the legislative budgeting process and are generally allowed to operate outside the provisions of the 2010-11 General Appropriations Act.

PART 1. GENERAL PROVISIONS LEGISLATIVE INTENT

Sec. 1.01. Limitations. The provisions of this Article and all other Articles of this Act are limitations on the appropriations made by this Act. It is the purpose of the Legislature in enacting this bill only to appropriate funds and to restrict and limit by its provisions the amount and conditions under which the appropriations can be expended.

PART 2. PROVISIONS RELATING TO THE POSITION CLASSIFICATION PLAN

Sec. 2.01. Position Classification Plan. Except as otherwise specifically provided in this Act, expenditures of appropriations for the salaries of employees, in classified positions in all affected agencies appropriated funds by this Act, other than institutions of higher education, university system offices, and the Texas Higher Education Coordinating Board, are governed by Chapter 654, Government Code (the Position Classification Act), Chapter 659, Government Code, and this section, including the following lists of position classification numbers, position titles, salary group allocations, and rates of pay in classification salary schedules as provided by this Article.

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM

Class Number	Class Title	Salary Group
0006	Receptionist	A06
0053	Clerk I	A05
0055	Clerk II	A07
0057	Clerk III	A09
0059	Clerk IV	A11
0130	Customer Service Representative I	A09
0132	Customer Service Representative II	A11
0134	Customer Service Representative III	A13
0136	Customer Service Representative IV	A15
0138	Customer Service Representative V	A17
0150	Administrative Assistant I	A09
0152	Administrative Assistant II	A11
0154	Administrative Assistant III	A13
0156	Administrative Assistant IV	A15
0158	Administrative Assistant V	A17
0160	Executive Assistant I	B17
0162	Executive Assistant II	B19
0164	Executive Assistant III	B21
0170	License and Permit Specialist I	A12
0171	License and Permit Specialist II	A14
0172	License and Permit Specialist III	A16
0173	License and Permit Specialist IV	A18
0174	License and Permit Specialist V	A20
0203	Data Entry Operator I	A06
0205	Data Entry Operator II	A08
0207	Data Entry Operator III	A10
0210	Data Base Administrator I	B18
0211	Data Base Administrator II	B20
0212	Data Base Administrator III	B22
0213	Data Base Administrator IV	B24
0214	Data Base Administrator V	B26
0215	Data Base Administrator VI	B28
0220	Computer Operations Technician	A10
0228	Systems Support Specialist I	B13
0229	Systems Support Specialist II	B15
0230	Systems Support Specialist III	B17
0231	Systems Support Specialist IV	B19
0260	Computer Operations Specialist I	B12
0261	Computer Operations Specialist II	B14
0262	Computer Operations Specialist III	B16

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM
(Continued)

0263	Computer Operations Specialist IV	B18
0264	Computer Operations Specialist V	B20
0265	Computer Operations Specialist VI	B22
0240	Programmer I	B17
0241	Programmer II	B19
0242	Programmer III	B21
0243	Programmer IV	B23
0244	Programmer V	B25
0245	Programmer VI	B27
0250	Information Technology Security Analyst I	B23
0251	Information Technology Security Analyst II	B25
0252	Information Technology Auditor I	B23
0253	Information Technology Auditor II	B25
0254	Systems Analyst I	B16
0255	Systems Analyst II	B18
0256	Systems Analyst III	B20
0257	Systems Analyst IV	B22
0258	Systems Analyst V	B24
0259	Systems Analyst VI	B26
0270	Geographic Information Specialist I	B18
0271	Geographic Information Specialist II	B20
0272	Geographic Information Specialist III	B22
0273	Geographic Information Specialist IV	B24
0274	Geographic Information Specialist V	B26
0281	Telecommunications Specialist I	B16
0282	Telecommunications Specialist II	B18
0283	Telecommunications Specialist III	B20
0284	Telecommunications Specialist IV	B22
0285	Telecommunications Specialist V	B24
0287	Network Specialist I	B16
0288	Network Specialist II	B18
0289	Network Specialist III	B20
0290	Network Specialist IV	B22
0291	Network Specialist V	B24
0292	Network Specialist VI	B26
0294	Business Continuity Coordinator I	B25
0295	Business Continuity Coordinator II	B26
0300	Web Administrator I	B18
0301	Web Administrator II	B20
0302	Web Administrator III	B22
0303	Web Administrator IV	B24
0304	Web Administrator V	B26
0331	Printing Services Technician I	A09
0332	Printing Services Technician II	A11
0333	Printing Services Technician III	A13
0334	Printing Services Technician IV	A15
0335	Printing Services Technician V	A17
0351	Micrographics Technician I	A09
0352	Micrographics Technician II	A11
0354	Micrographics Technician III	A13
0356	Micrographics Technician IV	A15
0367	Photographer I	B16
0368	Photographer II	B18
0516	Planner I	B17
0517	Planner II	B19
0518	Planner III	B21
0519	Planner IV	B23
0520	Planner V	B25
0590	Research and Statistics Technician I	A11
0592	Research and Statistics Technician II	A13
0600	Research Specialist I	B15
0602	Research Specialist II	B17
0604	Research Specialist III	B19
0606	Research Specialist IV	B21

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM
(Continued)

0608	Research Specialist V	B23
0624	Statistician I	B16
0626	Statistician II	B18
0628	Statistician III	B20
0630	Statistician IV	B22
0640	Economist I	B18
0642	Economist II	B20
0644	Economist III	B22
0646	Economist IV	B24
0812	Teacher Aide I	A09
0813	Teacher Aide II	A11
0814	Teacher Aide III	A13
1000	Accounting Technician I	A11
1002	Accounting Technician II	A13
1012	Accountant I	B14
1014	Accountant II	B15
1016	Accountant III	B17
1018	Accountant IV	B19
1020	Accountant V	B21
1022	Accountant VI	B23
1024	Accountant VII	B25
1042	Auditor I	B15
1044	Auditor II	B17
1046	Auditor III	B19
1048	Auditor IV	B21
1050	Auditor V	B23
1052	Auditor VI	B25
1059	Taxpayer Compliance Officer I	B11
1060	Taxpayer Compliance Officer II	B13
1061	Taxpayer Compliance Officer III	B15
1062	Taxpayer Compliance Officer IV	B17
1063	Taxpayer Compliance Officer V	B19
1073	Accounts Examiner I	B13
1074	Accounts Examiner II	B15
1075	Accounts Examiner III	B17
1076	Accounts Examiner IV	B19
1077	Accounts Examiner V	B21
1080	Financial Analyst I	B19
1082	Financial Analyst II	B21
1084	Financial Analyst III	B23
1085	Financial Analyst IV	B25
1100	Financial Examiner I	B17
1102	Financial Examiner II	B19
1104	Financial Examiner III	B21
1106	Financial Examiner IV	B23
1108	Financial Examiner V	B25
1110	Financial Examiner VI	B26
1112	Financial Examiner VII	B27
1130	Investment Analyst I	B22
1131	Investment Analyst II	B24
1132	Investment Analyst III	B26
1133	Investment Analyst IV	B28
1150	Portfolio Manager I	B27
1151	Portfolio Manager II	B29
1152	Portfolio Manager III	B31
1153	Portfolio Manager IV	B33
1155	Budget Analyst I	B17
1156	Budget Analyst II	B19
1157	Budget Analyst III	B21
1158	Budget Analyst IV	B23
1159	Budget Analyst V	B25
1161	Trader I	B25
1162	Trader II	B28
1165	Chief Investment Officer	B33

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM
(Continued)

1175	Chief Trader I	B31
1176	Chief Trader II	B33
1242	Reimbursement Officer I	A11
1244	Reimbursement Officer II	A13
1246	Reimbursement Officer III	A15
1248	Reimbursement Officer IV	A17
1260	Loan Specialist I	B17
1261	Loan Specialist II	B19
1262	Loan Specialist III	B21
1263	Loan Specialist IV	B23
1315	Boiler Inspector I	B20
1316	Boiler Inspector II	B21
1317	Boiler Inspector III	B22
1320	Inspector I	B10
1321	Inspector II	B11
1322	Inspector III	B13
1323	Inspector IV	B15
1324	Inspector V	B17
1325	Inspector VI	B19
1326	Inspector VII	B21
1350	Investigator I	B12
1351	Investigator II	B14
1352	Investigator III	B16
1353	Investigator IV	B18
1354	Investigator V	B20
1355	Investigator VI	B22
1356	Investigator VII	B24
1550	Staff Services Officer I	B17
1551	Staff Services Officer II	B18
1552	Staff Services Officer III	B19
1553	Staff Services Officer IV	B20
1554	Staff Services Officer V	B21
1560	Project Manager I	B24
1561	Project Manager II	B26
1570	Program Specialist I	B17
1571	Program Specialist II	B18
1572	Program Specialist III	B19
1573	Program Specialist IV	B20
1574	Program Specialist V	B21
1575	Program Specialist VI	B23
1576	Program Specialist VII	B25
1580	Program Supervisor I	B17
1582	Program Supervisor II	B19
1584	Program Supervisor III	B21
1586	Program Supervisor IV	B23
1588	Program Supervisor V	B25
1600	Manager I	B22
1601	Manager II	B23
1602	Manager III	B24
1603	Manager IV	B25
1604	Manager V	B26
1620	Director I	B26
1621	Director II	B27
1622	Director III	B28
1623	Director IV	B29
1624	Director V	B31
1626	Division Director	B32
1630	Deputy Director	B33
1640	Deputy Comptroller	B33
1727	Human Resources Assistant	B11
1729	Human Resources Specialist I	B13
1731	Human Resources Specialist II	B15
1733	Human Resources Specialist III	B17
1735	Human Resources Specialist IV	B19

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM
(Continued)

1737	Human Resources Specialist V	B21
1739	Human Resources Specialist VI	B23
1780	Training Assistant	B11
1781	Training Specialist I	B13
1782	Training Specialist II	B15
1783	Training Specialist III	B17
1784	Training Specialist IV	B19
1785	Training Specialist V	B21
1786	Training Specialist VI	B23
1822	Marketing Specialist I	B15
1823	Marketing Specialist II	B17
1824	Marketing Specialist III	B19
1825	Marketing Specialist IV	B21
1826	Marketing Specialist V	B23
1830	Information Specialist I	B15
1831	Information Specialist II	B17
1832	Information Specialist III	B19
1833	Information Specialist IV	B21
1834	Information Specialist V	B23
1840	Audio/Visual Technician I	A10
1841	Audio/Visual Technician II	A12
1842	Audio/Visual Technician III	A14
1843	Audio/Visual Technician IV	A16
1860	Management Analyst I	B18
1862	Management Analyst II	B20
1864	Management Analyst III	B22
1866	Management Analyst IV	B24
1870	Technical Writer I	B17
1871	Technical Writer II	B19
1872	Technical Writer III	B21
1875	Editor I	B17
1876	Editor II	B19
1877	Editor III	B21
1880	Governor's Advisor I	B21
1881	Governor's Advisor II	B23
1882	Governor's Advisor III	B25
1883	Governor's Advisor IV	B27
1884	Governor's Advisor V	B29
1890	Government Relations Specialist I	B23
1892	Government Relations Specialist II	B25
1894	Government Relations Specialist III	B27
1911	Inventory and Store Specialist I	A10
1912	Inventory and Store Specialist II	A12
1913	Inventory and Store Specialist III	A14
1914	Inventory and Store Specialist IV	A16
1920	Grant Coordinator I	B18
1921	Grant Coordinator II	B20
1922	Grant Coordinator III	B22
1930	Purchaser I	B12
1931	Purchaser II	B14
1932	Purchaser III	B16
1933	Purchaser IV	B18
1934	Purchaser V	B20
1935	Purchaser VI	B22
1960	Contract Administration Manager I	B25
1962	Contract Administration Manager II	B27
1970	Contract Technician I	A09
1972	Contract Technician II	A11
1974	Contract Technician III	A13
1976	Contract Specialist I	B15
1980	Contract Specialist II	B17
1982	Contract Specialist III	B19
1984	Contract Specialist IV	B21
1986	Contract Specialist V	B23

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM
(Continued)

1990	Property Manager I	B17
1992	Property Manager II	B19
1994	Property Manager III	B21
2050	Land Surveyor I	B19
2054	Land Surveyor II	B21
2056	Land Surveyor III	B23
2058	Land Surveyor IV	B25
2062	Appraiser I	B17
2064	Appraiser II	B19
2065	Appraiser III	B21
2080	Right of Way Agent I	B13
2082	Right of Way Agent II	B15
2084	Right of Way Agent III	B17
2086	Right of Way Agent IV	B19
2088	Right of Way Agent V	B21
2093	Utility Specialist I	B20
2094	Utility Specialist II	B22
2095	Utility Specialist III	B24
2119	Engineering Aide	A09
2122	Engineering Technician I	A11
2123	Engineering Technician II	A13
2124	Engineering Technician III	A15
2125	Engineering Technician IV	A17
2127	Engineering Specialist I	B17
2128	Engineering Specialist II	B18
2129	Engineering Specialist III	B19
2130	Engineering Specialist IV	B20
2131	Engineering Specialist V	B21
2132	Engineering Specialist VI	B22
2151	Engineer I	B21
2152	Engineer II	B22
2153	Engineer III	B23
2154	Engineer IV	B24
2155	Engineer V	B25
2156	Engineer VI	B26
2157	Engineer VII	B27
2161	District Engineer	B33
2167	Graphic Designer I	B16
2168	Graphic Designer II	B18
2169	Graphic Designer III	B20
2181	Drafting Technician I	A17
2182	Drafting Technician II	A19
2255	Project Design Assistant	B17
2260	Architect I	B21
2264	Architect II	B23
2266	Architect III	B25
2268	Architect IV	B27
2350	Earth Science Technician	B16
2356	Geoscientist I	B17
2360	Geoscientist II	B19
2364	Geoscientist III	B21
2365	Geoscientist IV	B23
2366	Geoscientist V	B25
2456	Hydrologist I	B17
2460	Hydrologist II	B19
2464	Hydrologist III	B21
2465	Hydrologist IV	B23
2466	Hydrologist V	B25
2472	Chemist I	B16
2473	Chemist II	B18
2474	Chemist III	B20
2475	Chemist IV	B22
2476	Chemist V	B24
2583	Sanitarian I	B17

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM
(Continued)

2584	Sanitarian II	B19
2585	Sanitarian III	B21
2590	Biologist I	B14
2591	Biologist II	B16
2592	Biologist III	B18
2593	Biologist IV	B20
2594	Biologist V	B22
2640	Park Specialist I	B14
2641	Park Specialist II	B16
2642	Park Specialist III	B18
2643	Park Specialist IV	B20
2644	Park Specialist V	B22
2651	Environmental Specialist I	B16
2652	Environmental Specialist II	B18
2653	Environmental Specialist III	B20
2654	Environmental Specialist IV	B22
2655	Environmental Specialist V	B24
2660	Toxicologist I	B20
2661	Toxicologist II	B22
2662	Toxicologist III	B24
2682	Natural Resources Specialist I	B15
2683	Natural Resources Specialist II	B17
2684	Natural Resources Specialist III	B19
2685	Natural Resources Specialist IV	B21
2686	Natural Resources Specialist V	B23
2692	Fish and Wildlife Technician I	A13
2693	Fish and Wildlife Technician II	A15
2694	Fish and Wildlife Technician III	A17
2695	Park Ranger I	A07
2696	Park Ranger II	A09
2697	Park Ranger III	A11
2698	Park Ranger IV	A13
2699	Park Ranger V	A15
2720	Lifeguard	A03
2730	Safety Officer I	B15
2731	Safety Officer II	B17
2732	Safety Officer III	B19
2733	Safety Officer IV	B21
2734	Safety Officer V	B23
2740	Risk Management Specialist I	B14
2741	Risk Management Specialist II	B16
2742	Risk Management Specialist III	B18
2743	Risk Management Specialist IV	B20
2744	Risk Management Specialist V	B22
2761	Rescue Specialist I	B17
2762	Rescue Specialist II	B19
2763	Rescue Specialist III	B21
2802	Actuary I	B21
2803	Actuary II	B23
2804	Actuary III	B25
2805	Actuary IV	B27
2806	Actuary V	B31
2808	Chief Actuary	B33
2824	Insurance Technician	A10
2841	Insurance Specialist I	B12
2842	Insurance Specialist II	B14
2843	Insurance Specialist III	B16
2844	Insurance Specialist IV	B18
2845	Insurance Specialist V	B20
2911	Retirement System Benefits Specialist I	B12
2912	Retirement System Benefits Specialist II	B14
2913	Retirement System Benefits Specialist III	B16
2914	Retirement System Benefits Specialist IV	B18
2915	Retirement System Benefits Specialist V	B20

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM
(Continued)

2920	Claims Assistant	A12
2921	Claims Examiner I	B14
2922	Claims Examiner II	B16
2923	Claims Examiner III	B18
2924	Claims Examiner IV	B20
3020	Workforce Development Specialist I	B11
3021	Workforce Development Specialist II	B12
3023	Workforce Development Specialist III	B14
3025	Workforce Development Specialist IV	B16
3026	Workforce Development Specialist V	B18
3151	Unemployment Insurance Claims Examiner I	B11
3153	Unemployment Insurance Claims Examiner II	B13
3154	Unemployment Insurance Claims Examiner III	B15
3171	Unemployment Insurance Specialist I	B16
3173	Unemployment Insurance Specialist II	B18
3501	Attorney I	B20
3502	Attorney II	B21
3503	Attorney III	B23
3504	Attorney IV	B25
3505	Attorney V	B27
3506	Attorney VI	B29
3510	Assistant Attorney General I	B20
3511	Assistant Attorney General II	B21
3512	Assistant Attorney General III	B23
3513	Assistant Attorney General IV	B25
3514	Assistant Attorney General V	B27
3515	Assistant Attorney General VI	B29
3516	Assistant Attorney General VII	B31
3517	First Assistant Attorney General	B33
3520	General Counsel I	B23
3521	General Counsel II	B25
3522	General Counsel III	B27
3523	General Counsel IV	B29
3524	General Counsel V	B31
3559	Hearings Reporter	B20
3565	Legal Secretary I	A10
3566	Legal Secretary II	A12
3567	Legal Secretary III	A14
3568	Legal Secretary IV	A16
3569	Legal Secretary V	A18
3572	Legal Assistant I	B15
3574	Legal Assistant II	B17
3576	Legal Assistant III	B19
3578	Legal Assistant IV	B21
3604	Law Clerk	B13
3610	Court Law Clerk I	B18
3611	Court Law Clerk II	B20
3620	Deputy Clerk I	A10
3622	Deputy Clerk II	A12
3624	Deputy Clerk III	A14
3626	Deputy Clerk IV	A16
3630	Chief Deputy Clerk	B21
3635	Clerk of the Court	B28
3637	Court Coordinator	B17
3640	Administrative Law Judge I	B25
3642	Administrative Law Judge II	B26
3644	Administrative Law Judge III	B27
3646	Master Administrative Law Judge I	B29
3648	Master Administrative Law Judge II	B31
3652	Associate Judge	B28
3659	Associate Ombudsman	B15
3660	Ombudsman I	B17
3662	Ombudsman II	B19
3663	Ombudsman III	B21

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM
(Continued)

3665	Ombudsman IV	B23
3672	Benefit Review Officer	B21
3637	Court Coordinator	B17
4001	Dietetic Technician I	A08
4002	Dietetic Technician II	A10
4016	Dietetic and Nutrition Specialist I	B17
4017	Dietetic and Nutrition Specialist II	B19
4018	Dietetic and Nutrition Specialist III	B21
4072	Public Health Technician I	B14
4074	Public Health Technician II	B16
4076	Public Health Technician III	B18
4078	Public Health Technician IV	B20
4082	Epidemiologist I	B19
4083	Epidemiologist II	B21
4084	Epidemiologist III	B23
4125	Veterinarian I	B23
4127	Veterinarian II	B25
4129	Veterinarian III	B27
4142	Laboratory Technician I	A10
4144	Laboratory Technician II	A12
4146	Laboratory Technician III	A14
4148	Laboratory Technician IV	A16
4221	Microbiologist I	B15
4222	Microbiologist II	B17
4223	Microbiologist III	B19
4224	Microbiologist IV	B21
4225	Microbiologist V	B23
4292	Radiological Technologist I	B14
4293	Radiological Technologist II	B16
4294	Radiological Technologist III	B18
4342	Orthopedic Equipment Technician I	A09
4344	Orthopedic Equipment Technician II	A11
4346	Orthopedic Equipment Technician III	A13
4360	Registered Therapist Assistant	A17
4362	Registered Therapist I	B17
4363	Registered Therapist II	B19
4364	Registered Therapist III	B21
4365	Registered Therapist IV	B23
4366	Registered Therapist V	B25
4374	Medical Aide I	A04
4376	Medical Aide II	A06
4385	Medical Technician I	A09
4386	Medical Technician II	A11
4387	Medical Technician III	A13
4390	Health Physicist I	B22
4392	Health Physicist II	B24
4394	Health Physicist III	B26
4401	Medical Technologist I	B13
4402	Medical Technologist II	B15
4403	Medical Technologist III	B17
4404	Medical Technologist IV	B19
4405	Medical Technologist V	B21
4410	Nurse I	B17
4411	Nurse II	B19
4412	Nurse III	B21
4413	Nurse IV	B23
4414	Nurse V	B25
4416	Public Health Nurse I	B19
4417	Public Health Nurse II	B21
4418	Public Health Nurse III	B23
4420	Licensed Vocational Nurse I	A10
4421	Licensed Vocational Nurse II	A12
4422	Licensed Vocational Nurse III	A14
4423	Licensed Vocational Nurse IV	A16

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM
(Continued)

4428	Respiratory Care Practitioner	A17
4435	Resident Physician	B19
4436	Physician I	B31
4437	Physician II	B32
4438	Physician III	B33
4440	Physician Assistant	B26
4451	Nurse Practitioner	B26
4453	Medical Research Specialist	B24
4455	Dentist I	B27
4457	Dentist II	B29
4459	Dentist III	B32
4462	Psychologist I	B22
4464	Psychologist II	B24
4465	Psychologist III	B26
4466	Psychological Assistant	B13
4468	Associate Psychologist I	B16
4469	Associate Psychologist II	B17
4470	Associate Psychologist III	B18
4471	Associate Psychologist IV	B19
4472	Associate Psychologist V	B20
4476	Psychiatrist I	B31
4477	Psychiatrist II	B32
4478	Psychiatrist III	B33
4482	Dental Assistant I	A09
4483	Dental Assistant II	A11
4489	Dental Hygienist	B19
4492	Pharmacist I	B26
4493	Pharmacist II	B28
4494	Pharmacist III	B30
4498	Pharmacy Technician I	A09
4499	Pharmacy Technician II	A11
4501	Correctional Officer I	A09
4502	Correctional Officer II	A11
4503	Correctional Officer III	A13
4504	Correctional Officer IV	A14
4505	Correctional Officer V	A16
4510	Sergeant of Correctional Officers	B17
4511	Lieutenant of Correctional Officers	B18
4512	Captain of Correctional Officers	B19
4513	Major of Correctional Officers	B20
4520	Juvenile Correctional Officer I	A09
4521	Juvenile Correctional Officer II	A11
4522	Juvenile Correctional Officer III	A13
4523	Juvenile Correctional Officer IV	A14
4524	Juvenile Correctional Officer V	A16
4525	Juvenile Correctional Officer VI	A18
4526	Dorm Supervisor	B19
4540	Parole Officer I	B14
4541	Parole Officer II	B15
4542	Parole Officer III	B16
4543	Parole Officer IV	B18
4544	Parole Officer V	B20
4550	Assistant Warden	B23
4551	Warden I	B25
4552	Warden II	B26
4560	Counsel Substitute I	A13
4561	Counsel Substitute II	A15
4562	Counsel Substitute III	A17
4571	Correctional Transportation Officer	A14
4646	Industrial Specialist I	A13
4647	Industrial Specialist II	A14
4648	Industrial Specialist III	A15
4649	Industrial Specialist IV	A16
4650	Industrial Specialist V	A17

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM
(Continued)

4651	Industrial Specialist VI	A18
4671	Agriculture Specialist I	A13
4672	Agriculture Specialist II	A14
4673	Agriculture Specialist III	A15
4674	Agriculture Specialist IV	A16
4675	Agriculture Specialist V	A17
4676	Agriculture Specialist VI	A18
5002	Adult Protective Services Specialist I	B14
5003	Adult Protective Services Specialist II	B15
5004	Adult Protective Services Specialist III	B16
5005	Adult Protective Services Specialist IV	B17
5006	Adult Protective Services Specialist V	B18
5010	Family Services Specialist I	B19
5011	Family Services Specialist II	B20
5016	Family and Protective Services Supervisor I	B18
5017	Family and Protective Services Supervisor II	B20
5018	Family and Protective Services Supervisor III	B22
5023	Child Protective Services Specialist I	B14
5024	Child Protective Services Specialist II	B15
5025	Child Protective Services Specialist III	B16
5026	Child Protective Services Specialist IV	B17
5027	Child Protective Services Specialist V	B18
5050	Rehabilitation Therapy Technician I	A06
5051	Rehabilitation Therapy Technician II	A08
5052	Rehabilitation Therapy Technician III	A10
5053	Rehabilitation Therapy Technician IV	A12
5054	Rehabilitation Therapy Technician V	A14
5062	Vocational Rehabilitation Counselor I	B16
5063	Vocational Rehabilitation Counselor II	B17
5064	Vocational Rehabilitation Counselor III	B18
5065	Vocational Rehabilitation Counselor IV	B19
5079	Chaplaincy Services Assistant	A13
5081	Chaplain I	B17
5082	Chaplain II	B19
5083	Chaplain III	B21
5090	Rehabilitation Teacher I	B11
5091	Rehabilitation Teacher II	B13
5092	Rehabilitation Teacher III	B15
5104	Veterans Service Representative I	B13
5105	Veterans Service Representative II	B14
5106	Veterans Service Representative III	B15
5107	Veterans Service Representative IV	B16
5108	Veterans Service Representative V	B18
5109	Veterans Service Representative VI	B20
5111	Substance Abuse Counselor I	B13
5112	Substance Abuse Counselor II	B14
5113	Substance Abuse Counselor III	B15
5121	Mental Retardation Assistant I	A07
5122	Mental Retardation Assistant II	A09
5123	Mental Retardation Assistant III	A11
5124	Mental Retardation Assistant IV	A13
5131	Qualified Mental Retardation Professional I	B15
5132	Qualified Mental Retardation Professional II	B16
5133	Qualified Mental Retardation Professional III	B17
5134	Qualified Mental Retardation Professional IV	B18
5140	Recreation Program Specialist I	B11
5142	Recreation Program Specialist II	B13
5144	Recreation Program Specialist III	B15
5151	Psychiatric Nursing Assistant I	A07
5152	Psychiatric Nursing Assistant II	A09
5153	Psychiatric Nursing Assistant III	A11
5154	Psychiatric Nursing Assistant IV	A13
5201	Resident Specialist I	A07
5203	Resident Specialist II	A09

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM
(Continued)

5205	Resident Specialist III	A11
5207	Resident Specialist IV	A13
5209	Resident Specialist V	A15
5226	Case Manager I	B11
5227	Case Manager II	B13
5228	Case Manager III	B15
5229	Case Manager IV	B17
5232	Volunteer Services Coordinator I	B13
5233	Volunteer Services Coordinator II	B15
5234	Volunteer Services Coordinator III	B17
5235	Volunteer Services Coordinator IV	B19
5300	Health and Human Services Program Coordinator I	B18
5302	Health and Human Services Program Coordinator II	B20
5304	Health and Human Services Program Coordinator III	B22
5400	Social Worker I	B15
5402	Social Worker II	B17
5404	Social Worker III	B19
5406	Social Worker IV	B21
5408	Social Worker V	B23
5503	Human Services Technician I	A06
5504	Human Services Technician II	A08
5505	Human Services Technician III	A10
5506	Human Services Technician IV	A12
5526	Quality Assurance Specialist I	B17
5527	Quality Assurance Specialist II	B18
5528	Quality Assurance Specialist III	B20
5529	Quality Assurance Specialist IV	B22
5540	Child Support Officer I	B11
5541	Child Support Officer II	B13
5542	Child Support Officer III	B15
5543	Child Support Officer IV	B17
5550	Child Support Technician I	A09
5551	Child Support Technician II	A11
5552	Child Support Technician III	A13
5616	Interpreter I	B16
5618	Interpreter II	B18
5700	Human Services Specialist I	B11
5701	Human Services Specialist II	B12
5702	Human Services Specialist III	B13
5703	Human Services Specialist IV	B14
5704	Human Services Specialist V	B15
5705	Human Services Specialist VI	B16
5706	Human Services Specialist VII	B17
6052	Forensic Scientist I	B19
6053	Forensic Scientist II	B20
6054	Forensic Scientist III	B21
6055	Forensic Scientist IV	B22
6056	Forensic Scientist V	B23
6057	Forensic Scientist VI	B24
6084	Forensic Photographer I	B19
6086	Forensic Photographer II	B20
6095	Police Communications Operator I	A12
6096	Police Communications Operator II	A13
6097	Police Communications Operator III	A14
6098	Police Communications Operator IV	A15
6115	Fingerprint Technician I	A12
6116	Fingerprint Technician II	A14
6117	Fingerprint Technician III	A16
6120	Crime Laboratory Specialist I	B15
6121	Crime Laboratory Specialist II	B16
6122	Crime Laboratory Specialist III	B17
6154	Combined DNA Index System Analyst	B21
6221	Public Safety Records Technician I	A10
6222	Public Safety Records Technician II	A11

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM
(Continued)

6229	Security Officer I	A07
6230	Security Officer II	A09
6232	Security Officer III	A11
6234	Security Officer IV	A13
7306	Archeologist I	B18
7308	Archeologist II	B20
7310	Archeologist III	B22
7315	Historian I	B14
7317	Historian II	B16
7319	Historian III	B18
7350	Library Assistant I	A09
7352	Library Assistant II	A11
7354	Library Assistant III	A13
7401	Librarian I	B14
7402	Librarian II	B16
7403	Librarian III	B18
7404	Librarian IV	B20
7407	Archivist I	B16
7409	Archivist II	B18
7462	Exhibit Technician I	B12
7464	Exhibit Technician II	B14
7466	Curator I	B16
7468	Curator II	B18
8003	Custodian I	A04
8005	Custodian II	A06
8007	Custodian III	A08
8021	Custodial Manager I	A11
8023	Custodial Manager II	A13
8025	Custodial Manager III	A15
8031	Groundskeeper I	A04
8032	Groundskeeper II	A06
8033	Groundskeeper III	A08
8103	Food Service Worker I	A04
8104	Food Service Worker II	A06
8108	Food Service Manager I	A12
8109	Food Service Manager II	A14
8110	Food Service Manager III	A16
8111	Food Service Manager IV	A18
8116	Cook I	A04
8117	Cook II	A05
8118	Cook III	A07
8119	Cook IV	A09
8252	Laundry/Sewing Room Worker I	A04
8253	Laundry/Sewing Room Worker II	A06
8254	Laundry/Sewing Room Worker III	A08
8260	Laundry Manager I	A12
8261	Laundry Manager II	A14
8262	Laundry Manager III	A16
8263	Laundry Manager IV	A18
8302	Barber/ Cosmetologist	A07
9004	Maintenance Assistant	A06
9034	Air Conditioning and Boiler Operator I	A11
9035	Air Conditioning and Boiler Operator II	A13
9036	Air Conditioning and Boiler Operator III	A15
9037	Air Conditioning and Boiler Operator IV	A17
9041	Maintenance Technician I	A08
9042	Maintenance Technician II	A10
9043	Maintenance Technician III	A11
9044	Maintenance Technician IV	A13
9045	Maintenance Technician V	A15
9052	Maintenance Supervisor I	A14
9053	Maintenance Supervisor II	A15
9054	Maintenance Supervisor III	A16
9055	Maintenance Supervisor IV	A17

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM
(Continued)

9056	Maintenance Supervisor V	A19
9060	Electronics Technician I	A15
9062	Electronic Technician II	A17
9305	Transportation Maintenance Specialist I	A14
9306	Transportation Maintenance Specialist II	A15
9307	Transportation Maintenance Specialist III	A16
9308	Transportation Maintenance Specialist IV	A17
9309	Transportation Maintenance Specialist V	A18
9322	Vehicle Driver I	A07
9323	Vehicle Driver II	A09
9324	Vehicle Driver III	A11
9416	Motor Vehicle Technician I	A09
9417	Motor Vehicle Technician II	A11
9418	Motor Vehicle Technician III	A13
9419	Motor Vehicle Technician IV	A15
9420	Motor Vehicle Technician V	A17
9512	Machinist I	A13
9514	Machinist II	A15
9624	Aircraft Pilot I	B19
9626	Aircraft Pilot II	B21
9628	Aircraft Pilot III	B23
9636	Aircraft Mechanic	A20
9700	Radio Communications Technician I	A10
9704	Radio Communications Technician II	A12
9706	Radio Communications Technician III	A14
9733	Equipment Maintenance Technician I	A14
9734	Equipment Maintenance Technician II	A16
9802	Electrician I	A14
9804	Electrician II	A16
9806	Electrician III	A18
9808	Electrician IV	A20
9812	HVAC Mechanic I	A14
9814	HVAC Mechanic II	A16
9816	HVAC Mechanic III	A18
9830	Ferryboat Specialist I	B20
9832	Ferryboat Specialist II	B21
9834	Ferryboat Specialist III	B22
9901	Public Safety Inspector I	C05
9902	Public Safety Inspector II	C06
9905	Pilot Investigator I	C04
9906	Pilot Investigator II	C05
9907	Pilot Investigator III	C06
9908	Pilot Investigator IV	C07
9920	Trooper Trainee	C01
9922	Probationary Trooper	C02
9928	Trooper	C03
9935	Corporal	C03
9940	Sergeant, Public Safety	C04
9941	Lieutenant, Public Safety	C05
9942	Captain, Public Safety	C06
9943	Assistant Commander, Public Safety	C07
9944	Commander, Public Safety	C08
9945	Major, Public Safety	C08
9950	Agent Trainee	C02
9956	Agent	C03
9960	Sergeant, Alcoholic Beverage	C04
9961	Lieutenant, Alcoholic Beverage	C05
9962	Captain, Alcoholic Beverage	C06
9963	Major, Alcoholic Beverage	C08
9965	Investigator Trainee - Office of the Inspector General	C01
9971	Investigator - Office of the Inspector General	C03
9972	Regional Supervisor - Office of the Inspector General	C04
9973	Regional Manager - Office of the Inspector General	C05
9974	Multi-Regional Administrator - Office of the Inspector General	C06

CLASSIFIED POSITIONS FOR THE 2010-11 BIENNIUM
(Continued)

9975	Chief Inspector - Office of the Inspector General (less than 12 years service)	C07
9976	Chief Inspector - Office of the Inspector General (more than 12 years service)	C08
9980	Game Warden Trainee	C01
9981	Probationary Game Warden	C02
9987	Game Warden	C03
9990	Sergeant, Game Warden	C04
9991	Lieutenant, Game Warden	C05
9992	Captain, Game Warden	C06
9993	Assistant Commander, Game Warden	C07
9994	Commander, Game Warden	C08
9995	Major, Game Warden	C08

SCHEDULE A CLASSIFICATION SALARY SCHEDULE

For the Fiscal Years Beginning September 1, 2009, and September 1, 2010

Group	Minimum	Maximum
A3	$16,850	$24,433
A4	$17,693	$25,654
A5	$18,577	$26,937
A6	$19,506	$28,284
A7	$20,481	$29,698
A8	$21,505	$31,183
A9	$22,581	$32,742
A10	$23,710	$34,379
A11	$25,132	$38,955
A12	$26,640	$41,292
A13	$28,239	$43,770
A14	$29,933	$46,396
A15	$31,729	$49,180
A16	$33,633	$52,130
A17	$35,651	$55,258
A18	$38,146	$61,034
A19	$40,816	$65,306
A20	$43,673	$69,878

SCHEDULE B CLASSIFICATION SALARY SCHEDULE

For the Fiscal Years Beginning September 1, 2009, and September 1, 2010

Salary Group	Minimum	Maximum
B10	$23,710	$34,379
B11	$25,132	$38,955
B12	$26,640	$41,292
B13	$28,239	$43,770
B14	$29,933	$46,396
B15	$31,729	$49,180
B16	$33,633	$52,130
B17	$35,651	$55,258
B18	$38,146	$61,034
B19	$40,816	$65,306
B20	$43,673	$69,878
B21	$46,731	$74,769
B22	$50,002	$80,003
B23	$53,502	$85,603
B24	$57,247	$91,595
B25	$61,254	$98,007
B26	$67,380	$111,176
B27	$74,118	$122,294
B28	$81,529	$134,524

SCHEDULE B CLASSIFICATION SALARY SCHEDULE
(Continued)

B29	$89,682	$147,976
B30	$98,651	$162,773
B31	$108,516	$179,051
B32	$119,367	$196,956
B33	$131,304	$216,652
B34	$144,434	$238,317
B35	$158,878	$262,148

SCHEDULE C CLASSIFICATION SALARY SCHEDULE

For the Fiscal Years Beginning September 1, 2009, and September 1, 2010

Salary Rates

Group	< 4 Years of Service	≥ 4 Years of Service	≥ 8 Years of Service	≥ 12 Years of Service	≥ 16 Years of Service	≥ 20 Years of Service
C1	35,787					
C2	39,097					
C3	47,221	50,988	54,860	57,504	60,307	61,793
C4		57,578	61,677	64,402	67,377	69,043
C5		64,489	68,859	71,682	74,848	76,714
C6		71,470	76,077	79,001	82,359	84,427
C7		87,719	88,529	88,939	88,939	88,939
C8		91,200	91,935	92,394	92,394	92,394

PART 3. SALARY ADMINISTRATION AND EMPLOYMENT PROVISIONS

Sec. 3.01. Salary Rates.

(a) For each fiscal year of the biennium beginning September 1, 2009, annual salary rates for classified positions are as provided by the Classification Salary Schedules of § 2.01.

(b) In addition to the limits under this Article, the State Classification Office shall review new exempt positions created during the interim and provide recommendations on the appropriate class title and salary group for these positions to the Legislature during the appropriations process.

(c) There is no authority to grant salary increases as part of the conversion of employees to Salary Schedules A, B, and C, except in the cases of:

(1) across-the-board salary increases authorized in this Act; or

(2) employees whose positions are reallocated or reclassified in accordance with § § 654.0155, 654.0156, or 659.254, Government Code.

(d) An employee hired by the State on or after September 1, 2009, including interagency transfers, must be paid at a salary rate that falls within the salary range of the applicable salary group.

(e) Notwithstanding other provisions in this Act, the Department of Public Safety of the State of Texas may pay its employees classified as Corporal I, II, III, IV, or V, Traffic Law Enforcement, at rates that exceed the maximum rates designated in Salary Schedule C by up to $600 per fiscal year.

(f) Employees within the Principals, Teachers, Supervisors, and Coaches title at the Texas School for the Blind and Visually Impaired, the Texas School for the Deaf, and Texas Youth Commission are not subject to the salary administration provisions in Part 3 of this Article.

(g) Notwithstanding other provisions in this Act, the Department of Public Safety, Department of Criminal Justice, Parks and Wildlife Department, and the Alcoholic Beverage Commission of Texas shall pay its employees classified as commissioned peace officers in Salary Schedule C,

salary stipends at rates that exceed the maximum rates designated in Salary Schedule C. Salary stipends shall be paid to commissioned peace officers who achieve certain levels of skill or certifications as approved by the departments. Such skills and certifications shall include:

(1) Education Level: $50 per month for an associate degree, $100 per month for a bachelor degree, and $150 per month for a masters degree.

(2) Commission on Law Enforcement Officer Standards and Education Certification Level: $50 per month for intermediate, $100 per month for advanced, and $150 per month for masters.

(3) Bilingual Capabilities: $50 per month for the ability to speak a language other than English.

Commissioned peace officers may receive a stipend for education level or certification level, but not both. The agencies shall work with the Comptroller to establish an efficient salary reporting and payment system.

Sec. 3.02. Salary Supplementation. Funds appropriated by this Act to a state agency or to an institution of higher education may not be expended for payment of salary to a person whose classified or exempt salary is being supplemented from other than appropriated funds until a report showing the amount and sources of salary being paid from other sources has been reported to the Secretary of State and Comptroller.

Sec. 3.03. Classified Salary Rates. An agency subject to Part 2 or Part 3 of this Article shall make employments of personnel as provided by the Position Classification Plan including paying salaries at rates within the salary schedules provided by this Article IX.

Sec. 3.04. Salary Limits. For the biennium beginning September 1, 2009, the rate for determining the expenditure limitations for merit salary increases and promotions under § 659.261, Government Code, is not limited by this Act as a percentage of the total amount spent by the agency in the preceding fiscal year for classified salaries.

Sec. 3.05. Scheduled Exempt Positions.

(a) Except for the positions listed under Subsection (b)(3) or (c)(6), a position listed following an agency's appropriation in the agency's "Schedule of Exempt Positions" shall receive compensation at a rate not to exceed the amount indicated in that agency's "Schedule of Exempt Positions."

(b) (1) Notwithstanding the rate listed in an agency's "Schedule of Exempt Positions," a position listed in Subsection (b)(3) may receive compensation at a rate set by the Governor in an amount not to exceed the "Maximum Salary" but not less than the "Minimum Salary" for the appropriate group as listed in Subsection (b)(2).

(2) An exempt position listed in Subsection (b)(3) or (c)(6), for which the term "Group," followed by an Arabic numeral, is indicated, may receive compensation at a rate within the range indicated below for the respective salary group indicated.

Scheduled Exempt Position Salary Rates

Group	Minimum Salary	Maximum Salary
1	$70,000	$110,000
2	80,500	126,600
3	92,600	145,600
4	106,500	167,500
5	122,500	192,600
6	140,900	221,500
7	162,000	254,700
8	186,300	292,500

(3)

	Agency	Position	Salary Group
(A)	Fire Fighters' Pension Commissioner:	Commissioner	Group 1;
(B)	Secretary of State:	Secretary of State	Group 5;
(C)	Office of State-Federal Relations:	Executive Director	Group 3;
(D)	Health and Human Services Commission:	Executive Commissioner	Group 8;
(E)	Texas Education Agency:	Commissioner of Education	Group 8;
(F)	Adjutant General's Department:	Adjutant General	Group 5;
(G)	Texas Department of Criminal Justice:	Presiding Officer, Board of Pardons and Paroles	Group 4;
(H)	Texas Department of Criminal Justice:	Parole Board Members (6)	Group 3;
(I)	Texas Commission on Environmental Quality:	Commissioners (3)	Group 6;
(J)	Texas Department of Housing and Community Affairs:	Executive Director	Group 5;
(K)	Texas Workforce Commission:	Commissioners (2)	Group 5;
(L)	Texas Workforce Commission:	Commission Chair	Group 6;
(M)	State Office of Administrative Hearings:	Chief Administrative Law Judge	Group 5;
(N)	Texas Department of Insurance:	Commissioner of Insurance	Group 6;
(O)	Office of Public Insurance Counsel:	Public Counsel	Group 4;
(P)	Public Utility Commission of Texas:	Commissioners (3)	Group 6;
(Q)	Office of Public Utility Counsel:	Public Counsel	Group 4;
(R)	Bond Review Board: and	Executive Director	Group 3;
(S)	Texas Department of Insurance:	Commissioner of Workers' Compensation	Group 5.

(c) (1) Notwithstanding the rate listed in an agency's "Schedule of Exempt Positions," an agency whose exempt position listed following the agency's appropriations in the "Schedule of Exempt of Positions" is listed in Subsection (c)(6)may request to set the rate of compensation provided for the agency's respective exempt position at an amount not to exceed the "Maximum Salary" but not less than the "Minimum Salary" for the appropriate group as listed in Subsection (b)(2).

(2) The request submitted by the governing board of the state agency shall include at a minimum:

(A) The date on which the board approved the request;

(B) A statement justifying the need to exceed the limitation; and

(C) The source of funds to be used to pay the additional salary amount.

(3) The governing board may make a request under subsection (c)(1) a maximum of once per fiscal year or upon a vacancy in an exempt position listed in subsection (c)(6).

(4) A proposed rate increase shall be considered to be approved if neither the Legislative Budget Board nor the Governor issues a written disapproval of the proposal not later than:

(A) the tenth business day after the date the staff of the Legislative Budget Board concludes its review of the proposed rate increase and forwards its review to the Chair of the House Committee on Appropriations, Chair of the Senate Committee on Finance, Speaker of the House, and Lieutenant Governor; and

(B) the tenth business day after the receipt of the proposed transfer by the Governor.

(5) If a proposed rate increase is approved, the Legislative Budget Board shall notify the affected agency, the Governor's Office, and the Comptroller.

(6)

	Agency	Position	Salary Group
(A)	Department of State Health Services	Commissioner	Group 7;
(B)	Department of Family and Protective Services	Commissioner	Group 7;
(C)	Higher Education Coordinating Board	Commissioner	Group 8;
(D)	Department of Aging and Disability Services	Commissioner	Group 7;

(E)	Department of Information Resources	Executive Director	Group 6;
(F)	Department of Assistive and Rehabilitative Services	Commissioner	Group 7;
(G)	Texas Lottery Commission; and	Executive Director	Group 6;
(H)	Texas Youth Commission.	Executive Director	Group 6;
(I)	Preservation Board	Executive Director	Group 4.

(d) In addition to all other requirements, any salary increase from appropriated funds within the limits provided by this section and salary increases within the limit established under an agency's bill pattern, must be:

(1) in writing;

(2) signed by the presiding officer of the governing board;

(3) submitted to the Governor, the Legislative Budget Board and the Comptroller; and

(4) approved by the governing board in a public meeting.

(e) (1) Each title listed in a "Schedule of Exempt Positions" following an agency's appropriation authorizes one position for the agency unless the title is followed by an Arabic numeral indicating the number of positions authorized.

(2) The number of authorized positions for a title listed in a "Schedule of Exempt Positions" may be exceeded only:

(A) for the purpose of hiring a replacement in a key management position as certified by the chief administrator of the agency;

(B) if the current incumbent of the position has formally resigned or otherwise announced irrevocable plans to vacate the position;

(C) for a period of time not to exceed the equivalent of one month's salary per fiscal year per terminating incumbent (excluding time spent on the payroll for the purpose of exhausting accrued annual leave or state compensatory time); and

(D) if exceptions are reported as prescribed for payroll reporting procedures.

Sec. 3.06. Evening, Night, Weekend Shift Pay: Registered Nurses and Licensed Vocational Nurses. A state agency may pay an additional evening shift or night shift differential not to exceed 15 percent of the monthly pay rate to registered nurses or licensed vocational nurses who work the 3:00 p.m. to 11:00 p.m. shift, or its equivalent, or who work the 11:00 p.m. to 7:00 a.m. shift, or its equivalent. An additional weekend shift salary differential not to exceed five percent of the monthly pay rate may be paid to registered nurses and licensed vocational nurses. The weekend shift salary differential may be paid to an eligible individual in addition to the evening shift or night shift salary differential.

Sec. 3.07. Recruitment and Retention Bonuses. A state agency may pay a bonus to an individual as provided by § 659.262, Government Code.

Sec. 3.08. Equity Adjustments.

(a) A state agency is authorized to adjust the salary rate of an employee whose position is classified under the position classification plan to any rate within the employee's salary group range as necessary to maintain desirable salary relationships:

(1) between and among employees of the agency; or

(2) between employees of the agency and employees who hold similar positions in the relevant labor market.

(b) In determining desirable salary relationships under Subsection (a), a state agency shall consider the education, skills, related work experience, length of service, and job performance of agency employees and similar employees in the relevant labor market.

(c) A state agency may award an equity adjustment to an employee under this section only if:

(1) the employee has worked in the employee's current position for not less than six months while maintaining at least a satisfactory level of job performance; and

(2) the adjustment does not take effect during the same fiscal year as another equity adjustment made to the employee's salary under this section.

(d) A state agency shall adopt internal written rules relating to making equity adjustments under this section. The rules shall include procedures under which the agency will review and analyze the salary relationships between agency employees who receive salaries under the same job classification and perform the same type and level of work to determine if inequities exist.

Sec. 3.09. Classification Study on Scheduled Exempt Positions. The State Auditor's Office is directed to conduct a study similar to the annual study on the state's classification plan that reviews the compensation of exempt positions in the General Appropriations Act. The study should compare exempt positions from different agencies and take into account the size of an agency's annual appropriations, FTE level, market average compensation for similar executive positions, the exempt position salary as compared to classified positions within the agency, and other objective criteria the Auditor's Office deems appropriate. The study shall be submitted to all members of the Legislature and the director of the Legislative Budget Board no later than September 1, 2010.

Sec. 3.10. Method of Salary Payments. All annual salaries appropriated by this Act are for full-time employment unless specifically designated as part-time. This section may not be construed to prevent the chief administrator of an agency from paying less than the maximum salary rate specified in this Act for a position, or the employment of a part-time employee to fill a regular position provided for in this Act, so long as the salary rate for such part-time employee is proportional to the regular rate for full-time employment.

Sec. 3.11. Exception - Contracts Less Than 12 Months. Facilities of the Texas Youth Commission in Article V or institutions of higher education or the schools for the blind or deaf in Article III of this Act that make contracts for less than a twelve-month period may pay salaries in equal monthly payments for the period of the contract.

Sec. 3.12. Matching Retirement and Certain Insurance. In each instance in which an operating fund or account is created and named by statute, the responsible officials of the state may transfer into the operating fund or account sufficient monies from treasury funds, local, institutional, or federal funds to pay proportionally the costs of matching state employees' retirement contributions and the state's share of Old Age and Survivors Insurance.

PART 4. GRANT-MAKING PROVISIONS

Sec. 4.01. Emergency and Deficiency Grants Out of Special Funds. For the purposes of §§ 401.061 and 403.075, Government Code, appropriations to the Office of the Governor from "special funds" include excess revenues from General Revenue Fund-Dedicated accounts that were previously special funds above those estimated by the Comptroller in certifying this Act.

Sec. 4.02. Grant Restriction. Funds appropriated by this Act may not be expended for a grant to a law enforcement agency regulated by Chapter 1701, Occupations Code, unless:

(1) the law enforcement agency requesting the grant is in compliance with all rules developed by the Commission on Law Enforcement Officer Standards and Education; or

(2) the Commission on Law Enforcement Officer Standards and Education certifies that the requesting agency is in the process of achieving compliance with such rules.

Sec. 4.03. Grants.

(a) Funds appropriated by this Act for grants of money to be made by state agencies, including the agencies in the legislative branch, are appropriated for the statutory purposes as the grantor agency may specify. A state agency shall distribute grants on a reimbursement or as needed basis unless otherwise provided by statute or otherwise determined by the grantor agency to be necessary for the purposes of the grant.

(b) Funds appropriated by this Act for grants to be made by a state agency for a particular fiscal year may be distributed in subsequent fiscal years so long as the grant has been awarded and treated as a binding encumbrance by the grantor agency prior to the end of the appropriation year of the funds appropriated for grant purposes. Distribution of the grant funds is subject to § 403.071, Government Code.

Sec. 4.04. Grants for Political Polling Prohibited. None of the funds appropriated by the Act may be granted to or expended by any entity which performs political polling. This prohibition regarding political polling does not apply to a poll conducted by an academic institution as a part of the institution's academic mission that is not conducted for the benefit of a particular candidate or party.

Sec. 4.05. Limitation on Grants to Units of Local Government.

(a) The funds appropriated by this Act may not be expended in the form of a grant to, or a contract with, a unit of local government unless the terms of the grant or contract require that the funds received under the grant or contract will be expended subject to limitations and reporting requirements similar to those provided by:

(1) Parts 2 and 3 of this Article (except there is no requirement for increased salaries for local government employees);

(2) § § 556.004, 556.005, and 556.006, Government Code;

(3) § § 2113.012 and 2113.101, Government Code;

(4) § 6.13 of this Article (Performance Rewards and Penalties);

(5) § 7.01 of this Article (Budgeting and Reporting);

(6) § 7.02 of this Article (Annual Reports and Inventories); and

(7) § 2102.0091, Government Code.

(b) In this section, "unit of local government" means:

(1) a council of governments, a regional planning commission, or a similar regional planning agency created under Chapter 391, Local Government Code;

(2) a local workforce development board; or

(3) a MHMR community center.

PART 5. TRAVEL REGULATIONS

Sec. 5.01. Travel Definitions. The definitions established by § 660.002, Government Code, apply to Part 5 of this Article, unless another meaning is clearly provided. In Part 5 of this Article:

(1) "Council of governments" includes:

(A) a council of governments created under Chapter 391, Local Government Code;

(B) a regional planning commission created under Chapter 391, Local Government Code; or

(C) a regional planning agency created under Chapter 391, Local Government Code.

(2) "State agency" includes the entities within the definition of § 660.002(19), Government Code, and also includes a council of governments, a local workforce development board, or a MHMR community center, that uses funds appropriated by this Act to pay for the transportation, meals, lodging, or other travel expenses of its employees.

Sec. 5.02. General Travel Provisions. The funds appropriated by this Act to a state agency for the payment of transportation, meals, lodging, or incidental expenses is the maximum amount that may be

expended by the agency. The funds appropriated by this Act may not be expended for those expenses unless the travel and the resulting requests for payment or reimbursement comply with the conditions and limitations in this Act, Chapter 660, Government Code, and the Comptroller's Rules.

Sec. 5.03. Failure to Comply.

(a) If the State Auditor determines that the travel for which payment was made out of appropriated funds is not in compliance with Chapter 660, Government Code, the State Auditor shall so certify to the Comptroller. The Comptroller shall reduce the appropriation of the state agency that paid the travel expenses by an amount equal to the entire amount paid by the state agency for that individual for that travel occurrence.

(b) The Comptroller shall prepare an annual report indicating the appropriation reductions, by state agency, made pursuant to this section for the previous fiscal year. The Comptroller shall submit the report to the Legislative Budget Board not later than December 1.

Sec. 5.04. Transportation Expenses. For a state employee's use of a personally owned or leased motor vehicle, the mileage reimbursement rate for travel equals the maximum fixed mileage allowance specified in the revenue rulings issued by the Internal Revenue Service under the federal income tax regulations as announced by the Comptroller.

Sec. 5.05. Transportation in Personally Owned or Leased Aircraft.

(a) The rate of reimbursement to be paid to a key official, member of a board, commission, or a member of the Legislature for travel in the person's personally owned or leased aircraft, either within or without the boundaries of this state, is the maximum fixed mileage allowance specified in the revenue rulings issued by the Internal Revenue Service under the federal income tax regulations or alternatively as determined by the Comptroller the rates adopted by the United States Administrator of General Services as announced by the Comptroller.

(b) The rate of reimbursement for a state employee when the employee travels in the employee's personally owned or leased aircraft, either within or without the boundaries of this state, is:

(1) 40 cents per highway mile when traveling in single-engine aircraft; or

(2) 50 cents per highway mile when traveling in twin-engine, turbine-powered, or other aircraft.

Sec. 5.06. Travel Meals and Lodging Expenses.

(a) A state employee who travels within the continental United States shall be reimbursed for the actual cost of lodging and meals. However, the reimbursements may not exceed the maximum meals and lodging rates based on the federal travel regulations, issued by the Comptroller; unless the agency head or designee of the agency head determines that local conditions necessitate a change in the lodging rate for a particular location. If an employee travels to a location where an allowance has not been set by the Comptroller, the Comptroller shall establish a rate for that location.

(b) At the discretion of each chief administrator of a state agency, a state employee whose duties require the employee to travel outside the employee's designated headquarters without an overnight stay away from the employee's headquarters may be reimbursed for the actual cost of the employee's meals not to exceed $36.

(c) A state employee may receive reimbursements for the employee's actual expenses for meals and lodging when traveling outside the continental United States.

(d) A state agency or institution may reimburse a state employee for a meal expense the employee incurs while traveling outside the employee's designated headquarters for less than six consecutive hours if the reimbursement:

(1) receives the written approval by the chief administrator of the state agency or institution;

(2) meets the rules adopted by the Comptroller regarding reimbursement for traveling outside the employee's designated headquarters for less than six consecutive hours; and

(3) complies with § 660.206, Government Code.

Sec. 5.07. Special Provisions Regarding Travel Expenses. Reimbursement for meals and lodging as authorized by Subchapter H, Chapter 660, Government Code, on an "actual expenses" or "actual amount of" basis may not exceed twice the maximum rates specified in § 5.06 of this Article.

Sec. 5.08. Limitation on Travel Expenditures.

(a) In this section "travel" refers only to travel outside the state of Texas, except as provided by Subsection (k) of this section.

(b) (1) None of the funds appropriated by this Act may be expended, without the prior approval of the Legislative Budget Board, for travel purposes if such expenditure would cause the agency's or institution's travel expenditures for that fiscal year to exceed the greatest of:

(A) 125 percent of that agency's or institution's fiscal year 2000 amount of travel expenditures; or

(B) 100 percent of that agency's or institution's fiscal year 2000 amount of travel expenditures plus $10,000; or

(C) 100 percent of that agency's or institution's fiscal year 2000 amount of travel expenditures plus any excess travel expenditure amounts approved by waiver.

(2) The general limitations provided by this subsection apply in addition to the limits of any additional agency specific limitation.

(3) In the event that a state agency or institution had, as determined by the Comptroller, no expenditures for travel outside the state of Texas during fiscal year 2000, the general limitations provided by Subsection (b)(1) shall not apply, but out-of-state travel spending may not exceed in either year of the biennium the amount spent for that purpose in the last state fiscal year in which out-of-state travel occurred.

(c) The Legislative Budget Board may consider requests from agencies which demonstrate circumstances which would make such reductions in actual travel impractical or inefficient in accomplishing the goals and strategies contained in their appropriations pattern. Such circumstances may include: new or expanded programs, law enforcement, tax collection activities, statutorily mandated travel, or other pressing public purposes.

(d) The Comptroller shall prescribe accounting procedures and reporting requirements to administer this section and to ensure that expenditures for travel by all state agencies and institutions of higher education are properly reported and monitored.

(e) (1) Upon notification by the Comptroller that a state agency or institution of higher education has exceeded the travel cap limit as specified in Subsection (b) of this section for two consecutive fiscal years without the written approval of the Legislative Budget Board, the state agency or institution of higher education may not pay or reimburse with funds appropriated by this Act, a travel expense for travel to conventions, conferences, or seminars except as provided by this Subsection (e).

(2) The Comptroller may allow a state agency or institution of higher education to reimburse or pay a travel expense incurred by an employee on or after the date the agency or institution receives notice of its exceeding the limits if:

(A) the expense is incurred while the employee is returning to the employee's designated headquarters;

(B) the reimbursement or payment is necessary to prevent unreasonable hardship to the employee; or

(C) the expense is incurred while the employee is completing official state business that the agency or institution deems critical to fulfillment of the agency's or institution's constitutional or statutory duties.

(3) The Comptroller shall notify the Legislative Budget Board if the Comptroller allows such a payment or reimbursement. The notification must include the reason that the payment or reimbursement is allowed. The Legislative Budget Board may then direct the Comptroller to reduce the agency's or institution's appropriation by the amount of the payment or reimbursement if in the Legislative Budget Board's opinion the payment was the result of an agency failing to comply with the notification by the Comptroller.

(f) All documents filed by an appointed officer under this section are public information. In this section, the term "public information" has the meaning provided by Chapter 552, Government Code.

(g) In this section "appointed officer" includes all persons included under the definition provided by Chapter 572, Government Code, except that for the purposes of the definition of "appointed officer," the term "state agency" also includes a council of governments, a local workforce development board, or a mental health mental retardation community center that uses funds appropriated by this Act to pay for the transportation, meals, lodging, or other travel expenses of its employees or officials. For the purpose of this provision, the term "council of governments" shall include a council of governments, a regional planning commission, or similar regional planning agency created under Chapter 391, Local Government Code.

(h) An appointed officer may not receive reimbursement from funds appropriated by this Act for expenses related to travel before filing with the Texas Ethics Commission copies of all documents that will be submitted to the Comptroller and Legislative Budget Board in support of the travel expense claim.

(i) Funds appropriated by this Act may not be used to pay expenses for a trip to foreign countries, except for Canada or Mexico, unless the board or commission of each state agency and institution of higher education has approved the travel before departure. A copy of the approval must be attached to each travel voucher submitted to the Comptroller. By October 1 of each year, each agency and institution of higher education must submit a report on all foreign travel with required approvals to the Governor and the Legislative Budget Board.

(j) In implementing this rider, state agencies shall review their travel policies in order to ensure that travel which is critical to the delivery of services consistent with the mission of the agency is not affected.

(k) Travel expenses incurred within the Washington, D.C. area by the Office of State-Federal Relations (OSFR) and by state agencies and institutions of higher education that are represented by their employees in the Washington, D.C. office of OSFR shall be considered in-state travel for the purpose of calculating the agencies' compliance with out-of-state travel limitation provisions.

Sec. 5.09. Travel and Per Diem of Board or Commission Members.

(a) As authorized by § 659.032, Government Code, the per diem of state board and commission members consists of:

(1) compensatory per diem, if specifically authorized by law, at $30 per day; and

(2) at the rates provided by this Act for state employees, expense per diem, which includes:

(A) reimbursement of actual expenses for meals, at the rates provided by this Act for state employees;

(B) lodging at the rates provided by this Act for state employees;

(C) transportation at the rates provided by this Act for state employees; and

(D) incidental expenses.

(b) If a law enacted after former Article 6813f, VTCS, (September 1, 1983), authorizes per diem for members of a particular state board or commission, but does not specify the amount of the per diem, then the amount of the per diem is the amount provided by Subsection (a).

(c) A full-time employee paid from funds appropriated by this Act may not be paid both a salary and compensatory per diem for concurrent service as a state employee and as a board or commission member.

Sec. 5.10. Travel of Advisory Committee Members.

(a) For the purpose of this section, the term "advisory committee" has the meaning assigned by § 2110.001, Government Code.

(b) In addition to the limits placed on reimbursement of advisory committee member expenses by this section and to the extent not otherwise limited by this Act or other law, a member of a state agency advisory committee may be reimbursed, at the rates specified in this Act for a state employee, for actual expenses for meals, lodging, transportation, and incidental expenses.

(c) The funds appropriated by this Act may not be expended to reimburse a member of a state agency advisory committee for expenses associated with conducting committee business, including travel expenses, unless the expenditures for an advisory committee are within the limits provided by this section and other law and are:

(1) specifically authorized by this Act; or

(2) approved by the Governor and the Legislative Budget Board subsequent to the effective date of this Act.

(d) The limitations provided by this section do not apply to an advisory committee established by the governing board of a retirement system trust fund.

(e) The limitations provided by this section apply only to an advisory committee that is subject to Chapter 2110, Government Code.

(f) Unless otherwise specifically provided for in this Act or by the written authorization of the Legislative Budget Board and Governor, and pursuant to Government Code, § 2110.004, total amounts expended in each fiscal year of the biennium for reimbursement of expenses for an advisory committee authorized to be reimbursed elsewhere in this Act by agencies and institutions, out of funds appropriated to those entities, may not exceed one hundred and twenty-five percent (125%) of total expenditures for reimbursement of the same advisory committee by the agency or institution in fiscal year 2003.

PART 6. GENERAL LIMITATIONS ON EXPENDITURES

Sec. 6.01. Definitions. In this Act "unexpended balance" or the abbreviation "UB" means the unobligated balance remaining in an appropriation, i.e., only that part of an appropriation, if any, that has not been set apart by the incurring of an obligation, commitment, or indebtedness by the state agency authorized to spend the appropriation. A reference in this Act to "unexpended balance" or "UB" is a reference to the unobligated balance of an amount appropriated by this Act for the fiscal year ending August 31, 2010, unless another meaning is clearly indicated.

Sec. 6.02. Interpretation of Estimates. In the event the amounts of federal funds, local funds, or funds other than appropriations from the General Revenue Fund, have been estimated in this Act in sums greater than are actually received by the respective agencies of the state, this Act may not be construed as appropriating additional funds from General Revenue to make up such differences. Wherever the language of this Act appropriates all receipts or balances from a specified source but uses an estimated amount to inform the Legislature and the public, the estimated figure is not to be construed as a limitation on the amount appropriated.

Sec. 6.03. Excess Obligations Prohibited.

(a) An agency specified in this Act may not incur an obligation in excess of the amounts appropriated to it for the respective objects or purposes named.

(b) As a specific exception to Subsection (a) the Comptroller of Public Accounts may determine that a proposed installment purchase arrangement is cost effective and certify this finding in response to an agency request.

(c) A determination made by the Comptroller of Public Accounts under Subsection (b) may be made for obligations incurred for the purchase or lease of automated information system equipment only if the agency has on file with the Legislative Budget Board a Biennial Operating Plan, including any amendments to the Biennial Operating Plan, and the plan has been approved by the Legislative Budget Board.

(d) If this section is violated, the State Auditor shall certify the fact of the violation and the amount of over-obligation to the Comptroller, and the Comptroller shall deduct an amount equivalent to the over-obligation from the salary or other compensation due the responsible disbursing or requisitioning officer or employee, and apply the amount to the payment of the obligation.

(e) This provision is specified pursuant to § 10, Article XVI, Texas Constitution.

Sec. 6.04. Interpretation of Legislative Intent. Funds appropriated by this Act shall be expended, as nearly as practicable, for the purposes for which appropriated. In the event an agency cannot determine legislative purpose from the pattern of appropriations, the agency shall seek to determine that purpose from the proceedings of the legislative committees responsible for proposing appropriations for this state.

Sec. 6.05. Comptroller's Duty to Pay. The Comptroller may not refuse to pass for payment a legal claim, factually justified, for which a valid appropriation has been made.

Sec. 6.06. Last Quarter Expenditures.

(a) A state agency or other governmental unit using funds appropriated by this Act may not expend during the last quarter of a fiscal year more than one-third of the funds appropriated for that fiscal year.

(b) Specifically exempted from Subsection (a) are:

(1) expenditures contracted for in previous quarters;

(2) funds required by statute, rule or regulation to be expended on a different time frame;

(3) seasonal employment of personnel;

(4) construction contracts;

(5) contracts dealing with purchases of food, medicines, or drugs;

(6) expenditures related to the Children with Special Health Care Needs program operated by the Department of State Health Services; and

(7) expenditures occasioned by disaster or other Act of God.

(c) The funds exempted, under Subsection (b) may not be considered in the computation of the total funds appropriated in a fiscal year for the purpose of applying Subsection (a).

Sec. 6.07. Employee Benefit and Debt Service Items.

(a) Funds appropriated in the various Articles of this Act for "Employees Retirement System," "Social Security State Match," "Benefit Replacement Pay," "Texas Public Finance Authority-G.O. Bond Debt Service Payments," and "Lease-Payments to the Texas Public Finance Authority" may be transferred between Articles to a like appropriation item without limitation as to the amount of such transfer.

(b) An agency to which an appropriation listed under Subsection (a) is made may pool such appropriations, made in the various Articles for a common purpose, into a single cost pool for the purpose of administering the appropriation.

Sec. 6.08. Benefits Paid Proportional by Fund.

(a) Unless otherwise provided, in order to maximize balances in the General Revenue Fund, payment for benefits paid from appropriated funds, including "local funds" and "education and general funds" as defined in § 51.009 (a) and (c), Education Code, shall be proportional to the source of funds except for public community or junior colleges.

(b) Unless otherwise specifically authorized by this Act, the funds appropriated by this Act out of the General Revenue Fund may not be expended for employee benefit costs, or other indirect costs, associated with the payment of salaries or wages, if the salaries or wages are paid from a source other than the General Revenue Fund except for public community or junior colleges. For purposes of this Act, a public community or junior college may expend funds appropriated for employee benefit costs for any employee if the employee is: (1) otherwise eligible to participate in the group benefits program; and (2) an instructional or administrative employee whose salary may be fully paid from funds appropriated under the General Appropriations Act, regardless of whether the salary is actually paid from appropriated funds. Payments for employee benefit costs for salaries and wages paid from sources, including payments received pursuant to interagency agreements or as contract receipts, other than the General Revenue Fund shall be made in proportion to the source of funds from which the respective salary or wage is paid or, if the Comptroller determines that achieving proportionality at the time the payment is made would be impractical or inefficient, then the General Revenue Fund shall be reimbursed for any such payment made out of the General Revenue Fund.

(c) The Comptroller, after consulting with the Legislative Budget Board and the State Auditor's Office, shall develop and maintain rules to provide for the administration of this section.

(d) Each agency or institution of higher education (excluding a community or junior college) having General Revenue Fund appropriations and other sources of financing shall file with the Comptroller and the State Auditor a report demonstrating proportionality. The report shall be filed before November 20th following the close of the fiscal year for the salaries, wages, and benefits of the preceding year ended August 31. The report shall be in a format prescribed by the Comptroller in collaboration with the Legislative Budget Board and the State Auditor's Office. The State Auditor shall at least biennially review agency and institution (excluding a community or junior college) compliance with the requirements of this section if the agency or institution (excluding a community or junior college) receives funds appropriated under Articles II, III, or VI of this Act. The Comptroller, on receipt of notification from the State Auditor of amounts disproportionally paid from General Revenue Fund appropriations, shall reduce current year General Revenue Fund appropriations of the agency or institution until such time as such amounts are repaid from sources other than the General Revenue Fund.

Sec. 6.09. Appropriations from Special Funds. Notwithstanding other provisions of this Act, appropriation amounts from special funds or special accounts in the General Revenue Fund are specifically limited to amounts not to exceed the actual balances and revenues available to each such fund or account.

Sec. 6.10. Limitation on State Employment Levels.

(a) Without the written approval of the Governor and the Legislative Budget Board, a state agency or institution of higher education may not use funds appropriated by this Act to pay all or part of the salaries or benefits of a number of employees which would cause the number of full-time equivalent employees (FTEs) paid from funds appropriated by this Act by the state agency or institution of higher education for a fiscal quarter to exceed the figure indicated by this Act for that state agency or institution.

(b) A request by a state agency or institution of higher education to exceed or reduce the FTE limitations established by this section must be submitted by the governing board of the state agency or institution of higher education and must include at a minimum:

(1) the date on which the board approved the request;

(2) a statement justifying the need to exceed or reduce the limitation;

(3) the source of funds to be used to pay any additional salaries; and

(4) an explanation as to why the functions of any proposed additional FTEs cannot be performed within current staffing levels.

(c) For the purpose of Subsection (a), the number of FTEs employed by a state agency (not including an institution of higher education or an affiliated entity, the State Preservation Board, Parks and Wildlife Department, Texas School for the Blind and Visually Impaired, Texas School for the Deaf, and Texas Commission on Environmental Quality) for a fiscal quarter:

(1) shall be determined in accordance with the report filed pursuant to § 2052.103, Government Code;

(2) shall include only employees paid with funds appropriated through this Act;

(3) shall not include overtime hours; and

(4) shall include a position filled by temporary or contract workers for more than half of the work days of the year preceding the final day of the reporting period. Temporary or contract workers shall include workers employed under contract to fill specific positions customarily filled by state employees. The State Auditor is authorized to provide interpretations of this provision.

(d) For the purpose of Subsection (a), the number of FTEs employed by the State Preservation Board, Texas Commission on Environmental Quality, the Parks and Wildlife Department, the Texas School for the Blind and Visually Impaired, the Texas School for the Deaf, or an institution of higher education or an affiliated entity, for a fiscal year:

(1) shall be determined in accordance with the reports filed pursuant to § 2052.103, Government Code;

(2) shall be an average of the four reports filed for that fiscal year;

(3) shall include only employees paid with funds appropriated through this Act;

(4) shall not include overtime hours; and

(5) shall include a position filled by temporary or contract workers for more than half of the work days of the year preceding the final day of the reporting period. Temporary or contract workers shall include workers employed under contract to fill specific positions customarily filled by state employees. The State Auditor is authorized to provide interpretations of this provision.

(e) This section shall not apply to appropriations made by this Act to the:

(1) Office of the Governor; or

(2) Comptroller when that agency has determined by a cost/benefit analysis that an outsourcing or contracting arrangement provides savings to this State.

(f) The limitations on FTEs under this section do not apply to a state agency or institution in instances of employment, including employment of temporary or contract workers, directly associated with events declared disasters by the Governor. Each state agency or institution shall annually notify the State Auditor, Comptroller, Legislative Budget Board, and Governor of FTEs exempted under this section.

(g) (1) The limitations on FTEs under this section do not apply to a state agency or institution in an instance of employment, including employment of a temporary or contract worker, if the FTEs associated with that project are not included in the number of FTEs allowed in the agency's bill pattern and the employees are associated with:

(A) implementation of a new, unanticipated project that is 100 percent federally funded; or

(B) the unanticipated expansion of an existing project that is 100 percent federally funded.

(2) With regard to the exemption from the FTE limitations provided by this Subsection (g), a state agency or institution is exempt from the FTE limitations only for the duration of the federal funding for the employment related to the project and all salaries, benefits, and other expenses incurred related to employment must be paid from federal funds.

(3) This Subsection (g) does not exempt any employees associated with existing projects that are 100 percent federally funded and included in the number of FTEs allowed in the agency's bill pattern.

(4) Each state agency or institution shall notify the State Auditor, Comptroller, Legislative Budget Board, and Governor of FTEs exempted under this Subsection (g).

(h) If a program is transferred from a state agency or institution of higher education, then at any time during the biennium, the Legislative Budget Board and the Governor may agree to reduce the number of FTEs paid from funds appropriated by this Act by the state agency or institution of higher education for one or more fiscal quarters to a figure below that indicated by this Act for that agency or institution.

Sec. 6.11. Purchases of Postage.

(a) If the expenditures for postage by an agency, other than the Legislature or an institution of higher education, exceed $4,000 for a fiscal year, the agency shall purchase postage only in accordance with § 2113.103(c), Government Code.

(b) The amount received by an agency as a refund of postage used by the agency shall be deposited in the fund to the credit of the appropriation from which postage for the agency is paid and is hereby appropriated to the agency for postage use.

Sec. 6.12. Expenditures for State-Federal Relations.

(a) Funds appropriated by this Act may not be spent by a state agency to carry on functions for which funds have been appropriated to the Office of State-Federal Relations to perform except when an interagency contract has been executed between the Office of State-Federal Relations and the state agency.

(b) Prior to travel to the Washington, D.C. area, including any trip with a destination to the Reagan-National, Dulles, or Baltimore Washington International airports, state agency personnel shall inform the Office of State-Federal Relations regarding:

(1) the timing of the trip;

(2) the purpose of the trip; and

(3) the name of a contact person for additional information.

(c) Under Subsection (b) the term "travel" is limited to only activities:

(1) involving obtaining or spending federal funds; or

(2) impacting federal policies.

Sec. 6.13. Performance Rewards and Penalties.

(a) It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of each state agency and institution. In order to achieve the objectives and service standards established by this Act, agencies and institutions shall make every effort to attain the designated key performance target levels associated with each item of appropriation.

(b) To support and encourage the achievement and maintenance of these appropriated annual performance levels, continued expenditure of any appropriations in this Act shall be contingent upon compliance with the following provisions:

(1) Agencies and institutions, in coordination with the Legislative Budget Board, shall establish performance milestones for achieving targets within each annual budget and performance period; time frames for these milestones and the related performance reporting schedule shall be under guidelines developed and maintained by the Legislative Budget Board.

(2) Agencies and institutions shall provide testimony as to the reasons for any performance variances to the Senate Finance Committee and the House Appropriations Committee, as

determined to be necessary by those committees; assessments of agency and institution performance shall be provided to the committees under guidelines and procedures developed and maintained by the Legislative Budget Board.

(c) Upon a finding that an agency or institution has successfully met or exceeded performance expectations, or has failed to achieve expected performance levels, the Legislative Budget Board, and the Governor, may adopt a budget execution order, which may include but is not limited to, one or more of the following:

(1) Positive Incentives/Rewards - Increased funding, exemption from reporting requirements, increased funding transferability, formalized recognition or accolade, awards or bonuses, expanded responsibility, or expanded contracting authority; or

(2) Negative Incentives/Redirection - Evaluation of outcome variances for remedial plan, reduction of funding, elimination of funding, restriction of funding, withholding of funding, reduction of funding transferability, transfer of functional responsibility to other entity, recommendation for placement in conservatorship, direction that a management audit be conducted or direction that other remedial or corrective actions be implemented.

(3) The Legislative Budget Board may develop and maintain rules and procedures for the implementation of the above provisions.

(4) The Legislative Budget Board may request comments from the State Auditor's Office regarding performance penalties and rewards.

(d) To further foster, support, and reward outstanding performance, ongoing productivity improvements and innovative improvement programs, and to retain key high performing employees, qualified state agencies and institutions may expend amounts necessary from funds appropriated in this Act for the purposes of enhancing compensation for employees who directly contributed to such improvements. Only classified employees (including classified employees of institutions of higher education) are eligible for the form of enhanced compensation authorized by this section, and this award shall not exceed 6.8 percent of an employee's annual base pay. To be eligible for this provision, an agency or institution must:

(1) Achieve or exceed targets for 80 percent of the established key performance measures:

(A) For fiscal year 2010, eligibility shall be determined by the Legislative Budget Board based on performance reported to the Automated Budgeting and Evaluation System of Texas (ABEST) for fiscal year 2009;

(B) For fiscal year 2011, eligibility shall be determined by the Legislative Budget Board based on performance reported to ABEST for fiscal year 2010; and

(2) Have an unqualified certification for at least 70 percent of its performance measures as shown by its most recent certification review by the State Auditor's Office; and

(3) File a report with the Comptroller, Legislative Budget Board, Governor, House Appropriations Committee, and Senate Finance Committee describing the success of the innovative program and criteria used to assess the improvements; and

(4) Sixty days prior to implementation file a report with the Comptroller, Legislative Budget Board, Governor, House Appropriations Committee, and Senate Finance Committee describing in detail how the agency intends to use this flexibility to further the goals of this section.

Sec. 6.14. Bookkeeping Entries. Should clerical or bookkeeping errors result in any monies being expended, transferred, or deposited into incorrect funds in or with the state treasury or any monies being cleared from a trust and suspense fund to other than the proper fund, such erroneously expended, transferred, deposited, or cleared monies may be transferred to the correct funds or accounts or trust and suspense account within the state treasury on request of the administering department with the concurrence of the Comptroller, and so much as is necessary for said transfer is hereby appropriated.

Sec. 6.15. Accounting for State Expenditures.

(a) Notwithstanding the various patterns of appropriation established in this Act, the Comptroller shall account for the expenditure of funds appropriated by this Act in a manner that allows for the reporting of expenditures attributable to each strategy in each agency's respective Strategic Planning and Budget Structure as approved by the Governor and the Legislative Budget Board. The information shall be recorded and maintained systematically in the state accounting system in a manner that provides for the integration of the state's budget data and the state's accounting data and to facilitate the state's budget development process.

(b) This section does not require the deposit into and subsequent disbursement of funds from the state treasury that relate to Texas Public Education Grants, Skiles Act Debt Service, or "local funds" defined in § 51.009, Education Code, except for tuition and lab fees.

Sec. 6.16. Fee Increase Notification. None of the funds appropriated by this Act may be expended by an agency which increases the rate of a fee assessed by that agency unless the agency provides a notice to the payer of the fee that the fee rate was set by the agency or its governing board and not mandated by the Legislature.

Sec. 6.17. Consolidated Funds. Contingent on the enactment of legislation relating to the dedication of funds, the Comptroller, on approval of the Legislative Budget Board, may change an applicable agency's method of financing source name as provided in this Act to reflect changes made by the other legislation that affects the status of the funding source. No change in the amount of the appropriation would be affected by this change.

Sec. 6.18. Demographic and Statistical Studies. Before expending funds appropriated by the Act for the purpose of contracting for a consultant or other private assistance in performing a study required by the Legislature that includes statistical or demographic analysis of data, the agency conducting the study shall determine if the resources of the Texas Legislative Council or the Office of the State Demographer and the Texas State Data Center at The University of Texas at San Antonio are available to assist the agency in designing or conducting that component of the study.

Sec. 6.19. Cost Allocations. For the purpose of more effective and efficient identification and allocation of costs, and to effect timely payments to employees and vendors, agencies may temporarily charge salary and/or operating costs to appropriations most applicable for the expense being incurred. Upon receipt of more specific information such as personnel-time allocation information for payrolls, or allocation of office supplies or other goods and services, agencies may reimburse the original paying appropriations by transfer from the appropriation to which the expenditure should have been charged. Such transfers must be accomplished within twelve months in a manner which records appropriate expenditures to the borrowing appropriation and negative expenditures to the lending appropriation. These transfers may be in summary amounts in a manner approved by the Comptroller. Each agency must maintain adequate detailed records to support summary transfer amounts.

Sec. 6.20. Use of Appropriations to Contract for Audits.

(a) Notwithstanding any other law, or other sections of this Act, none of the funds appropriated in this Act shall be used by the agencies or institutions of higher education to enter into a contract with an independent audit entity for audit services, except as specified by this section.

(b) An agency or institution appropriated funds in this Act may use funds appropriated in this Act to:

(1) Enter into an interagency contract with the State Auditor's Office (SAO) for the SAO to provide audit services to the agency or institution. At the discretion of the State Auditor and the Legislative Audit Committee, the SAO may conduct the audit or the SAO may enter into a contract with an independent audit entity to conduct the audit; or

(2) Enter into a contract with an independent audit entity for the provision of audit services pursuant to § 321.020, Government Code, if:

(A) the SAO has reviewed the scope of the proposed audit and has issued a written approval for the scope of the proposed audit, and

(B) the SAO has delegated the authority to enter into the proposed audit to the agency or institution, in the event the agency or institution does not have a specific statutory delegation of authority to enter into a contract for audit services.

Sec. 6.21. Limitations on Use of Appropriated Funds. Funds appropriated by this Act, other than those appropriated to an institution of higher education, may be expended only for items set out in the expenditure classifications of the Comptroller's Manual of Accounts insofar that an agency expending the appropriated funds has existing statutory authority for making the expenditures and the expenditures are not otherwise limited or prohibited in this Act.

Sec. 6.22. Definition, Appropriation, Reporting and Audit of Earned Federal Funds.

(a) Definition. Earned Federal Funds are defined as all monies received in connection with each entitlement period of a federally funded contract, grant or program, excluding reimbursements under § 8.02(c) of this Article which are not required by the governing agreement to be distributed thereon. Typically, EFF arise from recoveries of costs previously paid from a nonfederal fund source, indirect cost allocations, interest earned on federal funds, and minor sources such as the sale of fixed assets purchased with federal funds. These funds are received in connection with a federally funded program but are not required by the governing agreement to be distributed on that program. For state accounting purposes, EFF are defined as revenues collected and deposited into the state General Revenue Fund as Comptroller revenue object codes 3602, 3702, 3726, 3851, 3965, 3971 and 3972.

(b) Collected Revenue. General Revenue in the amounts specified by year below is appropriated in agency bill patterns elsewhere in this Act and is contingent on collection of EFF revenues by the following agencies:

	2010	2011
Article I: General Government		
Attorney General	$7,586,894	$7,727,079
Trusteed Programs of the Governor	1,163,903	926,250
Library & Archives Commission	110,630	110,630
Veterans Commission	1,099,521	1,099,521
Article II: Health and Human Services		
Department of Aging and Disability Services	$9,266,430	$9,266,430
Department of Assistive and Rehabilitative Services	2,975,812	2,975,812
Department of Family and Protective Services	1,125,374	1,125,374
Department of State Health Services	4,500,000	4,500,000
Health and Human Services Commission	10,416,109	10,416,109
Article III: Education		
Texas Education Agency	$2,400,000	$2,400,000
Higher Education Coordinating Board	936,229	399,950
Article V: Public Safety and Criminal Justice		
Adjutant General's Department	$107,900	$107,900
Department of Public Safety	1,489,000	1,489,000
Youth Commission	85,000	85,000
Article VI: Natural Resources		
Department of Agriculture	$3,721,101	$3,721,101
Animal Health Commission	352,343	333,967
Commission on Environmental Quality	5,000,000	5,000,000
Parks and Wildlife Commission	225,000	225,000
Railroad Commission	903,112	903,112
Water Development Board	379,015	379,015
Article VII: Business and Economic Development		
Housing and Community Affairs	$1,249,000	$1,249,000
Office of Rural Community Affairs	242,517	242,517
Workforce Commission	475,000	475,000
Article VIII: Regulatory		
Department of Insurance	$258,861	$258,861
Total, General Revenue in Lieu of Earned Federal Funds	**$56,068,751**	**$55,416,628**

(c) Reporting and Appropriation. On a quarterly basis, the Comptroller shall notify the Legislative Budget Board and Governor of the EFF amounts deposited by agency. In the event that an

agency specified above collects and deposits more EFF than identified above in fiscal year 2010, the agency is hereby appropriated the additional amounts subject to the following conditions:

(1) At least 30 days prior to budgeting or expending the EFF above the 2010 level above, the agency shall report the anticipated amounts and proposed use of these funds to the Legislative Budget Board.

(2) Notification shall include information regarding the need that will be served with the additional revenue.

(3) Notification shall also identify the impact on established performance targets, measures, capital budget authority, and full-time-equivalent positions.

(d) Reporting and Appropriation. Subsection (c) authority and requirements shall also apply to fiscal year 2011.

(e) No Unexpended Balance Authority from Fiscal Year 2009 for Agencies. The amounts of General Revenue above for all listed agencies exclude any unexpended balances of EFF that remain on August 31, 2009. It is assumed that any remaining balances of EFF on August 31, 2009, lapse to the General Revenue Fund.

(f) Unexpended Balance Authority Between Years of the 2010-2011 Biennium. Any EFF balances in excess of the amounts identified in Subsection (b) or any balance remaining from the amounts identified in Subsection (b) on August 31, 2010 may be carried forward into fiscal year 2011.

(g) Benefits Proportional if Used for Salaries. Revenues collected as EFF as authorized and generated by each of the agencies above cover, at a minimum, the cost of the General Revenue appropriations specified above and any associated employee benefits in the event that these revenues are used to pay salaries.

(h) Federal Monies Collected for Post-retirement Health Care. Federal monies collected for post-retirement health care costs shall be deposited as unappropriated general revenue and are not eligible for appropriation by this provision.

(i) Amounts Contingent on Collection. The yearly amounts by agency identified above are contingent on collection. In the event that actual and/or projected revenue collections are insufficient to offset the appropriations identified in this provision, the Comptroller shall reduce the General Revenue appropriations provided by this Act to be within the amount of EFF collections expected to be available.

(j) Contingency Appropriation for Additional Agencies. In the event that an agency not identified above enters into an agreement with a federal agency which results in the receipt of EFF which are a new source of collections not anticipated for fiscal years 2010 and 2011, the affected agency shall furnish documentation of the new revenue to the Comptroller. If the Comptroller finds the information sufficient to support the revenue stream as a new collection, a finding of fact shall be issued and the additional EFF collections are hereby appropriated subject to the notification requirements in Subsections (c) and (d).

(k) Audit. The depositing and classification practices of Earned Federal Funds by agencies referenced above shall be subject to audit by the State Auditor's Office.

PART 7. REPORTING REQUIREMENTS

Sec. 7.01. Budgeting and Reporting.

(a) As a limitation and restriction upon appropriations made by this Act, agencies and institutions of higher education appropriated funds by this Act may expend funds only if there is compliance with the following provisions:

(1) On or before December 1 of each fiscal year, an itemized budget covering the operation of that fiscal year shall be filed with the Governor, the Legislative Budget Board, the Comptroller, and the Legislative Reference Library in the format prescribed jointly by the Legislative Budget Board and the Governor.

(2) All subsequent amendments to the original budget shall be filed with the Governor and the Legislative Budget Board within 30 days of approval of such amendments unless such reporting requirement is waived.

(3) Under guidelines developed by the Legislative Budget Board, each agency shall file a report with the Legislative Budget Board, the Governor, the Legislative Reference Library, the state publications clearinghouse of the Texas State Library, State Auditor's Office, and the appropriate substantive committees of the House and Senate. The report shall analyze the agency's performance relative to the attainment of stated outcome, output and efficiency targets of each funded goal and strategy. The report shall be submitted at such intervals required by the Legislative Budget Board. The report shall contain a comparison of actual performance for the reporting period with targeted performance based on the level of funding appropriated. In developing guidelines for the submission of agency performance reports, the Legislative Budget Board (in consultation with the Governor) shall:

(A) specify the measures to be reported including the key performance measures established in this Act;

(B) approve the definitions of measures reported; and

(C) establish standards for and the reporting of variances between actual and targeted performance levels.

(4) The Legislative Budget Board (in consultation with the Governor) may adjust projected performance target levels, develop new measures, modify or omit existing measures and measure definitions, and/or transfer measures between agencies, goals or strategies to reflect appropriation changes made by riders or other legislation subsequent to passage of this Act, invocation of budget execution authority by the Governor and the Legislative Budget Board, or as unforeseen circumstances may warrant during the biennium.

(5) To ensure that the Program and Cost Accounting functions of the Uniform Statewide Accounting System (USAS) are maximized, it is the intent of the Legislature that the Legislative Budget Board and the Governor:

(A) determine the agencies, institutions, goals, strategies or other reporting units for which cost accounting data is required;

(B) approve the basis for calculating and allocating costs to selected functions, tasks or measures;

(C) determine the frequency of reporting cost accounting data needed; and

(D) provide for the integration of cost accounting data into the budget development and oversight process.

(6) The determinations to be made should be based upon due consideration of the relative benefits and cost-effectiveness of applying cost accounting requirements to a given state operation.

(b) It is further the intent of the Legislature that the Comptroller develop and provide USAS training modules and support for state agencies and institutions to activate the cost accounting requirements addressed above.

Sec. 7.02. Annual Reports and Inventories.

(a) None of the monies appropriated by this Act may be expended after November 20th following the close of the fiscal year unless an annual financial report has been filed by the executive head of each agency specified in this Act in accordance with § 2101.011, Government Code.

(b) The Comptroller shall withhold any appropriations for expense reimbursements for the heads of agencies or any employees of such agencies until delinquent reports have been filed with the Comptroller.

(c) "Heads of agencies" as used in this section mean the elected and appointed officials, members of commissions, boards, etc., and the chief administrative officer of such department, board, commission, bureau, office, or agency of the state for which appropriations are made in this Act.

Sec. 7.03. Notification to Members of the Legislature.

(a) An agency may not use funds appropriated by this Act to close an agency's field office unless the agency provides notification to affected members of the Legislature prior to the public announcement of the closing of the field office.

(b) It is the intent of the Legislature that at the time of announcing information to the news media concerning a matter of public safety, a state agency that receives funds appropriated under this Act shall make a reasonable attempt to contact each member of the Legislature whose district could be affected by the content of the press release and disclose to the member the content of the press release.

Sec. 7.04. Contract Notification: Amounts Greater than $50,000.

(a) In this section "contract" includes a contract, agreement, or other written expression of terms of agreement or an amendment, modification, renewal, or extension of such for the purchase or sale of goods or services that was entered into or paid for, either in whole or in part, by a state agency or institution of higher education during a fiscal year.

(b) In this section a contract does not include:

(1) a contract that has been reported to the Legislative Budget Board under §§ 2054.008, 2166.2551, 2254.006, or 2254.0301, Government Code;

(2) a purchase order;

(3) an interagency contract;

(4) an interlocal agreement;

(5) a contract with a value of less than or equal to $50,000; or

(6) a contract paid only with funds not appropriated by this Act.

(c) Before October 1 of each fiscal year, a state agency or an institution of higher education shall report to the Legislative Budget Board in the manner prescribed by Legislative Budget Board all contracts to which the agency or institution was a party during the prior fiscal year.

Sec. 7.05. Contract Notification: Amounts Greater than $500,000.

(a) In this section "contract" includes:

(1) a contract, agreement, purchase order, interagency contract, interlocal agreement, or other written expression of terms of agreement or an amendment, modification, renewal, or extension of such for the purchase or sale of goods or services that was entered into or paid for, either in whole or in part, by a state agency or institution of higher education during a fiscal year, which has a value of more than $500,000; or

(2) a series of contracts, agreements, purchase orders, interagency contracts, interlocal agreements, or other written expressions of terms of agreement, or amendments, modifications, renewals, or extensions of such for the purchase or sale of goods or services that was entered into or paid for, either in whole or in part, by a state agency or institution of higher education during a fiscal year which together total in value an amount greater than $500,000 and involving both:

(A) a single entity or individual; and

(B) a state agency or institution of higher education.

(b) In this section a contract does not include a contract that has been reported to the Legislative Budget Board:

(1) under §§ 2054.008, 2166.2551, 2254.006, or 2254.0301, Government Code; or

(2) Sec. 7.04 of this Article.

(c) Before October 1 of each fiscal year, a state agency or an institution of higher education shall report to the Legislative Budget Board in the manner prescribed by the Legislative Budget Board all contracts to which the agency or institution was a party during the prior fiscal year.

Sec. 7.06. Reports and References.

(a) All references in this Act to the "Governor," "Office of the Governor," and "Governor's Office of Budget, Planning and Policy" are changed to "the Governor's Office."

(b) A state agency or institution shall submit to the Governor's Office all reports, approval processes, notifications, filings, documentation of expenditures, plans, addendums, or updates submitted to the Legislative Budget Board, under provisions contained in this Act.

Sec. 7.07. Reporting Fees, Fines, and Penalties.

(a) Before November 1 of each fiscal year, each state agency and institution of higher education (including a community or junior college) shall report to the Legislative Budget Board in the manner prescribed by the Legislative Budget Board all fees, fines, and penalties assessed and all fees, fines, and penalties assessed but not collected by the agency or institution during the prior fiscal year.

(b) Each report made under this section shall detail the effort made by the reporting state agency or institution of higher education to collect fees, fines, and penalties that are more than ninety days past due.

Sec. 7.08. Reporting of Federal Homeland Security Funding. All state agencies and institutions of higher education shall include in their operating budget reports to the Legislative Budget Board:

(1) an estimated amount of federal homeland security funding received by the agency or institution of higher education and used for the operation and administration of state homeland security programs; and

(2) the amount of federal homeland security funding received by the agency or institution of higher education and passed through to other agencies, institutions, or local units of government.

Sec. 7.09. Reporting of Historically Underutilized Business (HUB) Key Measures. In accordance with Government Code §2161.127 relating to the reporting of HUB key performance measures, the Legislative Budget Board hereby reports information provided by agencies and Institutions of Higher Education in the legislative appropriations requests on the LBB website, which can be found at http://www.lbb.state.tx.us./Bill_81/Art9HUBKeyMeasures.pdf.

PART 8. OTHER APPROPRIATION AUTHORITY

Sec. 8.01. Acceptance of Gifts of Money.

(a) A gift or bequest of money to a state agency named in this Act, including the legislative branch, that has specific authority to accept gifts is appropriated to the agency designated by the grantor and for the purpose the grantor may specify, subject to Subsections (b), (c), (d), and (e).

(b) Unless exempted by specific statutory authority, a gift or bequest of money shall be:

(1) deposited into the state treasury, and

(2) expended in accordance with the provisions of this Act.

(c) A gift or bequest to a state agency may not be transferred to a private or public development fund or foundation, unless written permission for the transfer is given by the donor of the gift or representative of the estate. An account of all such letters of written permission and transfers of gifts or bequests shall be kept by the agency and shall be reported to the State Auditor.

(d) An unexpended balance, from a gift or bequest, existing at the beginning of this biennium or at the end of a fiscal year of this biennium is hereby appropriated for use during this biennium for the purpose provided by the grantor.

(e) It is the intent of the Legislature that during the years subsequent to this biennium, to the extent allowed by law, the gift or bequest be used by the beneficiary agency for the purpose provided by the grantor.

Sec. 8.02. Federal Funds/Block Grants.

(a) Funds received from the United States government by a state agency or institution named in this Act are hereby appropriated to the agency or institution for the purposes for which the federal grant, allocation, aid, payment, or reimbursement was made subject to the provisions of this section.

(b) Notwithstanding subsection (a) of this section, prior to the expenditure of any funds appropriated under this section in an amount in excess of $10 million greater than the amount for which an agency was appropriated federal funds for the same purpose in this Act, each agency shall report to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts, the amount of federal funds and the proposed use of the funds. If after the tenth business day after notification from the agency neither the Legislative Budget Board nor the Governor issues a written disapproval, the Comptroller of Public Accounts shall release the funds.

(c) Except for an institution of higher education, federal funds:

(1) including unexpended balances, shall be deposited to and expended from the specific appropriation item identified in this Act; and

(2) may not be expended for a strategy or function other than a strategy or function that has been reviewed by the Eighty-first Legislature and authorized by specific language in this Act or encompassed by an agency's budget structure as established by this Act.

(d) As applicable, federal reimbursements received for expenditures previously made or services performed on behalf of federal programs from state funds shall be credited by the Comptroller to the fund from which the expenditure was originally made. The credit shall be to the agency's current appropriation item or accounts from which the expenditures of like character were originally made and are hereby appropriated. Reimbursements received from employee benefits paid from General Revenue Fund appropriations of other administering agencies shall be deposited to the unappropriated General Revenue Fund.

(e) A position created for administration of federal grant programs shall be phased out upon discontinuance of the particular federal grant for which it was authorized.

(f) (1) Semi-annual reports, of federal funds received and their intended usage comparing historical, appropriated, and agency expected amounts for those funds, shall be filed by the Governor with the Legislative Budget Board and the presiding officers of both houses of the Legislature for referral to appropriate standing committees for review.

(2) Before expending or obligating funds received under a federal grant or program, an agency must file the required information regarding application for federal funds and receipt of federal funds.

(g) Agencies subject to Chapter 654, Government Code (the Position Classification Act) will make federal grant employment in accordance with the provisions of that Act in positions listed in, or otherwise authorized by, this Article.

(h) In order to maximize the amount of federal alcohol and drug abuse funds that might become available to the Department of State Health Services, state funds used by a state agency to provide alcohol and drug abuse services may be counted towards any required state matching contribution for such federal funds.

(i) In the event that federal programs that authorize federal funds included in this Act are eliminated, consolidated, or replaced with new federal programs and funding authorization or block grants, or the federal funds appropriated to agencies are reduced, any reduction or reallocation of federal funds will be distributed across affected agencies and programs to pattern the strategies and programs included in this Act to the extent possible without restricting the state's ability to receive federal funds, in accordance with a plan adopted by the designated single state agency or otherwise by each affected agency. An agency shall provide a copy of the plan to the Legislative Budget Board and the Governor.

Sec. 8.03. Reimbursements and Payments.

(a) Except as provided in Subsection (f), any reimbursements received by an agency of the state for authorized services, including contractual agreements with a non-governmental source or any unit of government, including state, federal, or local government, refund of expenditures received by an agency of the state and any payments to an agency of the state government made in settlement of a claim for damages, are hereby appropriated to the agency of the state receiving such reimbursements and payments for use during the fiscal year in which they are received. Revenues specifically established by statute on a fee or service provided basis are not appropriated by this section and are available for expenditure by the collecting agency only if appropriated elsewhere in this Act.

(b) Forfeited money, proceeds from the sale of forfeited property or similar monetary awards related to the agency's participation in the seizure of controlled substances or other contraband are hereby appropriated to the receiving state agency, unless distribution is otherwise provided by statute or specific provision of this Act.

(c) Except as provided elsewhere in this Act, net amounts of money received by an agency as a result of tax seizures or other similar recoveries authorized by statute shall be deposited in the state treasury as unappropriated revenues to the funds or accounts authorized by statute.

(d) The portion of proceeds representing recoveries of costs incurred in forfeitures under Subsection (b) or, seizures or similar recoveries under Subsection (c) are appropriated to the receiving agency. Such cost recoveries include court costs, attorney fees, rentals or storage fees, auction and sale costs, preparation costs to condition property for sale, and salaries, travel, and other overhead costs of the agency.

(e) The reimbursements, refunds, and payments received under Subsection (a) shall be credited by the Comptroller to the agency's current appropriation items or accounts from which the expenditures of like character were originally made, or in the case of damage settlements to the appropriation items or accounts from which repairs or replacements are made; provided, however, that any refund of less than $50 to an institution of higher education for postage, telephone service, returned books and materials, cylinder and container deposits, insurance premiums and like items, shall be deposited to the current fund account of the institution in the state treasury and such funds are hereby appropriated.

(f) Fifty percent of the reimbursements, refunds, and payments of state funds received under Subsection (a) as a result of a recovery audit pursuant to Chapter 2115, Government Code, shall be credited by the Comptroller to the agency's current appropriation items or accounts from which the expenditures of like character were originally made and such funds are hereby appropriated to the agency in the fiscal year in which the funds are received. The remaining 50 percent shall be deposited in the state treasury as unappropriated revenues to the originating funds or accounts.

(g) An unexpended balance received by an agency or institution from disaster related recoveries, reimbursements, refunds, or other payments that are existing at the end of a fiscal year are hereby appropriated for use during the following fiscal year.

Sec. 8.04. Surplus Property. Twenty-five percent of the receipts to a state agency specified in this Act received from the sale of surplus property, equipment, commodities, or salvage (including recycled

products) pursuant to the provisions of Chapter 2175, Government Code, are hereby appropriated to the state agency for expenditure during the fiscal year in which the receipts are received. Receipts from such surplus equipment, commodities, or salvage (including recycled products) sales shall be expended from the appropriation item from which like property, equipment, or commodities would be purchased.

Sec. 8.05. Refunds of Deposits.

(a) Any money deposited into the state treasury which is subject to refund as provided by law shall be refunded from the fund into which the money was deposited, transferred, or otherwise credited, and so much as is necessary for said refunds is hereby appropriated.

(b) Unless another law, or section of this Act, provides a period within which a particular refund claim must be made, funds appropriated by this Act may not be used to pay a refund claim made under this section after four years from the latest date on which the amount collected or received by the state was due, if the amount was required to be paid on or before a particular date. If the amount was not required to be paid on or before a particular date, a refund claim may not be made after four years from the date the amount was collected or received. A person who fails to make a refund claim within the period provided by law, or this provision, may not receive payment of a refund under this section.

(c) Except as provided by Subsection (d), as a specific limitation to the amount of refunds paid from funds appropriated by this Act during the 2010-2011 biennium, the Comptroller may not approve claims or issue warrants for refunds in excess of the amount of revenue estimated to be available from the tax, fee, or other revenue source during the biennium according to the Biennial Revenue Estimate of the Comptroller used for certification of this Act. Any claim or portion of a claim that is in excess of this limitation shall be presented to the next Legislature for a specific appropriation in order for payment to be made. The limit provided by this subsection does not apply to any taxes or fees paid under protest.

(d) Where the Biennial Revenue Estimate referenced in Subsection (c) provides that no revenues are estimated to be available from a tax, fee, or other revenue source, and where a special fund or dedicated account has been abolished or the law creating the special fund or dedicated account has been repealed or has expired, any balances which may have been transferred or credited to the General Revenue Fund because of such abolishment, repeal or expiration are appropriated from that fund to pay refunds that are otherwise payable under this section.

Sec. 8.06. Vending Machines. All receipts collected from vending machine operations pursuant to § 2203.005, Government Code, are hereby appropriated to the institution or agency for use as directed by the institution or agency authorizing the installation.

Sec. 8.07. Pay Station Telephones. All receipts collected from pay station telephone operations pursuant to § 2170.009, Government Code, are hereby appropriated for use by the agency as determined by the governing board or commission.

Sec. 8.08. Appropriation of Collections for Seminars and Conferences. All funds collected for the reimbursement of costs directly associated with the conducting of seminars, conferences, or clinics that directly relate to the legal responsibilities and duties of the agency and that are for the purposes of education, training, or informing employees or the general public are hereby appropriated for the necessary expenses incurred in conducting the seminar; provided, however, all applicable laws, and rules and regulations for the acquisition of goods and services for the state shall apply to the expenditures. Any unexpended balances remaining as of August 31, 2009, in an appropriation made by Article IX, § 8.08, of House Bill 1, Eightieth Legislature, Regular Session, 2007, are hereby appropriated for the same purpose.

Sec. 8.09. Appropriation of Bond Proceeds. The proceeds from the issuance and sale of bonds or other obligations pursuant to the provisions of Chapter 1232, Government Code, and Chapter 1401, Government Code or other law, are appropriated to the state agency to whose account the proceeds are deposited or credited. Proceeds include interest and investment income.

Sec. 8.10. CMIA Interest Payments.

(a) There is hereby appropriated to the Comptroller for the biennium ending August 31, 2011, sufficient general revenue monies for the payment of interest due the federal government under the federal Cash Management Improvement Act of 1990 (31 U.S.C. § 6501 et seq.).

(b) An amount equal to the amount of interest payments made from general revenue on behalf of special funds or accounts as a result of the federal Cash Management Improvement Act of 1990 is hereby appropriated from special funds. The Comptroller shall transfer from each special fund or account to general revenue, an amount equal to the amount of interest paid on behalf of each special fund or account.

Sec. 8.11. Appropriation of Receipts: Credit, Charge, Debit Card, or Electronic Cost Recovery Service Fees. Any fee amount assessed by an agency for the purpose of paying the costs associated with credit, charge, or debit card services is appropriated to that agency from the fund to which the fee was deposited. Any cost recovery fees assessed by an agency and approved by the Department of Information Resources as authorized under Chapter 2054, Government Code, for the purpose of paying the costs associated with implementing and maintaining electronic services, excluding subscription fees as defined in Subchapter I, Chapter 2054, Government Code, are hereby appropriated to the assessing agency from the fund to which the fee was deposited. Any unexpended balances from credit, charge, or debit card service or cost recovery fees remaining at the end of the fiscal biennium ending August 31, 2009, are reappropriated to the assessing agency from the fund to which the fee was deposited for the same purposes for the fiscal biennium beginning September 1, 2009.

PART 9. INFORMATION RESOURCES PROVISIONS

Sec. 9.01. Purchases of Information Resources Technologies.

(a) In this section:

(1) "Information resources," "Information resources technologies," and "Major information technology project" have the meanings provided by § 2054.003, Government Code.

(2) "Quality Assurance Team" and "QAT" means the quality assurance team established under § 2054.158, Government Code.

(b) A state agency may not request appropriations for information technology unless the information technology is in a plan approved by the Legislative Budget Board.

(c) Prior to amending a contract for development of a major information technology project, when the amendment constitutes a 10 percent or greater change, the agency shall notify the Governor, Lieutenant Governor, Speaker of the House, Senate Finance Committee, House Appropriations Committee, and the QAT. For contracts having a total value in excess of $1.0 million an amendment to the contract that changes the total value of the contract or any element of the contract by more than 10 percent of the total value of the contract is not valid without QAT approval.

Sec. 9.02. Quality Assurance Review of Major Information Resources Projects.

(a) In this section:

(1) "Major information resources project" has the meaning provided by § 2054.003, Government Code.

(2) "Quality Assurance Team" and "QAT" means the quality assurance team established under § 2054.158, Government Code.

(b) A state agency may not expend appropriated funds for a major information resources project unless the project has been reviewed and approved by the Legislative Budget Board in the agency's biennial operating plan and the QAT. The QAT shall determine approval based on an analysis of the project's risk. The QAT may request any information necessary to determine a project's potential risk. The QAT may waive the project review requirements for a project.

(c) The QAT may require independent project monitoring, project status reporting, project expenditure reporting, or any additional information necessary to assess a project's on-going potential for success. After a project has been completed, the QAT may also require an agency to submit a project post-implementation evaluation report to determine if the project met its planned objectives. The QAT may take any additional actions or request information as specified in § 2054.1181, Government Code.

(d) On request by the QAT, the State Auditor's Office shall provide audit and review of the projects and the information provided by the agencies.

(e) The QAT may request the assistance of the Comptroller in regard to the accuracy of project expenditures and compliance with this Act.

(f) The QAT shall provide an annual report to the Governor, Lieutenant Governor, Speaker of the House, the House Appropriations Committee, and Senate Finance Committee on the status of projects under its review by December 1.

(g) The State Auditor's Office may:

(1) provide an independent evaluation of the post implementation evaluation review process to ensure the validity of its results; and

(2) send the evaluation to the Legislative Audit Committee.

(h) The Legislative Budget Board may issue guidelines for software development, quality assurance, and the review of major information resources projects.

(i) Unless waived by the Legislative Budget Board the QAT shall require each affected agency to:

(1) quantitatively define the expected outcomes and outputs for each major information resource project at the outset;

(2) monitor cost; and

(3) evaluate the final results to determine whether expectations have been met.

Sec. 9.03. Biennial Operating Plan and Information Resources Strategic Plan Approval. It is the intent of the Legislature that agencies and institutions of higher education receiving appropriated funds for the acquisition of information technology must have a current Information Resources Strategic Plan and a Biennial Operating Plan including any amendments as approved by the Legislative Budget Board prior to expending any funds for information technology. Information Technology items identified in the Capital Budget Rider must be included and approved in the Biennial Operating Plan or a subsequently approved amendment of the Biennial Operating Plan. The Legislative Budget Board may direct the Comptroller to deny the agency or institution of higher education access to information technology appropriations for non-compliance.

Sec. 9.04. Information Technology Replacement. It is the intent of the Legislature that agencies and institutions of higher education receiving appropriated funds for the acquisition of information technology perform a cost-benefit analysis of leasing versus purchasing information technology and develop and maintain a personal computer replacement schedule. Agencies and institutions of higher education should use the Department of Information Resources' (DIR) Guidelines for Lease versus Purchase of Information Technologies to evaluate costs and DIR's PC Life Cycles: Guidelines for Establishing Life Cycles for Personal Computers to prepare a replacement schedule.

Sec. 9.05. TexasOnline Project: Occupational Licenses. Each licensing entity not otherwise authorized to increase occupational license fees elsewhere in this Act is authorized to increase the occupational license or permit fees imposed on the licensing entity's licensees by an amount sufficient to cover the cost of the subscription fee charged by the TexasOnline Project to the licensing entity pursuant to Chapter 2054, Government Code. Each licensing entity provided by Chapter 2054, Government Code and not otherwise authorized to increase occupational license fees elsewhere in this Act is hereby appropriated the additional occupational license or permit fees in excess of the Comptroller's biennial revenue estimate 2010-11 for the sole purpose of payment to the TexasOnline contractor subscription fees for implementing and maintaining electronic services for the licensing entities. Each agency, upon completion of necessary actions to access or increase fees, shall furnish copies of board meeting minutes, an annual schedule of the number of license issuances or renewals and associated annual fee total, and any other supporting documentation to the Comptroller. If the Comptroller finds the information sufficient to support the projection of increased revenues, a notification letter will be issued and the contingent appropriation made available for the intended purposes.

Sec. 9.06. TexasOnline Project: Cost Recovery Fees. Any cost recovery fees, excluding subscription fees as defined in Subchapter I, Chapter 2054, Government Code, approved by the Department of

Information Resources in relation to the TexasOnline Project as authorized under Chapter 2054, Government Code, are hereby appropriated to that agency from the fund to which the fee was deposited for the purpose of paying the costs associated with implementing and maintaining electronic services. Any unexpended balances remaining at the end of the fiscal biennium ending August 31, 2009, are reappropriated for the same purposes for the fiscal biennium beginning September 1, 2009.

PART 10. HEALTH-RELATED PROVISIONS

Sec. 10.01. Purchasing of Pharmaceuticals. An agency appropriated funds for the purpose of the purchase of pharmaceutical products may establish a preference for the purchase of those pharmaceutical products from a manufacturer that voluntarily participates in the Department of State Health Services' Vendor Drug Rebate Program for the Children with Special Health Care Needs Program and the Kidney Health Care Program.

Sec. 10.02. Full Application for Health Coverage. To the fullest extent permitted by federal law and regulations, all state agencies that have children in their custody must apply for enrollment of all children in the Medicaid or the Children's Health Insurance Program, unless the children have otherwise been provided health insurance.

Sec. 10.03. State Agency Communication with Employees Regarding the State Kids Insurance Program (SKIP).

(a) A state agency shall provide each employee with information regarding the State Kids Insurance Program (SKIP) and Medicaid. When offering insurance to employees, agencies must provide separate literature, including eligibility requirements and prices, for SKIP and Children's Medicaid. The outreach shall be performed at least annually during open enrollment and with any new state employee at the time of hiring.

(b) The Health and Human Services Commission shall maintain an application and a brochure for state employees about SKIP and for Children's Medicaid. These documents shall be maintained with collaboration from the Employees Retirement System, the Health and Human Services Commission's internal Medicaid division, and the Health and Human Services Commission's Children's Health Insurance Program department. The brochure should include an eligibility chart, pricing information, and a telephone number to call the Health and Human Services Commission or the Employees Retirement System to answer questions. All of the aforementioned documents shall be easily reproduced by other state agencies, and shall be made available on each agency's website to download from the Internet. The information contained within these documents shall be updated annually.

Sec. 10.04. Appropriation of Disproportionate Share Hospital Payments to State-Owned Hospitals. Disproportionate Share Hospital Program payments from the Health and Human Services Commission to state-owned hospitals are appropriated to the receiving state agency/hospital as replacement funding for funds transferred to the Health and Human Services Commission and are subject to the accounting provisions as required by the Comptroller including deposits to the fund or account from which the original source of transfers to the Health and Human Services Commission was made.

Sec. 10.05. Informational Listing - Health Care Appropriations.[1] The following is an informational listing of amounts appropriated specifically for health care services in this Act and of certain amounts appropriated in HB 4586, 81st Legislature, Regular Session, and does not make appropriations. For purposes of this section, health care appropriations include programs identified as health care-related in this Act, and do not include health care appropriations made to institutions of higher education with non-appropriated funds.

For purposes of this informational listing, health care appropriations include, but are not limited to, appropriations for Medicaid, inpatient and outpatient services, health care premiums, medications, laboratory services, community care services, nursing facility and hospice payments, rehabilitation

[1] Incorporates final appropriations. Appropriations related to HB 4586 are subject to the appropriation life stated therein and are not extended by inclusion in SB 1, 81st Legislature, 2009. In addition, unless expressly provided by HB 4586, such appropriations are not subject to General Provisions contained in Article IX of SB 1, 81st Legislature, 2009.

services, alcohol and drug abuse treatment, mental retardation, and comprehensive therapies and related services for children with developmental delays. Certain non-health care-related costs which could not be broken out from other health care costs are also included in the listing below.

Programs	All Funds (in millions) 2010	All Funds (in millions) 2011
Article I		
Employees Retirement System - State Employee Group Health Insurance	$1,150.5	$1,251.3
Employee Children's Insurance Program (SKIP)	7.1	7.6
Workers' Compensation (State Office of Risk Management agencies)	48.6	49.6
Article II		
Health and Human Services Commission-Medicaid	15,391.8	15,682.0
Health and Human Services Commission-Children's Health Insurance Program	1,000.1	1,019.6
Department of Aging and Disability Services	6,297.4	6,360.4
Department of Assistive and Rehabilitative Services	445.6	451.4
Department of State Health Services	1,563.8	1,560.7
Article II Special Provisions	0.0	0.0
Article III		
Health-Related Higher Education Institutions	2,139.1	2,242.3
Higher Education Group Health Insurance	731.9	781.6
Higher Education Workers' Compensation Non-State Office of Risk Management	14.5	14.6
Teacher Retirement System-TRS Care	255.3	268.1
Texas Education Agency-Independent School District Employee Insurance	478.5	483.3
Article V		
Texas Department of Criminal Justice	596.8	601.5
Texas Youth Commission	26.7	26.0
Article VII		
Office of Rural Community Affairs	6.1	6.1
Total*	**$30,153.6**	**$30,806.0**
Method of Finance		
Total, General Revenue	$13,270.3	$13,593.0
Total, General Revenue-Dedicated	320.2	338.0
Total, Federal Funds	14,306.8	14,398.3
Total, Other Funds	2,256.3	2,476.7
Total,* All Funds	**$30,153.6**	**$30,806.0**

*Totals may not add because of rounding.

Sec. 10.06. Informational Listing on Use of Tobacco Settlement Receipts.

(a) The following is an informational list of the amounts (as shown in thousands) appropriated elsewhere in this Act to agencies from tobacco settlement receipts and estimated distributions from funds and endowments created by House Bill 1676 and House Bill 1945, Seventy-sixth Legislature and Senate Bill 126, Seventy-seventh Legislature for each fiscal year of the 2010-11 biennium and does not make appropriations:

	2010	2011
(1) Health and Human Services Commission		
B.1.4. Children and Medically Needy Risk Groups	236,093	227,410
C.1.1. Children's Health Insurance Program (CHIP)	156,660	158,850
C.1.2. Immigrant Children Health Insurance	4,543	5,454
C.1.3. School Employee Children Insurance	17,593	17,720
C.1.4. CHIP Perinatal Services	81,359	86,197
C.1.5 CHIP Vendor Drug Program	33,753	34,368
(2) Department of State Health Services		
A.1.1. Public Health Preparedness and Coordinated Services, estimated	4,869	4,869
B.2.6. Reduce Use of Tobacco Products	9,329	9,329
B.3.1. EMS and Trauma Care Systems, estimated	4,742	4,742
C.1.1. Texas Center for Infectious Disease, estimated	1,196	1,196

(3)	Office of Rural Community Affairs		
	B.1.1. Health Care Access Programs, estimated	208	208
	B.2.1. Health Facility Capital Improvements, estimated	2,037	2,037
(4)	Texas Higher Education Coordinating Board		
	G.1.1. Earnings-Minority Health, estimated	1,125	1,125
	G.1.2. Earnings-Nursing, Allied Health, estimated	2,025	2,025
	G.2.1. Earnings-Baylor College of Medicine, estimated	1,125	1,125
	G.2.2. Tobacco-Permanent Health Fund, estimated	1,916	1,916
(5)	University of Texas Southwestern Medical Center at Dallas		
	E.1.1. Tobacco Earnings-UT SWMC Dallas, estimated	2,250	2,250
	E.1.2. Tobacco-Permanent Health Fund, estimated	2,079	2,079
(6)	University of Texas Medical Branch at Galveston		
	F.1.1. Tobacco Earnings-UTMB Galveston, estimated	1,125	1,125
	F.1.2. Tobacco-Permanent Health Fund, estimated	1,912	1,912
(7)	University of Texas Health Science Center at Houston		
	F.1.1. Tobacco Earnings-UTHSC Houston, estimated	1,125	1,125
	F.1.2. Tobacco-Permanent Health Fund, estimated	1,713	1,713
(8)	University of Texas Health Science Center at San Antonio		
	F.1.1. Tobacco Earnings-UTHSC San Antonio, estimated	9,000	9,000
	F.1.2. Tobacco-Permanent Health Fund, estimated	1,571	1,571
(9)	University of Texas M.D. Anderson Cancer Center		
	F.1.1. Tobacco Earnings-UT MD Anderson, estimated	4,500	4,500
	F.1.2. Tobacco-Permanent Health Fund, estimated	1,656	1,656
(10)	University of Texas Health Science Center at Tyler		
	F.1.1. Tobacco Earnings-UTHC Tyler, estimated	1,125	1,125
	F.1.2. Tobacco-Permanent Health Fund, estimated	1,164	1,164
(11)	Texas A&M University System Health Science Center		
	F.1.1. Tobacco Earnings-TAMU System HSC, estimated	1,125	1,125
	F.1.2. Tobacco-Permanent Health Fund, estimated	1,185	1,185
(12)	University of North Texas Health Science Center at Fort Worth		
	E.1.1. Tobacco Earnings-UNT HSC Ft. Worth, estimated	1,125	1,125
	E.1.2. Tobacco-Permanent Health Fund, estimated	1,155	1,155
(13)	Texas Tech University Health Sciences Center		
	E.1.1. Tobacco Earnings-TX Tech HSC El Paso, estimated	1,125	1,125
	E.1.2. Tobacco Earnings-TX Tech HSC not El Paso, estimated	1,125	1,125
	E.1.3. Tobacco-Permanent Health Fund, estimated	1,399	1,399
(14)	University of Texas System		
	F.1.1. Tobacco Earnings-RAHC, estimated	1,102	1,102
(15)	University of Texas El Paso		
	E.1.1. Tobacco Earnings-UTEP, estimated	1,320	1,320

(b) Informational Listing - Permanent Funds and Endowments. The following is an informational list of the amounts used to capitalize Permanent Funds and Endowments created by House Bill 1676 and 1945, Seventy-sixth Legislature and by Senate Bill 126, Seventy-seventh Legislature, and does not make appropriations:

(1)	Permanent Health Fund for Higher Education, Fund No. 810	$350,000,000
(2)	Permanent Fund for Children and Public Health, Fund No. 5045	100,000,000
(3)	Permanent Fund for Health and Tobacco Education and Enforcement, Fund No. 5044	200,000,000
(4)	The University of Texas Health Science Center at San Antonio Endowment, Fund No. 811	200,000,000
(5)	Permanent Fund for Emergency Medical Services and Trauma Care, Fund No. 5046	100,000,000
(6)	Permanent Fund for Rural Health Facility Capital Improvement (Rural Hospital Infrastructure), Fund No. 5047	50,000,000
(7)	The University of Texas M.D. Anderson Cancer Center Endowment, Fund No. 812	100,000,000
(8)	Texas Tech University Health Sciences Center Endowment (El Paso), Fund No. 820	25,000,000
(9)	The University of Texas Southwestern Medical Center at Dallas Endowment, Fund No. 813	50,000,000
(10)	Texas Tech University Health Sciences Center Endowment (Other than El Paso), Fund No. 821	25,000,000

(11)	The University of Texas Medical Branch at Galveston Endowment, Fund No. 814	25,000,000
(12)	The University of Texas Health Science Center at Houston Endowment, Fund No. 815	25,000,000
(13)	The University of Texas Health Center at Tyler Endowment, Fund No. 816	25,000,000
(14)	Texas A&M University System Health Science Center Endowment, Fund No. 818	25,000,000
(15)	University of North Texas Health Science Center at Fort Worth Endowment, Fund No. 819	25,000,000
(16)	Permanent Endowment Fund for University of Texas Regional Academic Health Center, Fund No. 822	20,000,000
(17)	The University of Texas at El Paso Endowment, Fund No. 817	25,000,000
(18)	Baylor College of Medicine, Fund No. 823	25,000,000
(19)	Permanent Fund for Higher Education Nursing, Allied Health and Other Health-related Programs, Fund No. 824	45,000,000
(20)	Permanent Fund for Minority Health Research and Education, Fund No. 825	25,000,000
(21)	Permanent Hospital Fund for Capital Improvements and the Texas Center for Infectious Disease, Fund No. 5048	25,000,000
(22)	Permanent Endowment Fund for the Rural Communities Healthcare Investment Program, Fund No. 364	2,500,000

Sec. 10.07. Informational Listing-Supplemental Medicaid Payments. The following is an informational listing of estimated federal funds appropriated to the Health and Human Services Commission but not reflected by Article II of this Act to provide Medicaid supplemental payments to providers as authorized by the federal Disproportionate Share Hospital Program and the Upper Payment Limit (UPL) provision, and does not make appropriations.

		Estimated Federal Funds	
UPL Payments		**FY 2010**	**FY 2011**
Large Urban Public Hospitals		$598,957,782	$593,416,075
State-owned Hospitals		49,301,980	48,845,826
Rural Hospitals		44,374,765	43,964,199
Children's Hospitals		25,739,293	20,842,225
Private Hospitals		423,900,000	419,977,971
Hospital Physicians		89,638,869	61,399,165
(1)	The University of Texas Health Science Center at San Antonio	6,078,936	4,163,837
(2)	The University of Texas M.D. Anderson Cancer Center	5,892,373	4,036,048
(3)	Texas Tech University Health Sciences Center at Amarillo	5,534,129	3,790,665
(4)	Texas Tech University Health Sciences Center at El Paso	2,839,400	1,944,880
(5)	The University of Texas Southwestern Medical Center at Dallas	34,750,085	23,802,467
(6)	The University of Texas Medical Branch at Galveston	12,671,101	8,679,215
(7)	The University of Texas Health Science Center at Houston	8,540,799	5,850,117
(8)	The University of Texas Health Science Center at Tyler	2,512,943	1,721,269
(9)	Texas Tech University Health Sciences Center at Lubbock	4,654,580	3,188,208
(10)	University of North Texas Health Science Center at Fort Worth	2,943,577	2,016,237
(11)	Texas Tech University Health Sciences Center at Odessa	3,220,945	2,206,223
	Total	**$1,231,912,689**	**$1,188,445,460**

	Estimated Federal Funds	
DSH Payments	**FY 2010**	**FY 2011**
Non-State owned Hospitals	$706,577,756	$699,432,115
State-owned Hospitals	277,584,118	274,776,902
Total	**$984,161,874**	**$974,209,017**

Sec. 10.08. Payment for Medical Errors. The employees Retirement System, Teachers Retirement System, University of Texas System, and Texas A&M University System shall jointly study (1) the feasibility and cost effectiveness of including a provision to deny payment for the 28 National Quality Forum events and additional conditions identified by the Centers for Medicare and Medicaid Services in their next request for proposal for a third party administrator and (2) the potential impact of "balance

billing" of clients and identify recommendations to address the impact, and provide a report on their recommendations to the Legislative Budget Board and the Governor no later than December 31, 2009.

Sec. 10.09. Study on Directly Contracting with Medicare for Prescription Drug Coverage. The Employees Retirement System, the Texas A&M University System, the Teacher Retirement System, and the University of Texas System shall each study directly contracting with Medicare for retiree prescription drug coverage to determine whether such contracting is cost-effective. The agencies shall comply with all applicable state and federal laws governing the confidentiality and privacy of the data used in the study. If an agency determines the direct contracting to be the most cost-effective means of retiree prescription drug coverage for that agency, the agency may begin applications and negotiations with Medicare to become an Employer Group Waiver Plan sponsor.

PART 11. PROVISIONS RELATED TO REAL PROPERTY

Sec. 11.01. Limitation on Use of Funds for Personal Residences.

(a) Out of appropriations made by this Act, expenditures exceeding an aggregate amount of $25,000 for the biennium beginning on September 1, 2009, may not be made for purchasing, remodeling, or repairing of any one particular personal residence or living quarters unless the expenditures are:

(1) (A) required by court order;

(B) will result in increased safety, significant net cost savings, or prevention of substantial waste; or

(C) are specifically identified in a Capital Budget in this Act; and

(2) the Governor and Legislative Budget Board have approved the expenditure.

(b) The Texas Facilities Commission shall report all expenditures exceeding an aggregate amount of $25,000 for the biennium for purchasing, remodeling, or repairing any one particular personal residence or living quarters to the Legislative Budget Board.

Sec. 11.02. Statewide Capital Planning.

(a) An agency or institution of higher education appropriated funds by this Act shall supply to the Bond Review Board capital planning information relating to projects subject to this section and financing options for the 2012-13 fiscal biennium in a format and according to guidelines developed by the Bond Review Board. Such information shall include:

(1) a description of the project or acquisition;

(2) the cost of the project;

(3) the anticipated useful life of the project;

(4) the timing of the capital need;

(5) a proposed source of funds (method of financing);

(6) a proposed type of financing; and

(7) any additional related information requested by the Bond Review Board.

(b) The Bond Review Board shall compile a statewide capital expenditure plan for the 2012-13 fiscal biennium from the information submitted by agencies and institutions in accordance with the capital planning guidelines. Copies of the guidelines shall be filed with the Governor and the Legislative Budget Board no later than December 31, 2009. The Bond Review Board shall file copies of the capital expenditure plan for the period beginning September 1, 2011, with the Governor and the Legislative Budget Board no later than September 1, 2010.

(c) The statewide capital plan required by this section shall identify the state's capital needs and alternatives to finance these needs. The Bond Review Board shall review input from all state agencies and institutions regarding the agencies' and institutions' current and future capital needs as part of the strategic planning process. The Bond Review Board shall inform the Legislature on the possible budget impact of the capital plan on the state's debt capacity.

(d) This section applies to each anticipated state project requiring capital expenditures for:

(1) land acquisition;

(2) construction of building and other facilities;

(3) renovations of buildings and other facilities estimated to exceed $1 million in the aggregate for a single state agency or institution of higher education; or

(4) major information resources projects estimated to exceed $1 million.

(e) The Higher Education Coordinating Board and the Bond Review Board shall eliminate redundant reporting by consolidating this report and the Higher Education Coordinating Board's Master Plan report, to the greatest extent possible.

Sec. 11.03. Limitation on Expenditures for Leased Space. Funds appropriated by this Act may not be expended for leased office or building space for operations that are moved into newly constructed, purchased, expanded, or renovated state owned facilities funded from Texas Public Finance Authority Revenue Bonds.

Sec. 11.04. Efficient Use of State Owned and Leased Space.

(a) In the event that an agency moves from leased space to state owned space subsequent to the passage of this Act, the Comptroller shall reduce funds appropriated to each affected agency, by an amount equal to the lease costs that would have been incurred for the remainder of the biennium had the agency remained in leased space, less the costs the agency incurs for moving and the agency's tenant finish-out expenses as defined by the Texas Facilities Commission. Required moving and tenant finish-out costs incurred by an agency moving from leased space to state owned space in fiscal year 2009 may be paid from fiscal year 2010 appropriations and costs incurred in 2010 may be paid from fiscal year 2011 appropriations as necessary to facilitate the move. The Comptroller shall transfer to the Texas Facilities Commission from the special funds or accounts, including dedicated General Revenue Fund accounts, of those agencies that move into a state facility funded from Texas Public Finance Authority revenue bond proceeds, each agency's proportional share of the lease payments made for the facility as determined by the Texas Facilities Commission. The Comptroller shall reduce the amounts appropriated to the Texas Facilities Commission out of the General Revenue Fund for Lease Payments, in the appropriate Article of this Act, by an amount equal to the sum of the transfers from the special funds or accounts. The funds so transferred are hereby appropriated to the Texas Facilities Commission for the purposes of making lease payments to the Texas Public Finance Authority.

(b) In the event that an agency obtains a lease at a rate lower than existing lease amounts, subsequent to the passage of the Act, the Comptroller shall reduce funds appropriated to each affected agency by an amount equal to the lease costs that would have been incurred for the remainder of the 2010-11 biennium, as determined by the Comptroller. If obtaining a reduced lease rate requires the agency to move its location, the Comptroller shall reduce the agency's appropriations less costs the agency incurs for moving the agency's tenant finish-out expenses as defined by the Texas Facilities Commission. Required moving and tenant finish-out costs incurred by an agency moving from leased space in fiscal year 2010 may be paid from fiscal year 2011 appropriations as necessary to facilitate the move.

Sec. 11.05. State Owned Housing - Recover Housing Costs.

(a) It is the intent of the Legislature that the General Land Office (GLO) shall contract for the determination of the fair market rental value of all housing provided to state employees by agencies required to report their housing. The GLO shall provide, to each state agency providing housing to employees, information regarding the fair market rental values. The GLO shall also provide the statewide total and agency totals to the Legislative Budget Board, Governor, and Comptroller.

(b) Each agency required to report employee housing to the General Land Office shall recover, from persons first employed by the agency before September 1, 1999, at least 20 percent of the established fair market rental value of its housing. Each agency required to report employee housing to the General Land Office shall recover, from persons first employed by the agency after August 31, 1999, at least 100 percent of the established fair market rental value of its housing. The recovered funds are hereby appropriated to the agency for its use.

(c) Agencies that provide employee housing shall report to the Legislature annually all employees who receive agency housing, the fair market rental value of housing supplied by the agency, and the amount of revenue recovered to meet the mandated goals.

(d) Unless specifically authorized by this Act, a person may not receive housing below the rate established by this section. Individuals authorized by this Act for reduced rate housing are absolutely critical to safe operation of a facility.

(e) Funds may not be expended to construct additional employee housing.

(f) When existing facilities are no longer suitable for employee housing, the agency should determine the feasibility of converting the use of housing or razing the structure before making repairs or updates.

(g) A person may not receive additional compensation in lieu of state-owned housing.

(h) An agency may withhold rent payments from the salary of an agency employee. The Comptroller may adopt rules related to withholding of rent payments from salaries.

Sec. 11.06. State Agency Emergency Leases. It is the intent of the Legislature that all emergency leases held by state agencies be eliminated. To assure for better planning on the part of state agencies and response from the Texas Facilities Commission Leasing Division, state agencies are directed to adhere to the following provisions:

(a) A state agency that is in an emergency lease agreement on September 1, 2009 shall have its appropriation in each fiscal year in which it is in the emergency lease agreement reduced by the dollar amount charged to the agency in addition to its base level rent.

(b) At least one year before an agency's lease expires, an agency must notify the Texas Facilities Commission in writing of its intent to renew its existing lease or relocate its offices.

(c) If an agency fails to notify the Texas Facilities Commission in writing at least one year prior to a lease expiration, and is subsequently forced to initiate an emergency lease agreement, the agency shall have its appropriation in each fiscal year in which it is in an emergency lease agreement reduced by the dollar amount charged to the agency in addition to its base level rent.

(d) If an agency notifies the Texas Facilities Commission in writing one year prior to a lease expiration in accordance with Chapter 2167, Government Code, and the Texas Facilities Commission fails to renew/initiate a lease agreement for the agency by the lease expiration date, and an agency is forced to initiate an emergency lease agreement, the Texas Facilities Commission shall have its appropriation reduced in each fiscal year in which the affected agency is in an emergency lease agreement by the dollar amount charged to the agency in addition to the agency's base level rent.

(e) The Comptroller will make all necessary reductions established in this provision each month of an emergency lease agreement. Funds lapsed by agencies for violation of this provision shall be deposited into the fund in the State Treasury from which they were originally appropriated.

(f) Additionally, the Texas Facilities Commission shall provide quarterly reports to the Legislative Budget Board and the Governor detailing the number of state agencies holding emergency leases, and providing the status on the progress of terminating the emergency lease agreement.

(g) In addition to the requirements of this section, emergency leases for health and human services agencies are also governed by § 2167.004, Government Code.

(h) The Department of Agriculture is exempted from the provisions of this section.

Sec. 11.07. Prepayment of Annual Lease Costs.

(a) In order to effectuate greater savings out of funds appropriated to state agencies for leased office or building space, the Texas Facilities Commission is hereby authorized to enter into an agreement, on behalf of a state agency, with a landlord for prepayment of the annual lease costs in exchange for an early payment discount.

(b) A report regarding the amount of savings realized as a result of an early payment discount shall be provided to the Legislative Budget Board by the Texas Facilities Commission no later than 30 days subsequent to the date of the duly executed agreement with the landlord. After approval by the Legislative Budget Board, the Comptroller shall reduce the appropriations of the affected agency for each year of the biennium in an amount identified by the Texas Facilities Commission and submitted to the Comptroller.

Sec. 11.08. Equipment Maintenance Cost Reductions.

(a) It is the intent of the Legislature that all state agencies participate in a cooperative effort with the Comptroller of Public Accounts to reduce equipment maintenance costs. The Comptroller of Public Accounts may assist state agencies in reducing equipment maintenance costs by establishing consolidated volume contracts for maintenance services, by making the Comptroller of Public Accounts maintenance contracts available to other state agencies, or by assisting state agencies with restructuring or renegotiating their maintenance contracts. If the Comptroller of Public Accounts enters into a contract for consulting services related to reducing equipment maintenance costs, each state agency shall use the services provided under the contract to the greatest extent possible.

(b) By October 1 of each fiscal year the Comptroller of Public Accounts shall report to the Legislative Budget Board and the Governor's Office any savings achieved by agencies or institutions of higher education through use of Comptroller of Public Accounts procurement services and maintenance services contracts.

Sec. 11.09. Name of El Paso State Office Building. Contingent on passage of a concurrent resolution by the House and Senate, the state office building in El Paso located at 401 East Franklin Avenue shall be known as the Paul Moreno State Office Building.

PART 12. PROVISIONS RELATED TO PROPERTY

Sec. 12.01. Aircraft.

(a) Notwithstanding any other provision of this Act, the purchase of aircraft may not be made from appropriated funds except as authorized in this section.

(b) Agencies authorized to expend appropriated funds for the maintenance and operation of state-owned aircraft or replacements authorized by Subsection (d) are:

(1) Texas A&M University System;

(2) Texas Department of Criminal Justice;

(3) Texas Department of Transportation;

(4) Parks and Wildlife Department;

(5) Department of Public Safety of the State of Texas;

(6) University of Texas System;

(7) Texas State Technical College; and

(8) Texas Forest Service.

(c) Notwithstanding any other provision of this Act, all state-owned aircraft (including aircraft forfeited to or seized by a particular agency) are subject to the authority of the Texas Department of Transportation.

(d) Expenditure of appropriated funds for replacement of aircraft with aircraft of comparable quality may be made contingent upon approval of the Texas Department of Transportation and a finding of fact by the Governor that a report has been filed with the Governor showing that:

(1) the aircraft to be replaced has been destroyed or has deteriorated to an extent that continued operation presents a serious hazard or that the aircraft to be replaced can no longer meet the mission requirements of the principal user state agency; and

(2) other state-owned aircraft cannot be effectively utilized in lieu of a replacement aircraft.

(e) Expenditures necessary to purchase liability insurance pursuant to § 2205.045(a), Government Code, shall be made on a pro rata basis, as determined by the Texas Department of Transportation, from appropriations authorized to each agency operating a state-owned aircraft. The Comptroller shall transfer such necessary amounts from agencies operating aircraft to the Texas Department of Transportation for the purchase of liability insurance and expenditure of such funds by the Department is hereby authorized.

(f) Any reimbursements received by a state agency for authorized aircraft services rendered to another state agency are hereby appropriated to the agency receiving the reimbursements, and shall be credited to the agency's appropriation item from which the cost of aircraft operation is paid.

Sec. 12.02. Publication or Sale of Printed, Recorded, or Electronically Produced Matter or Records.

(a) Funds appropriated by this Act may not be used for the publication, recording, production, or distribution of any item or matter, including lists, notices, pamphlets, video tapes, audio tapes, microfiche, films or other electronically produced information or records unless such publication, recording, or production is:

(1) essential to accomplish or achieve a strategy or outcome target established by this Act; or

(2) required by law.

(b) Any funds received and collected from any charges specifically authorized by statute for the productions, publications, or records are hereby appropriated to the agency issuing the productions, publications, or records for use during the year in which the receipts are collected. The Comptroller shall credit such receipts to the like appropriation item from which the original costs are paid.

Sec. 12.03. Limitation on Expenditures for Purchases and Conversions of Alternative Fuel Vehicles. A state agency, including an institution of higher education, that is required to meet the percentage requirements for vehicles capable of using alternative fuels under Chapter 2158, Government Code, may expend funds appropriated by this Act for the purpose of meeting the percentage requirements only if the agency purchases or converts a vehicle that uses the most cost-effective, fuel efficient and mechanically efficient alternative fuel source.

Sec. 12.04. Lost Property.

(a) A state agency or institution of higher education must annually report to the Legislative Budget Board and the Comptroller the value of property lost or missing from the possession of the agency or institution of higher education. The Legislative Budget Board and the Comptroller may prescribe forms and dates for reporting.

(b) The Comptroller shall withhold from the General Revenue Funds, General Revenue-Dedicated Funds, or Other Funds appropriated to the state agency or institution of higher education by this Act an amount equal to 50 percent of the value of the lost property originally purchased with those funds provided that the loss falls outside the standards promulgated by the American Society for Testing and Materials. If a state agency or institution of higher education subsequently recovers or accounts for lost property to the satisfaction of the Comptroller, the

Comptroller shall release to the state agency or institution of higher education a proportional amount of previously withheld General Revenue Funds, General Revenue-Dedicated Funds, or Other Funds.

(c) This section applies to all state agency and institution of higher education property without regard to the source of funds or classification of funds used to acquire the property.

Sec. 12.05. Transfer of Master Lease Purchase Program Payments.

(a) The Texas Public Finance Authority is hereby authorized to transfer each agency's share of administrative fees and lease payments pursuant to the Master Lease Purchase Program from each agency's appropriations made elsewhere in this Act to the Texas Public Finance Authority Master Lease Purchase Program cost of issuance funds and the State Lease Fund Account, respectively. Transfers for administrative fees and lease payments may not be made earlier than 15 days prior to the date that debt service payment is required. The Texas Public Finance Authority may transfer funds necessary for Master Lease Purchase Program debt service payments from the State Lease Fund Account to the Texas Public Finance Authority Master Lease Purchase Program interest and sinking funds.

(b) The Comptroller shall assist the Texas Public Finance Authority in the transfer of lease payments. State agencies participating in the Master Lease Purchase Program shall cooperate in the timely transfer of lease payments to the Texas Public Finance Authority. The absence of specific Master Lease payment appropriations, identified in an agency's capital budget, does not release an agency from lease payment obligations.

Sec. 12.06. Interoperability Communications Equipment: Federal Funding.

(a) It is the intent of the Legislature that contingent upon receipt of any federal funds for interoperability communications equipment by a state agency, the state agency receiving the federal funding shall expend those funds to establish an interoperable communications system. The interoperable communications equipment shall be subject to guidelines established by the United States Department of Homeland Security, Office of Domestic Preparedness.

(b) This section applies to federal funds appropriated by this Act and received by:

(1) the Texas Parks and Wildlife Department;

(2) the Texas Department of Transportation;

(3) the Texas Youth Commission;

(4) the Texas Alcoholic Beverage Commission;

(5) the Department of Public Safety of the State of Texas;

(6) the Texas Department of Criminal Justice; and

(7) the Texas Forest Service.

(c) Except as provided by Subsection (e) of this section, none of the federal funds received by an agency named under Subsection (b) of this section to establish an interoperable communications system may be used to purchase new agency radio equipment until equipment required to achieve system interoperability has been established at the agency. The interoperable communications equipment shall be subject to guidelines established by the United States Department of Homeland Security, Office of Domestic Preparedness.

(d) Except as provided by Subsection (e) of this section, after the establishment of a interoperable communications system by all seven of the state agencies listed under Subsection (b) of this section, no federal communications interoperability grants or funds provided to the State of Texas for distribution to local, county, or municipal government agencies shall be spent by those local, county, or municipal government agencies for new radio equipment purchases unless such funds are first used for equipment to connect to an

interoperable system established by the state agencies. The interoperable communications equipment shall be subject to guidelines established by the United States Department of Homeland Security, Office of Domestic Preparedness.

(e) (1) A state or local entity may use any funds not otherwise restricted to replace broken or failing communications equipment and maintain an existing communications system until an interoperable system can be created.

(2) This section is not a limitation on maintenance of an existing communications system or replacement of broken or failing communications equipment.

(f) Quarterly, each agency named under Subsection (b) of this section to establish an interoperable communications system shall report to the Legislative Budget Board and the Governor regarding the agency's progress to achieve system interoperability and meet any interoperable communications equipment guidelines established by the United States Department of Homeland Security, Office of Domestic Preparedness.

Sec. 12.07. Interoperability Communications Equipment: All Appropriated Funding.

(a) It is the intent of the Legislature that except as provided by Subsection (c) of this section, none of the funds appropriated to a state agency listed under Subsection (b) of this section shall be expended by the state agency for the purchase of new radio equipment until the state agency has established an interoperable communications system. The interoperable communications equipment shall be subject to guidelines established by the United States Department of Homeland Security, Office of Domestic Preparedness.

(b) This section applies to the following state agencies:

(1) the Texas Parks and Wildlife Department;

(2) the Texas Department of Transportation;

(3) the Texas Youth Commission;

(4) the Texas Alcoholic Beverage Commission;

(5) the Department of Public Safety of the State of Texas;

(6) the Texas Department of Criminal Justice; and

(7) the Texas Forest Service.

(c) (1) A state agency may use any funds not otherwise restricted to replace broken or failing communications equipment and maintain an existing communications system until an interoperable system can be created.

(2) This section is not a limitation on maintenance of an existing communications system or replacement of broken or failing communications equipment.

(d) Quarterly, each agency named under Subsection (b) of this section to establish an interoperable communications system shall report to the Legislative Budget Board and the Governor regarding the agency's progress to achieve system interoperability and meet any interoperable communications equipment guidelines established by the United States Department of Homeland Security, Office of Domestic Preparedness.

PART 13. OTHER PROVISIONS

Sec. 13.01. Employee Meal Authorization. State agencies providing institution-based services, including the Texas Department of Criminal Justice, the Department of Aging and Disability Services, the Department of State Health Services, the Texas Youth Commission, the Texas School for the Blind and Visually Impaired, and the Texas School for the Deaf, may provide meals to employees working in institutional settings and may charge an amount established by the agencies to reimburse the direct and indirect costs of preparation.

Sec. 13.02. Bank Fees and Charges. From interest income appropriated by this Act, amounts may be used for the purpose of paying bank fees and charges as necessary.

Sec. 13.03. Appropriation: Temporary Assistance for Needy Families (TANF) Federal Funds.

(a) For the biennium beginning September 1, 2009, in addition to sums appropriated elsewhere by this Act, the balance of all available TANF federal funds allocated to the State is hereby appropriated for the purposes for which the TANF block grant is made. In the event of an expenditure requirement related to fiscal penalties, caseload growth, or other program needs (such as meeting work participation targets or increasing the capacity to serve TANF recipients facing time-limited benefits), the funds appropriated by this provision and/or the balance of all available TANF federal funds appropriated elsewhere by this Act may be expended and/or transferred as appropriate by the Single State Agency for TANF, subject to the written prior approval of the Governor and the Legislative Budget Board.

(b) The expenditure of TANF federal funds is hereby limited to those amounts specifically identified and appropriated by this Act, unless specific written approval is made by the Legislative Budget Board and Governor.

Sec. 13.04. Appropriations from State Tax Revenue. The appropriations from state tax revenue not dedicated by the Constitution for the 2010-11 biennium shall not exceed the Texas Constitution's Article VIII, § 22 limit of $79,664,277,468 established by the Legislative Budget Board pursuant to § 316.002, Government Code. The limit on appropriations that can be made for the 2010-11 biennium is subject to adjustments resulting from revenue forecast revisions or subsequent appropriations certified by the Comptroller to the 2008-09 biennial appropriations from state tax revenue not dedicated by the Constitution. The Comptroller may adjust the composition of fund and account balances without any net change in balances or change in appropriations so as to ensure compliance with the limit set forth in Article VIII, § 22 of the Texas Constitution.

Sec. 13.05. Contingency Rider. It is the intent of the Legislature that appropriations made in this Act be expended only for purposes and programs specifically funded in the Act, and contingency appropriations made for legislation adopted by the Eighty-first Legislature be the sole source of funding for implementation of that legislation. No state agency or institution of higher education is required to reallocate or redistribute funds appropriated in this Act to provide funding for programs or legislation adopted by the Eightieth Legislature for which there is not specific appropriation or contingency provision identified in this Act.

Sec. 13.06. Informational Items. Object of expense (OOE) listings contained in this Act, and other informational listings are not appropriations, and are merely informational listings that are intended to qualify or direct the use of funds appropriated in agency strategies, or are incidental to the appropriation made in the agency strategies.

Sec. 13.07. Appropriation of All Specialty License Plate Receipts and Unexpended Balances.

(a) (1) For the fiscal year beginning September 1, 2009, the amounts appropriated to an agency under Articles I-VIII of this Act include, regardless of whether or not the amounts may be shown under or limited by the bill pattern or riders of the agency or the special provisions applicable to the Article of this Act under which the agency's appropriation might be located:

(A) all estimated balances and revenue collected by an agency or held in a fund or an account by or on behalf of an agency before September 1, 2009, and that are associated with the sale of a Texas specialty license plate, as authorized by Subchapter G, Chapter 504, Transportation Code, or other applicable statute; and

(B) all estimated balances and revenue collected by an agency or held in a fund or an account by or on behalf of an agency on or after September 1, 2009, and that are associated with the sale of a Texas specialty license plate, as authorized by Subchapter G, Chapter 504, Transportation Code, or other applicable statute, during the 2010-11 biennium, including any new license plates that may be authorized or issued after September 1, 2009.

(2) Amounts appropriated by this section shall be used for purposes consistent with this Act and all applicable statutes.

(b) Any unexpended balance as of August 31, 2010, associated with an appropriation made by Subsection (a) of this section is hereby appropriated for the same purpose for use during the fiscal year beginning September 1, 2010.

(c) The following is an informational listing of estimated revenues and balances associated with certain Texas specialty license plates that are specifically referenced under Articles I-VIII of this Act. The Texas specialty license plates that are listed below are authorized by Subchapter G, Chapter 504, Transportation Code, or other applicable statute.

Specialty License Plate	Fund or Account Number	Estimated Balance on 8/31/09	Estimated Revenue FY2010	Estimated Revenue FY2011
Article I				
Commission on the Arts				
State of the Arts	0334[a]	$0	$200,000	$200,000
Office of the Attorney General				
Lone Star Proud for Kids (Volunteer Advocate)	5036	$43,000	$30,000	$31,000
Cancer Prevention and Research Institute of Texas				
Texans Conquer Cancer	5136	$18,000	$12,000	$12,000
Trusteed Programs within the Office of the Governor				
Economic Development and Tourism	5110	$64,000	$8,000	$8,000
Texas-It's Like a Whole Other Country	5053	$34,000	$21,000	$21,000
Native Texan (Daughters of the Republic of Texas)	5115	$18,000	$67,000	$67,000
Space Shuttle Columbia	0001	$0	$12,000	$12,000
Texas Music	5113	$10,000	$7,000	$10,000
Historical Commission				
El Paso Mission Valley	5122	$0	$0	$0
Library & Archives Commission				
Texas Reads	5042	$2,263	$4,000	$4,000
Veterans Commission				
American Legion	5141	$1,000	$1,000	$1,000
Air Force Association	5123	$2,000	$3,000	$3,000
Article II				
Department of Aging and Disability Services				
Special Olympics Texas	5055	$2,000	$4,000	$4,000
Department of Assistive and Rehabilitative Services				
I Love Texas	5086	$4,000	$12,000	$12,000
Department of Family and Protective Services				
Stop Child Abuse	5140			
Department of State Health Services				
Animal Friendly	5032	$1,122,000	$289,000	$295,000
March of Dimes	5117	$7,000	$1,000	$1,000
Be a Blood Donor	5134	$1,000	$0	$0
Article III				
Texas Education Agency				
Read to Succeed	5027	$27,000	$31,000	$32,000
YMCA	5089	$0	$1,173	$1,173
100th Football Season of S. F. Austin High School	5058	$0	$0	$0
Share The Road	5121	$3,000	$48,000	$48,000
Knights of Columbus	5118	$2,000	$11,000	$11,000
Star Day School Library Readers are Leaders	N/A	$0	$0	$0
Keeping Texas Strong	N/A	$0	$0	$0
Anthropos Arts	5140	$7,000	$6,000	$6,000

Higher Education Coordinating Board				
Houston Livestock Show and Rodeo	5034	$3,000	$5,000	$5,000
Collegiate License Plates	5015	$469,000	$329,000	$336,000
Girl Scouts	5052	$5,000	$2,000	$2,000
Cotton Boll	5119	$10,000	$6,000	$6,000
Boy Scouts of America	5126	$10,000	$7,000	$7,000
College for Texans	5140	$7,000	$6,000	$6,000
Texas A&M University System Admin and General Offices				
Texas State Rifle Association	5130	$38,000	$12,000	$12,000
Texas A&M University - Kingsville				
Red Grapefruit (Texas Citrus Industry)	5056	$20,000	$3,000	$3,000
Texas AgriLife Extension Service				
Texas Master Gardener	5131	$31,000	$6,000	$6,000
4-H	5132	$6,000	$1,000	$1,000
Texas Forest Service				
Urban Forestry	5133	$13,000	$4,000	$4,000
Article IV				
Supreme Court of Texas				
Texas Young Lawyers (And Justice for All)	0573[b]	$0	$15,000	$14,000
Article VI				
Department of Agriculture				
Go Texan (Texas Agricultural Products)	5051[c]	$0	$4,000	$4,000
General Land Office and Veterans' Land Bd				
Adopt-A-Beach	5140			
Parks and Wildlife Department				
Big Bend National Park	5030[d]	$54,000	$50,000	$51,000
Waterfowl & Wetland Conservation	5057	$12,000	$28,000	$28,000
Texas PGA Junior Golf	0001	$0	$0	$0
Marine Mammal Recovery	5120	$41,000	$10,000	$10,000
Texas Lions Camp	5116	$36,000	$6,000	$6,000
Horned Toad	5004[e]	$0	$284,367	$284,367
Bluebonnet	5004	$0	$110,169	$110,169
Whitetail Deer	5004	$0	$62,916	$62,916
Largemouth Bass	5004	$0	$42,549	$42,549
Article VII				
Housing and Community Affairs				
I am a Texas Realtor	5140			

[a] Fund 0334 for the Commission of the Arts has these three revenue sources; however, none of the "Estimated Balance on 8/31/09" for Fund 0334 is related to Motor Vehicle Registration Fees:
3014 Motor Vehicle Registration Fees
3851 Interest on State Deposits and Treasury Investments, General (Non-Program)
3852 Interest on Local Deposits-State Agencies

[b] Fund 0573 for the Supreme Court has these seven revenue sources; however, none of the "Estimated Balance on 8/31/09" for Fund 0573 is related to Motor Vehicle Registration Fees:
3014 Motor Vehicle Registration Fees
3195 Additional Legal Services Fees
3704 Court Costs
3709 District Court Suit Filing Fee
3711 Judicial Fees
3719 Fees for Copies or Filing of Records
3777 Warrants Voided by Statute of Limitation-Default Fund

[c] Fund 5051 for the Department of Agriculture has these three revenue sources; however, none of the "Estimated Balance on 8/31/09" for Fund 5051 is related to Motor Vehicle Registration Fees:
3014 Motor Vehicle Registration Fees

3740 Grants/Donations
3851 Interest on State Deposits and Treasury Investments, General (Non-Program)

[d] Fund 5030 has these two revenue sources, and both are included in the "Estimated Balance on 8/31/09":
3014 Motor Vehicle Registration Fees
3851 Interest on State Deposits and Treasury Investments, General (Non-Program)

[e] Fund 5004 has subaccounts reported by Texas Parks and Wildlife; therefore, individual license plate balances and revenues can be shown.

PART 14. AGENCY DISCRETIONARY TRANSFER PROVISIONS

Sec. 14.01. Appropriation Transfers.

(a) Subject to any specific restriction in another provision of this Act, an appropriation contained in this Act may be transferred from one appropriation item to another appropriation item in an amount not to exceed 12.5 percent of the appropriation item from which the transfer is made for the fiscal year, at the discretion of the chief administrative officer of the state agency or institution.

(b) As a specific exception to Subsection (a), funds appropriated for capital budget items are subject to restrictions contained elsewhere in this Act.

(c) Funds appropriated by this Act in items of appropriation that are part of a Goal for "Indirect Administrative and Support Costs" or "Indirect Administration" may also be transferred from one appropriation item to another appropriation item within that same Goal without limitation as to the amount of such a transfer.

(d) Appropriations made by this Act to each state agency or institution of higher education are not subject to transfer between agencies or institutions except under the provisions of interagency contract, budget execution statutes, or specific rider or statutory authorization.

Sec. 14.02. Transfers for Contract Services. Funds appropriated in the various Articles of this Act for "Employees Retirement System," "Social Security State Match," and "Benefit Replacement Pay" may be transferred between Articles for similar appropriation items for the purpose of paying employee benefits costs incurred by higher education institutions when those institutions have contracted to provide services to state agencies.

Sec. 14.03. Limitation on Expenditures — Capital Budget.[1]

(a) Contained in appropriations made to certain agencies by this Act are amounts identified as the "Capital Budget." Except as provided under this section, none of the funds appropriated by this Act, in excess of amounts restricted to capital budget purposes, may be expended for capital budget purposes without the prior approval of the Governor and Legislative Budget Board.

(b) A request for approval to exceed the transfer limitation on capital budget expenditures under Subsection (i) must be submitted by the agency's governing board and must include at a minimum:

(1) the date on which the board approved the request;

(2) a statement justifying the need to exceed the limitation;

(3) the source of funds to be used to make the purchases; and

(4) an explanation as to why such expenditures cannot be deferred.

(c) This restriction does not apply to:

[1] Modified to correct error.

(1) expenditures for capital outlay items or projects that are not included in the definition of "Capital Budget" under Subsection (d); or

(2) expenditures for Capital Budget purposes made by:

(A) institutions of higher education; or

(B) public community/junior colleges.

(d) "Capital Budget" includes expenditures, for assets with a biennial project cost or unit cost in excess of $25,000, within the following categories:

(1) Acquisition of Land and Other Real Property (except for right-of-way purchases made by the Texas Department of Transportation);

(2) Construction of Buildings and Facilities;

(3) Repairs or Rehabilitation of Buildings and Facilities;

(4) Construction of Roads (except for such expenditures made by the Texas Department of Transportation);

(5) Acquisition of Information Resource Technologies;

(A) In order to provide for unanticipated shortages in appropriations made by this Act for fiscal year 2010 for the payment of data center consolidation costs, amounts identified elsewhere in this Act in fiscal year 2011 for "Data Center Consolidation" may be transferred to fiscal year 2010 to pay data center consolidation costs. Agencies transferring appropriations related to data center consolidation costs must notify the Governor and Legislative Budget Board 30 days prior to the transfer of funds.

(B) "Data Center Consolidation" for the purposes of this section is defined as state consolidated data center services in accordance with Government Code, Chapter 2054, Subchapter L.

(6) Transportation Items;

(7) Acquisition of Capital Equipment and Items; or

(8) Other Lease Payments to the Master Lease Purchase Program (for items acquired prior to September 1, 2009, only).

(e) Any expenditure directly related to acquisition of an asset, or to placing an asset in service, may be paid from the appropriation made to the "Capital Budget."

(f) In implementing this section, the Comptroller should refer to the detailed instructions for preparing and submitting requests for legislative appropriations for the biennium beginning September 1, 2009, and the definitions therein, and to the official request for legislative appropriations submitted by the affected agency.

(g) Appropriations restricted to capital budget purposes and not identified in a "Capital Budget" as being for lease payments to the master lease purchase program (MLPP) or for other lease-purchase payments may be utilized to make lease payments under MLPP or for other lease or installment payments only if the agency to which the appropriation is made provides a report to the Comptroller specifying the sum of the lease payments to be made during the biennium for the Capital Budget item being acquired. The Comptroller shall reduce the appropriation made by this Act for the Capital Budget item in an amount equal to the difference between the appropriated amount and the sum of the lease payments for the biennium and deposit that amount into the unappropriated balance of the original funding source. In the event that the Comptroller cannot determine the amount appropriated for a specific Capital Budget item, the amount shall be determined by the Legislative Budget Board.

(h) Funds restricted to "Acquisition of Information Resource Technologies" may also be used to purchase or contract for computer time, facility resources, maintenance, and training.

(i) (1) An agency may transfer appropriations:

(A) from a non-capital budget item to a capital budget item;

(B) from a capital budget item to another capital budget item; or

(C) from a capital budget item to an additional capital budget item not presented in the agency's bill pattern.

(2) Without the approval of the Governor and the Legislative Budget Board:

(A) the amounts transferred during a fiscal year as provided by Subdivision (1) of this Subsection (i) may not exceed 25 percent of either:

(i) the amount of the capital budget item, as presented in the agency's bill pattern from which funds are being transferred; or

(ii) the amount of the capital budget item, if presented in the agency's bill pattern, to which funds are being transferred;

(B) appropriations may not be transferred directly from a non-capital budget item to an additional capital budget item not presented in the agency's bill pattern;

(C) appropriations may not be transferred to an additional capital budget item that is not presented in the agency's bill pattern if that additional capital budget item was presented to a committee, subcommittee, or working group of the Eighty-first Legislature but was not adopted by the Eighty-first Legislature; and

(D) an agency that does not have a capital budget provision following its items of appropriation in this Act may not use funds appropriated by this Act for capital budget purposes.

(j) Any unexpended balances remaining in appropriations made by this Act for capital budget purposes for fiscal year 2010 are hereby appropriated for fiscal year 2011 for the same purpose.

(k) (1) Notwithstanding limitations on capital expenditures provided elsewhere, appropriations made by this Act that may be used for the payment of utility bills are hereby authorized to be used to pay for energy and water conservation-related projects, including lease payments under the state's Master Lease Purchase Program, entered into in accordance with energy and water conservation statutes.

(2) Capital expenditures for items that could be financed through the utility savings made possible by a comprehensive energy and water conservation contract authorized by § 2166.406, Government Code, are prohibited unless part of a comprehensive energy and/or water conservation contract authorized under § 2166.406, Government Code.

(3) Before authorizing expenditures for capital items that consume energy or water or that are related to the energy and/or water consumption of an agency's facilities, the Comptroller must verify that the items could not be part of a cost-effective contract for energy and water conservation measures authorized by § 2166.406, Government Code.

Sec. 14.04. Disaster Related Transfer Authority.

(a) In the event of a disaster proclamation by the Governor under the Texas Disaster Act of 1975, Chapter 418, Government Code, transfers of appropriations made in this Act, if necessary to respond to the disaster and if made according to the terms of this section, are permitted. This section is intended to serve as a means for quickly, effectively, and efficiently transferring appropriations in the event of a disaster. This section provides an exception to any other provision of this Act which might otherwise limit transfers of appropriations such as by imposing a limit on the amount of a transfer or which might otherwise limit transfers of appropriations by causing a delay in making a transfer because of the need to take actions

such as preparing reports or obtaining approvals prior to transferring appropriations necessary for responding to a disaster. No part of this Section 14.04 shall be read to limit, modify, or abridge the authority of the Governor to proclaim martial law or exercise any other powers vested in the Governor under the constitution or laws of this state.

(b) Health and Human Services Agencies: For a health and human services agency listed in Chapter 531, Government Code, that directly responds to the disaster, the Commissioner of Health and Human Services is authorized to transfer funds from another health and human services agency listed in Chapter 531, Government Code to the responding agency, and may transfer funds between the strategies of each agency for the purpose of funding the disaster response subject to the prior notification of the Legislative Budget Board and Governor as provided by Subsection (g).

(c) Other Agencies: An agency other than a health and human services agency listed in Chapter 531, Government Code that directly responds to a disaster may transfer appropriations within the agency, without regard to any limits on transfer of appropriations between strategies, subject to the prior notification of the Legislative Budget Board and Governor as provided by Subsection (g).

(d) Transfers Between Agencies: In the event that a transfer involving at least one agency not listed in Chapter 531, government Code is necessary in order to respond to a disaster, the agencies involved in the transfer shall request approval from the Legislative Budget Board and the Governor for the emergency transfer of funds, pursuant to Article XVI, Section 69, Texas Constitution. Any request under this subsection should include the same information required in the recommended plan of transfer below, and a copy shall be provided to the Comptroller.

(e) Appropriation Transfers between Fiscal Years: Agencies responding to a disaster are authorized to transfer funds appropriated in fiscal year 2011 to fiscal year 2010, subject to the prior notification of the Legislative Budget Board and Governor as provided by Subsection (g).

(f) Unexpended Balances: Any unobligated balances from transfers made under Subsection (e) as of August 31, 2010, are appropriated to the agency for the same purpose for the fiscal year beginning September 1,2010.

(g) Notification of Recommended Plan of Transfer.

(1) Recommended Plan of Transfer: A recommended plan of transfer submitted by an agency to the Governor and Legislative Budget Board under this section must include the following information:

(A) a copy of the appropriate disaster proclamation made under Chapter 418, Government Code;

(B) the amounts to be transferred (listed by method of finance);

(C) the agency or agencies affected;

(D) the programs affected by the transfer; and

(E) any other information requested by the Legislative Budget Board.

(2) Notification: An agency must notify the Legislative Budget Board, the Comptroller, the Governor, and any other agency involved in the transfer prior to the date of recommended transfers. The Comptroller shall transfer the funds as recommended.

PART 15. AGENCY NON-DISCRETIONARY TRANSFER PROVISIONS

Sec. 15.01. Reimbursements for Unemployment Benefits.

(a) For the purposes of this section, "agency" includes a state agency as defined under § 2151.002, Government Code, which includes an institution of higher education (except a public junior college) as defined under § 61.003, Education Code.

(b) At the close of each calendar quarter, the Texas Workforce Commission shall prepare a statement reflecting the amount of unemployment benefits paid to all former state employees based on wages earned from state employment and present it to the Comptroller. The Comptroller shall pay by warrant or transfer out of funds appropriated from the Unemployment Compensation Special Administration Account No. 165 such amount to the Unemployment Compensation Benefit Account No. 937 to reimburse it for such payments.

(c) The Unemployment Compensation Special Administration Account No. 165 shall be reimbursed, as Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165, for one-half of the unemployment benefits paid, from appropriations made in this Act to the agency that previously employed each respective former state employee whose payroll warrants were originally issued in whole or part from the General Revenue Fund or dedicated General Revenue Fund accounts, Federal Funds, or Other Funds, such as Fund No. 006.

(d) From information related to unemployment benefits paid on behalf of previously employed former state employees provided by the Texas Workforce Commission, the Comptroller shall determine the proportionate amount of the reimbursement or payment due from the General Revenue Fund, any General Revenue-Dedicated accounts, Federal Funds or Other Fund appropriations made elsewhere in this Act to agencies. The Comptroller shall transfer such amounts to the Unemployment Compensation Special Administration Account No. 165. The amounts reimbursed pursuant to this subsection are hereby appropriated to the Unemployment Compensation Special Administration Account No. 165 for the purpose of reimbursing the Unemployment Compensation Benefit Account No. 937, as Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165. The reimbursement requirements established by this subsection may be waived, either in whole or in part, by the Legislative Budget Board.

(e) In addition to other reimbursement provided by this section, the Unemployment Compensation Special Administration Account No. 165 shall be reimbursed, for one-half of the unemployment benefits paid, from amounts appropriated to the Reimbursements to the Unemployment Compensation Benefit Account item in this Act out of dedicated General Revenue Fund accounts or Other Funds and shall be fully reimbursed from funds held in local bank accounts, for all former state employees whose payroll warrants were originally issued in whole or part from dedicated General Revenue Fund accounts, Other Funds or local bank accounts, respectively. From information provided by the Texas Workforce Commission, the Comptroller shall determine the proportionate amount of the reimbursement or payment due from funds other than General Revenue and transfer such funds to the Unemployment Compensation Special Administration Account No. 165. The amounts reimbursed from local funds pursuant to this subsection are hereby appropriated to the Unemployment Compensation Special Administration Account No. 165 for the purpose of reimbursing the Unemployment Compensation Benefit Account No. 937. Such transfers and payments as are authorized under law shall be made not later than the 30th day after the date of receipt of the statement of payments due.

(f) The Comptroller may prescribe accounting procedures and regulations to implement this section.

(g) The Comptroller, upon certification of amounts due from the Texas Workforce Commission, including the sources of such amounts due, may transfer funds from such agencies or other units of state government as the Texas Workforce Commission certifies remain due more than 30 days from receipt of the statement of payments due. The Texas Workforce Commission shall also determine the amounts due from funds held outside the state treasury and notify the State Auditor and Comptroller of such amounts.

Sec. 15.02. Payments to the State Office of Risk Management (SORM).

(a) In this section:

(1) "Agency" includes a state agency as defined under § 2151.002, Government Code, which includes an institution of higher education (except a public junior college) as defined under § 61.003, Education Code, and may also include any other unit of state government as defined by the rules of SORM, which participates in cost allocation plan provided under this section;

(2) "Assessment" means the amount of the workers' compensation assessment placed on an agency by SORM and the agencies' proportion of SORM's costs to administer workers' compensation payments and other statutory obligations contained in A.1.1, Risk Management Program and A.2.1, Pay Workers' Compensation, as provided by this section and other relevant law; and

(3) "SORM" means the State Office of Risk Management.

(b) At the beginning of each fiscal year, SORM shall prepare a statement reflecting the assessments due from all agencies and present it to the Comptroller.

(c) (1) Notwithstanding other provisions in this Act, agencies shall transfer to SORM seventy-five percent (75%) of their assessed allocation which includes amounts for workers' compensation coverage for their employees from funding in the same proportion as their expected payroll funding, including General Revenue Funds, dedicated General Revenue Fund accounts, Other Funds or local bank accounts and the agencies' proportion of SORM's costs to administer workers' compensation payments and other statutory obligations contained in A.1.1, Risk Management Program and A.2.1, Pay Workers' Compensation.

(2) Not later than May 1 of each fiscal year, SORM shall determine, based on actual costs since the beginning of the fiscal year and other estimated costs, the remaining assessment due from each agency. SORM shall prepare a statement reflecting the remaining assessments due from each agency and present the statement to the Comptroller. Each agency shall transfer to SORM the remaining assessed allocation which includes amounts for workers' compensation coverage for their employees from funding in the same proportion as their expected payroll funding, including General Revenue Funds, dedicated General Revenue Fund accounts, Other Funds or local bank accounts and the agencies' proportion of SORM's costs to administer workers' compensation payments and other statutory obligations contained in A.1.1, Risk Management Program and A.2.1, Pay Workers' Compensation.

(d) Transfers and payments as are authorized under law shall be made not more than 30 days from receipt of the statement of payments due.

(e) The Comptroller may prescribe accounting procedures and regulations to implement this section.

(f) Upon certification by SORM of amounts due, the Comptroller may transfer funds from an agency if the assessment amount due remains unpaid after more than 30 days from receipt of the statement of payments due.

(g) All funds recovered by SORM from third parties by way of subrogation are appropriated to SORM to be used for the payment of workers' compensation benefits to state employees and shall be retained in the bill pattern of the Workers' Compensation Payments in Strategy A.1.1, Workers' Compensation Payments, in whole for that purpose.

(h) Amounts not to exceed 2 percent in total of workers' compensation annual expenditures may be awarded to agencies by SORM for the purposes of risk management and loss prevention. In the event that Strategy A.1.1, Workers' Compensation Payments, in the bill pattern of the Workers' Compensation Payments, funded by the annual assessments to agencies, exceeds 110 percent of the expected annual payments, the portion of the excess over 110 percent funded from all funding sources shall be returned to agencies. The excess returned to the agencies by SORM is appropriated to the agencies for expenditures consistent with the original funding source. An all funds excess of 10 percent or less will be used to lower the cumulative assessments to agencies the following year.

(i) In the event the total assessments in any year prove insufficient to fund expenditures, SORM may, with the approval of the Legislative Budget Board, temporarily utilize additional general revenue in an amount not to exceed 20 percent of the cumulative assessments for that fiscal year. Any additional general revenue funds will be utilized only for the purpose of temporary cash flow and must be repaid upon receipt of the following year's assessments in accordance with procedures established by the Comptroller. All transfers from and repayments to the General Revenue Fund shall be reported by SORM to the Legislative Budget Board.

(j) The reimbursement requirements established by this section may be waived or delayed, either in whole or in part, by the Legislative Budget Board.

(k) SORM shall require agencies to provide to SORM and agencies shall submit to SORM information regarding the specific funding sources from which agencies pay their assessed allocation amounts for workers' compensation coverage for their employees.

Sec. 15.03. Contingency Appropriation Reduction.

(a) After considering all other contingency riders in this Act and all legislation passed by the Eighty-first Legislature that affects revenue, if the appropriations made by Articles I through X of this Act exceed the estimated available revenue, all appropriations made under this Act out of the General Revenue Fund and General Revenue-Dedicated accounts are hereby automatically reduced on a pro-rata basis by the amount necessary, if any, to ensure that the total amount appropriated does not exceed the estimated revenue, pursuant to Article 3, Section 49a, Texas Constitution; provided, however, that appropriations described under Subsection (c) of this section shall not be reduced.

(b) The Comptroller shall report the amount of the automatic reductions, if any, to the Governor and Legislative Budget Board.

(c) Appropriations described under this Subsection (c) that may not be reduced by an action taken pursuant to this section are as follows:

(1) Appropriations identified in Sec. 6.07 of this Article IX (Employee Benefit and Debt Service Items);

(2) Appropriations made to the Texas Education Agency for the Foundation School Program in Strategies A.1.1, FSP-Equalized Operations, and A.1.2, FSP-Equalized Facilities;

(3) Appropriations made in Article IV of this Act;

(4) Appropriations made to the Teacher Retirement System;

(5) Appropriations made to the Optional Retirement Program;

(6) Appropriations made to the Higher Education Fund;

(7) Appropriations made for Debt Service Payments for Non-Self Supporting G.O. Water Bonds;

(8) Appropriations made for Compensation to Victims of Crime; and

(9) Appropriations designated as "estimated."

Sec. 15.04. Appropriation Transfers: Billings for Statewide Allocated Costs. As provided by Chapter 2106, Government Code, relating to billings to state agencies for the costs of support services allocated to agencies under the statewide cost allocation plan, the Comptroller shall transfer appropriations made to state agencies and institutions of higher education by this Act to the General Revenue Fund, under Articles I-VIII of this Act, in amounts which total an estimated $46 million for the biennium.

At least thirty days prior to making transfers of agency appropriations to the General Revenue Fund pursuant to this provision, the Comptroller shall develop and prepare a plan of reductions and notify the Legislative Budget Board and Governor of the amounts proposed for reduction by each agency.

PART 16. LEGAL REPRESENTATION AND JUDGMENTS PROVISIONS

Sec. 16.01. Court Representation and Outside Legal Counsel.

(a) (1) Except as otherwise provided by the Constitution or general or special statutes, the Attorney General shall have the primary duty of representing the State in the trial of civil cases. The provisions of this section apply to the representation of a state governmental entity by outside legal counsel in all legal matters.

(2) Funds appropriated by this Act may not be used by a state governmental entity for retaining outside legal counsel before the state governmental entity requests the Attorney General to perform such services.

(3) If the Attorney General determines that outside legal counsel is in the best interest of the State, the Attorney General shall so certify to the Comptroller and to the requesting a state governmental entity which may then utilize appropriated funds to retain outside legal counsel.

(4) Funds appropriated by this Act may not be used to contract with an outside legal counsel who represents clients before the state governmental entity or who has, during a six month period preceding the initiative of the contract and a six month period following the termination of the contract, represented clients before the state governmental entity.

(5) A state governmental entity may not initiate the process of selecting outside legal counsel prior to receiving the approval of the Attorney General to retain outside legal counsel.

(b) Funds appropriated by this Act may not be expended by a state governmental entity to initiate a civil suit or defend itself against a legal action without the consent of the Attorney General. Absent this consent, the state governmental entity shall be represented in that particular action by the Attorney General.

(c) On receipt of a request by a state governmental entity to retain outside legal counsel, the Attorney General shall make a determination on the request as expeditiously as possible, but in no event later than 10 working days after receiving such request.

(d) Funds appropriated by this Act may not be used to pay compensation to outside legal counsel for representing a state governmental entity in the trial of a civil suit if the Attorney General, district attorney, criminal district attorney, county attorney, or other lawyer is required by constitutional or statutory provision to represent a state governmental entity except in those cases where the Attorney General consents to such representation or the district attorney, criminal district attorney, county attorney, or other lawyer has requested that the attorneys employed by the particular state governmental entity assist with the trial of the particular civil suit.

(e) (1) This section does not restrict a state governmental entity in the investigation and assembling of evidence in connection with a pending or prospective civil suit.

(2) This section does not prohibit a state governmental entity or its employees from investigating, filing, or presenting to any person a claim, owing to the State.

(f) This section does not restrict the Attorney General from employing special assistants to assist in the trial of civil suits to be paid from the appropriations therefore made to the Attorney General.

(g) If a state governmental entity requests the Attorney General to take legal action in court against another state governmental entity, the Attorney General shall give special consideration to permitting one of the state governmental entities to employ, from the permitted state governmental entity's funds, outside legal counsel to represent that state governmental entity in that action, in order to avoid a conflict of interest by the Attorney General in the representation of both state governmental entities.

(h) If the Attorney General initiates legal action against another state governmental entity on behalf of the Attorney General rather than another state governmental entity, the Legislature determines that a conflict of interest exists and the state governmental entity against which the Attorney General takes action may expend appropriated funds for outside legal counsel to represent that state governmental entity without the prior approval or consent of the Attorney General.

(i) Subsections (a) - (h) do not apply to funds appropriated to:

(1) the Office of the Governor;

(2) Comptroller;

(3) Department of Agriculture;

(4) General Land Office and Veteran's Land Board; or

(5) the Railroad Commission of Texas.

(j) Funds appropriated by this Act may not be expended to pay the legal fees or expenses of outside legal counsel that represents the State or any of its state governmental entities in a contested matter if the outside legal counsel is representing a plaintiff in a proceeding seeking monetary damages from the State or any of its state governmental entities.

(k) (1) Funds appropriated by this Act may not be expended by a state governmental entity for payment of legal fees or expenses under a contingent fee contract for legal services without the prior approval of the Legislative Budget Board.

(2) For purposes of this section, "state governmental entity" means a board, commission, department, office, or other agency in the executive branch of state government created under the constitution or a statute, including an institution of higher education.

(3) This section applies to all contingent fee contracts for legal services entered into by a state governmental entity, including legal services related to a *parens patriae* action or proceeding brought by a state governmental entity in the name of the state, except that this section does not apply to a contingent fee contract:

(A) for legal services performed for a state governmental entity in relation to the entity's actions as a receiver, special deputy receiver, liquidator, or liquidating agent in connection with the administration of the assets of an insolvent entity, including actions under Chapter 21A, Insurance Code, or Chapters 36, 66, 96, or 126, Finance Code; or

(B) under which recoveries from more than one entity are contemplated and the expected amount of each recovery and the actual amount of each recovery do not exceed $100,000.

(l) Any litigation that results in settlement, court order or other arrangement providing revenues or financial benefits to the State of Texas shall be structured to require the entire amount due to be paid to the treasury.

(m) (1) None of the money paid to a state governmental entity (as a result of a settlement of litigation, or other arrangement providing revenues or financial benefits as a result of litigation) may be expended by any state government entity unless the Legislative Budget Board is notified in writing by the Attorney General regarding the terms of the settlement or other arrangement and by the state governmental entity receiving the money regarding the plans for the use of the money. The written notice must be delivered to the Legislative Budget Board as soon as practicable, but no later than the 20th day of the month following approval of the settlement or arrangement by a court.

(2) This subsection does not apply to a settlement of litigation, court order resulting from litigation, or other arrangement providing revenues or financial benefits as a result of litigation:

(A) for a state governmental entity in relation to the entity's actions as a receiver, special deputy receiver, liquidator, or liquidating agent in connection with the administration of the assets of an insolvent entity, including actions under Chapter 21A, Insurance Code, or Chapters 36, 66, 96, or 126, Finance Code; or

(B) under which recovery to the state governmental entity does not exceed $500,000.

Sec. 16.02. Judgments and Settlements.

(a) The funds appropriated by this Act, including appropriations made in Article X of the Act, may not be expended for payment of a judgment or settlement prosecuted by or defended by the Attorney General and obtained against the State or a state agency, except:

(1) pursuant to this section; or

(2) where it is specifically provided in an item of appropriation that the funds thereby appropriated or expenditures therein authorized may be used for the payment of such judgments or settlements.

(b) The authorization provided by this subsection does not apply in those cases where the judgment order of the trial court was entered, or a settlement agreement was executed, prior to September 1, 1995. State agencies appropriated funds by this Act may expend funds appropriated elsewhere in this Act for the purposes of paying settlements and judgments against the state for causes brought in a federal court or a court in this state under specific statutory authority. Payments made pursuant to this subsection are subject to the following processes and limitations:

(1) such funds are to be paid out by the Comptroller on vouchers drawn by the agency settling the lawsuit or paying the judgment, subject to the approval of the Governor and of the Attorney General according to Subsection (d);

(2) for purposes of this subsection, "judgment" means a judgment order rendered in a federal court or a court in this state for which an appeal or rehearing, or application therefore, is not pending and for which the time limitations for appeal or rehearing have expired;

(3) the payment of a settlement or judgment may not exceed $250,000;

(4) the payment of the settlement or judgment would not cause the total amount of payments made by the payer agency for that fiscal year to exceed 10 percent of the total amount of funds available for expenditure by that agency for that fiscal year; and

(5) the payment of a settlement or judgment may be made only with a complete release from any and all related claims and causes against the State, and in the case of a judgment, the payment may be made only in full satisfaction of that judgment.

(c) (1) A state agency shall report a claim for property damage to the Attorney General not later than the second working day after the date the agency receives the claim.

(2) A state agency shall prepare a voucher for payment of a claim not later than the 10th working day after the date an agreement to settle the claim has been reached.

(d) Payment of all judgments and settlements prosecuted by or defended by the Attorney General is subject to approval of the Attorney General as to form, content, and amount, and certification by the Attorney General that payment of the judgment or settlement is a legally enforceable obligation of the State. This subsection applies equally to funds appropriated for expenditure through the state treasury, as well as funds appropriated for expenditure from funds held in local banks.

(e) The Attorney General shall report to the Legislative Budget Board and the Governor not less than monthly, a listing of all settlements and judgments of more than $5,000 submitted to the Comptroller for payment. The document for publication shall contain at least the following information unless all or part of the information is exempt by court order or Chapter 552, Government Code, (the Open Records Act):

(1) a summary of the cause of action;

(2) a summary of the terms of the settlement;

(3) the style of the case;

(4) the name and business address of each attorney representing the opposing litigants at the time of the settlement;

(5) the amount of the judgment or settlement;

(6) the fund or account from which payment was or should be made;

(7) the statutory citation for the appropriation or other authority to be made;

(8) specific statutes granting waiver of sovereign immunity or legislative resolution granting litigant permission to sue;

(9) the date of judgment or settlement; and

(10) other information as the Legislative Budget Board may request and in the form requested by the Legislative Budget Board.

(f) The State Auditor may verify compliance with this section for all funds appropriated in this Act, including funds that are retained and expended from accounts held outside the state treasury and that are not subject to reimbursement through funds held in the state treasury. On verification that an agency has not obtained the Attorney General's approval prior to payment of a judgment or settlement, the State Auditor may certify such fact to the Comptroller. The Comptroller may withhold all appropriations for administrative expenses for the involved agency, until the Legislative Audit Committee notifies the Comptroller that the agency's non-compliance has been reviewed and necessary recommendations or changes have been made.

Sec. 16.03. Expenditures for Representatives of Grievants Prohibited.

(a) The funds appropriated by this Act may not be used to pay expenses for salary, travel, or per diem of a public employee who represents grievants in the presentation of grievances concerning wages, hours of work, or conditions of work.

(b) Notwithstanding Subsection (a), a state employee may take annual leave, compensatory leave, or leave without pay, subject to the procedures established by the state employee's agency of employment, to engage in this activity.

PART 17. CONTINGENCY AND OTHER PROVISIONS

Sec. 17.01. Appropriation for a Salary Increase for State Employees in Salary Schedule C.

(a) Appropriations made by this Act to the agencies listed below are hereby increased for both fiscal year 2010 and fiscal year 2011 by the amounts and from the appropriation sources indicated below for Schedule C pay raises.

Agency Name	General Revenue	General Revenue-Dedicated (Fund 9)	Federal Funds	Other Funds (Fund 6)	Total for Each Fiscal Year of the Biennium
Alcoholic Beverage Commission	$697,785	$0	$0	$0	$697,785
Department of Criminal Justice	$216,646	$0	$0	$0	$216,646
Parks and Wildlife Department	$0	$1,277,476	$140,366	$0	$1,417,842
Department of Public Safety	$0	$0	$464,051	$9,203,676	$9,667,727
Subtotal	$914,431	$1,277,476	$604,417	$9,203,676	$12,000,000
Grand Total (w/Benefits)	$1,057,997	$1,478,040	$699,310	$10,648,653	$13,884,000

(b) The amounts appropriated above include $697,785 in fiscal year 2010 and $697,785 in fiscal year 2011 in General Revenue Funds to the Texas Alcoholic Beverage Commission for Schedule C pay raises. These appropriations are contingent upon the Texas Alcoholic Beverage Commission increasing fees and surcharges, pursuant to § 5.50, Alcoholic Beverage Code, by $1,614,674 and providing such information deemed necessary by the Comptroller of Public Accounts to issue a finding of fact that the increased revenues are estimated to be available in excess of the Comptroller's Biennial Revenue Estimate, including supplemental estimates used in certifying this Act, to fund the increased appropriations and benefits.

(c) Any increase in employee benefits costs associated with the salary increase as described above shall be paid only out of the appropriations made above in Subsection (a) of this section.

(d) Provisions requiring salaries and benefits to be proportional to the source of funds shall apply to all sums allocated under this section, except as otherwise provided. Each agency shall pay the increase in compensation from funds held in the state treasury and from local funds in the same proportion as the employee's regular compensation.

(e) The Comptroller of Public Accounts shall promulgate rules and regulations as necessary to administer this section. Funds appropriated in this section shall be allocated to each agency, and to the appropriate employee benefit appropriation items, in accordance with such rules and regulations and may be used only for the purpose of providing a salary increase and paying associated employee benefit costs.

(f) This section does not authorize an increase of classified salary rates above the rates listed in the Schedule C in this Act.

Sec. 17.02. Additional Appropriation for Employee Benefits.[1]

(a) In recognition of increases in the number of Full-Time Equivalent employees authorized by this Act, additional amounts are hereby appropriated for employee benefits. For the biennium beginning September 1, 2009, the following amounts are appropriated: to the Comptroller of Public Accounts for the payment of employer paid Social Security contributions; $678,096 in General Revenue Funds, $1,326,816 in General Revenue-Dedicated Funds, $1,436,976 in Federal Funds, and $717,264 from Other Funds; to the Employees Retirement System for retirement contributions; $219,300 in General Revenue Funds, $986,592 in General Revenue-Dedicated Funds, $1,065,540 in Federal Funds, and $539,736 from Other Funds; and to the Employees Retirement System for group insurance contributions; $640,058 in General Revenue Funds, $2,707,308 in General Revenue-Dedicated Funds, $2,922,141 in Federal Funds, and $1,484,990 from Other Funds.

(b) In recognition of changing the salary funding source of 1,416 Full-Time Equivalent Employees of the Department of Public Safety from State Highway Fund 6 to General Revenue, appropriations are made for corresponding employee benefits. For the biennium beginning September 1, 2009, the following amounts are appropriated: to the Comptroller of Public Accounts for the payment of employer paid Social Security contributions; $8,665,920 in General Revenue Funds, and an equal reduction from State Highway Fund 6; to the Employees Retirement System for retirement contributions; $7,306,560 in General Revenue Funds, and an equal reduction from State Highway Fund 6; and to the Employees Retirement System for group insurance contributions; $15,935,664 in General Revenue Funds, and an equal reduction from State Highway Fund 6.

Sec. 17.03. Enterprise Resource Planning Projects.[1]

(a) The Comptroller of Public Accounts (CPA) shall enter into a separate interagency contract to manage the development and implementation of a Enterprise Resource Planning project with each of the following agencies:

(1) the Health and Human Services Commission (HHSC);

(2) the Texas Department of Transportation (TXDOT); and

(3) the Department of Information Resources (DIR).

(b) Additionally the CPA shall have the option to enter into interagency contracts with additional agencies for the same purposes listed under subsection (c).

(c) In accordance with the CPA's duties pursuant to Government Code 2101.036 to adopt standards for implementation and modification of state agency Enterprise Resource Planning (ERP) systems, the CPA shall provide guidance on the following:

[1] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

(1) The scope and budget of the project;

(2) The timeline to ensure completion on schedule, on budget and with the expected functionality;

(3) That business processes are changed to match the software versus changing the software to accommodate business processes;

(4) The project helps the overall ERP statewide project effort;

(5) Coordination of efforts across all ERP projects (HHSC, TxDOT, and DIR);

(6) Management of the contractors working on implementing the systems; and

(7) Development of Request For Proposals and other bid documents.

(d) The CPA shall report annually to the Legislative Budget Board and the Governor's Office on the status of the implementation of each of the Enterprise Resource Planning project and any savings or benefits realized as a result of the implementation of the project.

(e) In addition to amounts appropriated elsewhere in this Act, the Health and Human Services Commission is appropriated $7,059,289 from the General Revenue Fund and $9,476,000 in All Funds for the 2010-11 fiscal biennium to develop and implement an Enterprise Resource Planning project.

(f) In addition to amounts appropriated elsewhere in this Act, the Department of Information Resources is hereby appropriated $285,000 out of DIR Clearing Fund Account - Appropriated Receipts; $75,000 in Telecommunications Revolving Account - Appropriated Receipts; $120,000 in DIR Clearing Fund Account - Interagency Contracts; $720,000 Telecommunications Revolving Account - Interagency Contracts; and $300,000 in Statewide Technology Account - Interagency Contracts each year of the 2010-11 biennium to develop and implement an Enterprise Resource Planning system.

Sec. 17.04. Border Security Operations.[2] The amounts listed below are appropriated from the General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 for the specified border security operations:

(1) $1,400,000 to the Texas Parks and Wildlife Department for 15 additional game warden full-time-equivalent positions; in addition to the amount of full-time-equivalent positions listed elsewhere in this Act the number of full-time-equivalent positions for the Texas Parks and Wildlife Department is increased by 15;

(2) $250,000 to the Texas Parks and Wildlife Department for overtime and operational costs for increased patrol and investigative capacity;

(3) $500,000 to the Texas Department of Criminal Justice to provide the Office of Inspector General with 10 officers to staff the fusion center and coordinate other gang intelligence activities within TDCJ; in addition to the amount of full-time-equivalent positions listed elsewhere in this Act the number of full-time-equivalent positions for the Texas Department of Criminal Justice is increased by 10;

(4) $4,000,000 to the Trusteed Programs within the Office of the Governor for prosecution resources for districts statewide;

(5) $3,000,000 to the Trusteed Programs within the Office of the Governor to provide funding for equipment and training to support patrol operations;

(6) $2,500,000 to the Trusteed Programs within the Office of the Governor to fund overtime to expand gang enforcement patrols;

[2] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

(7) $1,750,000 to the Trusteed Programs within the Office of the Governor to fund overtime to expand multi-jurisdictional gang investigations; and

(8) $2,000,000 to the Trusteed Programs within the Office of the Governor to expand gang prevention efforts.

If any of these operations involve the Texas State Guard, it is the intent of the Legislature that the Texas State Guard be paid operational costs and per diem.

Sec. 17.05. Fraud Reporting. A state agency or institution of higher education appropriated funds by this Act, shall use appropriated funds to assist with the detection and reporting of fraud involving state funds, including funds received pursuant to the American Recovery and Reinvestment Act, as follows:

(a) By providing information on the home page of the entity's website on how to report suspected fraud waste and abuse involving state resources directly to the State Auditor's Office. This shall include, at a minimum, the State Auditor's fraud hotline information and a link to the State Auditor's website for fraud reporting; and

(b) By including in the agency or institution's policies information on how to report suspected fraud involving state funds to the state auditor.

Sec. 17.06. Interagency Council. Contingent on passage of Senate Bill 911, or similar legislation relating to the certification and regulation of pain management clinics, by the Eighty-first Legislature, Regular Session, 2009, it is the intent of the Legislature that with funds appropriated to the agencies under this Act, the director of the Department of Public Safety or the director's designee, the executive director of the State Board of Pharmacy or the executive director's designee, the executive director of the Texas Medical Board or the executive director's designee shall meet as an interagency council to develop a transition plan for the orderly transfer from the Department of Public Safety to the Texas State Board of Pharmacy of certain records and regulatory functions relating to dispensing controlled substances by prescription under Chapter 481, Health and Safety Code. In developing the transition plan, the council shall: consult with the Health and Human Services Commission, the Department of State Health Services, and other health and human services agencies that contract with a third party for data collection; specify the records and regulatory functions to be transferred; create a time frame within which the specified records and functions will be transferred; ensure the Department of Public Safety's continued access for law enforcement purposes to prescription drug information obtained under Chapter 481, Health and Safety Code; develop a plan for the transfer of relevant database information; make recommendations for improvements to date transmission, including examining the feasibility of implementing an electronic data transmission system for use by registrants and the Department of Public Safety or the Texas State Board of Pharmacy; estimate the fiscal impact of the transfer, including an estimate of the costs associated with any necessary staff increase; minimize disruptions to the professions affected by the transfer, identify any obstacles to the transfer and make recommendations to address these obstacles; and address any other consideration the council determines is appropriate. Not later than January 1, 2011, the council shall submit its recommendations to the Legislature on the transition plan developed by the council. The Department of Public Safety may not enter into any contract or otherwise take any action that would prevent, delay, or hinder a potential transfer of the Texas State Board of Pharmacy occurring on or after September 1, 2011, of certain records and regulatory functions relating to dispensing controlled substances by prescription.

Sec. 17.07. Maintenance of Victory Field Correctional Academy. The Department of State Health Services (DSHS), shall use funds appropriated elsewhere in this Act to DSHS to provide maintenance services at the Victory Field Correctional Academy from September 1, 2010 to August 31, 2011.

Sec. 17.08. Appropriation of Fines, Penalties, Sanctions.[3] Out of funds collected from health insurers for fines, penalties, and sanctions and deposited in General Revenue, the Texas Department of Insurance is hereby appropriated, out of amounts collected in excess of those contained in the Comptroller's Biennial Revenue Estimate, an amount not to exceed $1.5 million in each year of the biennium for the Three Share Premium Assistance Programs.

Sec. 17.09. Lease of Facilities. The University of Texas System and Texas Southmost College are directed by the Legislature to enter into binding arbitration no later than March 31, 2010 for the purpose

[3] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

of determining the appropriate compensation for Texas Southmost College for property leased by the University of Texas at Brownsville. Out of funds appropriated elsewhere in this Act. The University of Texas System shall pay any order or judgment required by the arbitrator.

Sec. 17.10. Allocation for Rail Relocation and Improvement Fund.[4]

a. Out of the funds appropriated above, and on a finding by the comptroller under subsection (b) of this rider, an amount of $91 million is allocated out of the State Highway Fund for state fiscal year 2010 and an amount of $91 million is allocated out of the State Highway Fund for state fiscal year 2011 for transfer to the Texas Rail Relocation and Improvement Fund. The amounts are allocated for expenditure out of the Texas Rail Relocation and Improvement Fund to the Department of Transportation for the purposes described by Section 49-o, Article III, Texas Constitution.

b. The allocations under subsection (a) of this rider may be made only if the comptroller issues a finding of fact that the following items result in a net increase for the 2010-2011 state fiscal biennium of at least $182 million over the 2008-2009 state fiscal biennium:

   (1) the net impact of enacted revenue measures on incoming revenue of the State Highway Fund that is not dedicated under Article 8, Section 7-a of the Texas Constitution;

   (2) as a gain, any reduction in appropriations made from State Highway Fund No. 0006 to state agencies other than the Department of Transportation; and

   (3) as a loss, any reduction in appropriations made to the Department of Transportation from the General Revenue Fund.

c. If the comptroller issues the finding of fact under subsection (b) of this rider, and the funds are transferred to the Texas Rail Relocation and Improvement Fund under subsection (a) of this rider, the Department shall allocate no more than $35,000,000 from the fund for the phase 1 improvements at Tower 55, one of the busiest at-grade railroad intersections in the United States, that will meet freight and passenger rail traffic demand for the next several years and is consistent with the North Central Texas Council Of Governments Tower 55 Reliever Study. The work will include the addition of a BNSF north/south mainline through the tower, 9,000 feet of additional mainline north and south of the tower, enhance connections to improve turning movements, install new signaling and control systems and install a new bridge over Lancaster Avenue. The allocation of funds in this subsection applies only if the department requests additional funds from the United States Department of Transportation under a discretionary program of the American Recovery and Reinvestment Act and that request is not granted.

d. The allocation of money under subsection (a) of this rider does not include money in the State Highway Fund that is dedicated for particular purposes by the constitution of this state.

e. Any unexpended balance on August 31, 2010, of amounts allocated by this rider in fiscal year 2010 is allocated for the purposes of this rider for the state fiscal year beginning September 1, 2010.

Sec. 17.11. Informational Listing General Obligation Bond Proceeds. The following is an informational listing of funds appropriated elsewhere in this Act, for the 2010-11 biennium to the agencies listed below for projects out of general obligation bond proceeds. All projects funded with bond proceeds listed below are subject to approval by the Legislative Budget Board prior to the issuance of the bond proceeds by the Texas Public Finance Authority.

(a) Proposition 8	**2010-11 Biennial Total**	
by Article by Agency by Project	**Bond Proceeds**	**Debt Service**
ARTICLE I		
Facilities Commission		
Deferred Maintenance for Facilities	$ 23,155,747	$ 2,315,000

[4] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

ARTICLE III		
School for the Blind and Visually Impaired		
Campus renovations	$ 35,192,336	$ 0
Total, by Article	**$ 58,348,083**	**$ 2,315,000**

(b) Proposition 4	**2010-11 Biennial Total**	
by Article by Agency by Project	**Bond Proceeds**	**Debt Service**
ARTICLE I		
Facilities Commission		
Deferred Maintenance for Facilities	$ 5,786,253	$ 579,200
Historical Commission		
Repair and Renovation of Courthouses	$ 20,000,000	$ 2,780,137
ARTICLE II		
Department of State Health Services		
Mental Health Facility Repair and Renovation	$ 27,228,000	$ 2,722,800
Department of Aging and Disability Services		
Repairs of State Owned Bond Homes and State Schools	$ 26,987,000	$ 2,698,700
ARTICLE V		
Adjutant Generals Department		
Major Maintenance and Roof Replacements at Readiness Centers	$ 6,535,000	$ 653,500
Department of Criminal Justice		
Repair and Rehabilitation of Facilities and Renovation of the Marlin Correctional Mental Health Facility	$ 80,000,000	$ 8,460,000
Department of Public Safety		
Repair and Rehabilitation of Buildings and Facilities and Construction of a Crime Lab in Laredo	$ 16,100,000	$ 1,870,503
Texas Youth Commission		
Repair and Rehabilitation of Existing TYC Facilities	$ 5,556,651	$ 555,665
ARTICLE VI		
Parks and Wildlife Department		
Statewide Capital Repairs and State Park Weather Related Damages	$ 38,006,000	$ 3,800,000
Total, by Article	**$226,198,904**	**$24,120,505**

Sec. 17.12. Certain Federal Reimbursements.[5] Any reimbursements received from the Federal Emergency Management Agency for expenditures paid for with funds transferred during the fiscal year ending August 31, 2009, from the Health and Human Services Commission to the Department of Public Safety in excess of $11,000,000 are appropriated to the Trusteed Programs within Office of the Governor under Strategy A.1.12, Texas Emerging Technology Fund (estimated to be $70,000,000) for transfer to the Emerging Technology Fund.

Sec. 17.13. One-Time Payments.[5]

(a) There is hereby appropriated to the Comptroller of Public Accounts an amount estimated to be $155,248,741 out of the General Revenue Fund which consists of an amount estimated to be $34,723,050 for the Employees Retirement System and an amount estimated to be $120,525,691 for the Teacher Retirement System for the purpose of providing a one-time payment (equivalent to the annuitant's monthly benefit, not to exceed $500) to eligible members of the Employees Retirement System and the Teacher Retirement System as defined below in sections b and c.

The Comptroller of Public Accounts shall transfer to a subaccount within General Revenue at the Employees Retirement System the amount above for the purpose of a one-time payment upon the issuance of an Attorney General opinion that indicates the above one-time payments are constitutionally and statutorily permissible. If the above payments are constitutionally and statutorily permissible, they shall be implemented, if possible, by December 31, 2009.

Contingent on the passage of Senate Bill 2567, or similar legislation authorizing the payment provided for herein by the Eighty-first Legislature, Regular Session, the Comptroller of Public

[5] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

Accounts shall transfer to a subaccount within General Revenue at the Teacher Retirement System the amount above for the purpose of a one-time payment upon the issuance of an Attorney General opinion that indicates the above one-time payments are constitutionally and statutorily permissible. If the above payments are constitutionally and statutorily permissible, they shall be implemented, if possible, by December 31, 2009.

(b) For Employees Retirement System annuitants to be eligible for the one-time payment provided for above, a person must be an annuitant under the Employees Retirement System who retired from the employee class on or before December 31, 2008, and who is receiving:

(1) a standard or optional service retirement annuity payment under Sections 814.104, 814.105 or 814.107, Government Code;

(2) a disability retirement annuity under Sections 814.206 or 814.207, Government Code;

(3) a life annuity payment under Sections 814.301, 814.302, or 814.305, Government Code;

(4) an annuity for a guaranteed period of 120 months under Sections 814.301 or 814.302, Government Code.

The one-time payment does not apply to payments of any lump sum death benefit, refund, partial lump sum benefit or return of contributions.

If the Attorney General does not provide a conclusive opinion that such one-time payments are constitutionally and statutorily permissible, amounts appropriated herein shall be transferred to the Employees Retirement System to increase the state contribution rate from 6.45 percent to 6.95 percent.

(c) For Teacher Retirement System annuitants to be eligible for the one-time payment as authorized in Senate Bill 2567, or similar legislation, a person must be, disregarding any forfeiture of benefits under Section 824.601, Government Code, an annuitant eligible to receive:

(1) a standard retirement annuity payment, based on an effective date of retirement on or before December 31, 2008;

(2) an optional retirement annuity payment as either a retiree or beneficiary, based on an effective date of retirement on or before December 31, 2008;

(3) a life annuity payment under Section 824.402(a)(4), Government Code, based on a date of death of a member of the system on or before December 31, 2008; or

(4) an annuity for a guaranteed period of 60 months under Section 824.402(a)(3), Government Code, based on a date of death of a member of the system on or before December 31, 2008; or

(5) an alternate payee annuity payment under Section 804.005, Government Code, based on a date of commencement of the annuity payment to the alternate payee on or before December 31, 2008.

The one-time payment does not apply to payments under:

(1) Section 824.304(a), Government Code, relating to disability retirees with less than 10 years of service credit;

(2) Section 824.804(b), Government Code, relating to participants in the deferred retirement option plan with regard to payments from their deferred retirement option plan accounts; or

(3) Section 824.404(a) or 824.501(a), Government Code, relating to active Member or retiree survivor beneficiaries who receive a survivor annuity in an amount fixed by statute.

If the Attorney General does not provide a conclusive opinion that such one-time payments are constitutionally and statutorily permissible, amounts appropriated herein shall be transferred to the Teacher Retirement System to increase the state contribution rate from 6.40 percent to 6.644 percent.

(d) It is the intent of the Legislature that the one-time appropriations made above are due to the availability of American Recovery and Reinvestment Act (ARRA) funds.

Sec. 17.14. School Bus Seat Belt Program.[6] The Texas Transportation Institute is hereby appropriated $400,000 in General Revenue funds in fiscal year 2010 for the purpose of conducting a feasibility study on the implementation of a school bus seat belt program emphasizing maximization of student safety and the cost of implementation. Based on the results of the study, the Texas Transportation Institute, in cooperation with the Texas Education Agency, shall develop an implementation plan for a School Bus Seat Belt program that would reimburse school districts. Not later than June 1, 2010, the Texas Transportation Institute shall submit the implementation plan to the Legislative Budget Board for approval.

Contingent on approval of the implementation plan by the Legislative Budget Board and contingent on enactment by the Eighty-first Legislature of Senate Bill 2567 or similar legislation amending Texas Transportation Code § 547.701, the Texas Education Agency is hereby appropriated $10,000,000 in General Revenue funds in fiscal year 2011 for the purpose of awarding grants to school districts to implement the School Bus Seat Belt Program.

Sec. 17.15. Medicaid Substance Abuse Treatment. Out of funds appropriated above in Goal B, Medicaid, the Health and Human Services Commission shall, beginning January 1, 2010, provide coverage for comprehensive substance abuse treatment services under Medicaid to persons who are at least 21 years of age, have a substance abuse disorder, and otherwise qualify for Medicaid. The commission may delay implementation pending federal approval. The commission shall analyze data relating to the provision of those treatment services and provide the data to the Legislative Budget Board in a format and at times requested by the Legislative Budget Board. The commission may not provide those treatment services if the Legislative Budget Board determines that the treatment services have resulted in an increase in overall Medicaid spending.

Sec. 17.16. Updated State Cost Estimate for the Foundation School Program.[7] Appropriations from the Foundation School Fund No. 193 in Article III, Texas Education Agency's bill pattern, Strategy A.1.1, FSP - Equalized Operations, are hereby reduced by $150 million in fiscal year 2010 and $150 million in fiscal year 2011. Appropriations from Appropriated Receipts in Article III, Texas Education Agency's bill pattern, Strategy A.1.1, FSP - Equalized Operations, are hereby increased by $80,100,000 in Fiscal year 2010 and by $111,900,000 in fiscal year 2011. These adjustments reflect a lower estimate of the state cost of the Foundation School Program in the 2010-11 biennium due to updated projections of the growth in school district property values, student counts, and tax effort. The sum-certain appropriation for the Foundation School Program as identified in Article III, Rider 3 of the Texas Education Agency's bill pattern, shall be decreased commensurately to reflect these adjustments.

Sec. 17.17. Funding Restricted for Reservoir Site. During the 2010-11 biennium, the appropriations made by this Act may not be used to fund the acquisition of a reservoir site for the Marvin Nichols Reservoir until December 2010, when the final study report by the Study Commission on Region C Water Supply established by the Eightieth Legislature is due.

Sec. 17.18. Professional Development Partnerships for Early Childhood Education. Out of federal CCDF funds appropriated elsewhere in this Act, the Texas Workforce Commission shall transfer via interagency contract $1,000,000 in fiscal year 2010 and $1,000,000 in fiscal year 2011 to the Texas Education Agency to fund the management of early childhood education partnership projects, including the award of stipends, to facilitate increased participation in professional development by early childhood education professionals and encourage those professionals to seek additional education.

Sec. 17.19. One-time Uncollectible Debt Payoff and Boll Weevil Eradication.[7] Included in amounts appropriated elsewhere in this Act to the Department of Agriculture is $14,700,000 in fiscal year 2010 from the General Revenue Fund in Strategy A.1.1, Generate Marketing Opportunities, to be used to retire the debt of the Texas Agricultural Finance Authority. Up to $10,000,000 of this amount may alternatively be used for boll weevil eradication with prior notification of the Legislative Budget Board and the Governor.

---

[6] HB 3646, 81st Legislature, which contains language similar to HB 2567, amended Texas Education Code § 547.701. The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.
[7] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

Sec. 17.20. Contingency for Governor's Mansion Repairs.[8] Contingent on the enactment of Senate Bill 2307 or other similar legislation relating to the preservation and maintenance of the Governor's Mansion, the State Preservation Board is appropriated $11,000,000 from the General Revenue Fund in fiscal year 2010 for the purpose of repair of the Governor's Mansion. In the event that Senate Bill 2307 or other similar legislation relating to the preservation and maintenance of the Governor's Mansion fails to become law, the $11,000,000 is hereby appropriated to the Texas Historical Commission for the same purpose. Any unexpended balances of this appropriation remaining as of August 31, 2010, are hereby appropriated to the appropriate agency in the fiscal year beginning September 1, 2010, for the same purpose.

Sec. 17.21. Office of the Governor Trusteed Programs.[8]

(a) The following Office of the Governor Trusteed Programs are appropriated the following amounts from the General Revenue Fund for use in fiscal year 2010:

(1)	Film and Music Marketing	$40,000,000;
(2)	Enterprise Fund	$20,000,000; and
(3)	Emerging Technology Fund	$24,000,000.

Any unexpended balances of this appropriation remaining as of August 31, 2010, are hereby appropriated for the same programs in the Office of the Governor Trusteed Programs in the fiscal year beginning September 1, 2010, for the same purposes.

Sec. 17.22. Office of the Governor Transfer Authority. Notwithstanding other provisions of this Act, without the written permission of the Legislative Budget Board, the Office of the Governor and Trusteed Programs within the Office of the Governor may not transfer amounts appropriated to the Emerging Technology Fund Account No. 5124 or appropriated to the Texas Enterprise Fund Account 5107. Other appropriations and the corresponding FTEs for Trusteed Programs within the Office of the Governor may be assigned or transferred to other agencies without the written permission of the Legislative Budget Board.

Sec. 17.23. Contingency for New Specialty License Plates.

(a) For the fiscal year beginning September 1, 2009, the amounts appropriated to an agency under Articles I-VIII of this Act include, regardless of whether or not the amounts may be shown under or limited by the bill pattern or riders of the agency or the special provisions applicable to the Article of this Act under which the agency's appropriation might be located:

(1) all estimated balances and revenue collected by an agency or held in a fund or an account by or on behalf of an agency before September 1, 2009, and that are associated with the sale of a Texas specialty license plate, as authorized by Subchapter G, Chapter 504, Transportation Code, or other applicable statute; and

(2) all estimated balances and revenue collected by an agency or held in a fund or an account by or on behalf of an agency on or after September 1, 2009, and that are associated with the sale of a Texas specialty license plate, as authorized by Subchapter G, Chapter 504, Transportation Code, or other applicable statute, during the 2010-11 biennium, including any new license plates that may be authorized or issued after September 1, 2009.

(b) Amounts appropriated by this section shall be used for purposes consistent with this Act and all applicable statutes.

Sec. 17.24. Medicaid Appropriation Reduction.[8] Notwithstanding other provisions of this Act, the General Revenue Fund appropriation to the Health and Human Services Commission for Goal B, Medicaid, is reduced by $40,000,000 for fiscal year 2011.

Sec. 17.25. Contingency Appropriation for House Bill 3 or Senate Bill 3.[8] Contingent upon the enactment of House Bill 3 or Senate Bill 3, or similar legislation by the Eighty-First Legislature, Regular Session, relating to public school accountability, curriculum, and promotion requirements, the

[8] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

Texas Education Agency is hereby appropriated $10,000,000 in General Revenue funds in fiscal year 2010 and $10,000,000 in General Revenue funds in fiscal year 2011, and the agency's cap on full-time-equivalent positions is hereby increased by 11.0 in each fiscal year of the 2010-11 biennium for the purpose of implementing the provisions of the bill.

Sec. 17.26. Contingency Appropriation for House Bill 10.[9] Contingent upon the enactment of House Bill 10, or similar legislation relating to the regulation of mortgage loan originators and providing a penalty, by the Eighty-First Legislature, Regular Session:

(a) The Office of Consumer Credit Commissioner is hereby appropriated the amounts of $1,610,600 in fiscal year 2010 and $638,600 in fiscal year 2011 out of General Revenue for the purpose of implementing that Act. Also, the "Number of Full-Time-Equivalents (FTE)" figure is increased by 10.0 FTEs in each fiscal year.

(b) The Department of Savings and Mortgage Lending is hereby appropriated the amounts of $1,455,980 in fiscal year 2010 and $894,580 in fiscal year 2011 out of General Revenue for the purpose of implementing that Act. Also, the "Number of Full-Time-Equivalents (FTE)" figure is increased by 14.0 FTEs in each fiscal year.

Sec. 17.27. Contingency Appropriation for House Bill 10 and House Bill 2774.[9] Contingent upon the enactment of House Bill 10 and House Bill 2774, or similar legislation relating to the licensing and regulation of certain persons involved in residential mortgage lending and providing a penalty, by the Eighty-First Legislature, Regular Session, the Department of Savings and Mortgage Lending is hereby appropriated the amounts of $96,394 in fiscal year 2010 and $72,419 in fiscal year 2011 out of General Revenue for the purpose of implementing that Act. Also, the "Number of Full-Time-Equivalents (FTE)" figure is increased by 1.0 FTE in each fiscal year.

Sec. 17.28. Contingency Appropriation for House Bill 51.[10] Contingent on enactment of House Bill 51 by the Eighty-first Legislature, Regular Session, or similar legislation relating to funding and incentives to support emerging public research universities in developing and maintaining programs of the highest tier, the Higher Education Coordinating Board is hereby appropriated, $25,000,000 in fiscal year 2010 and $25,000,000 in fiscal year 2011 out of the General Revenue Fund to implement provisions of the legislation.

Sec. 17.29. Contingency Appropriation for House Bill 216.[10] Contingent upon enactment of House Bill 216 by the Eighty-first Legislature, Regular Session, or similar legislation relating to the regulation of certain boarding houses and assisted living facilities and providing penalties, the Department of State Health Services (DSHS) is appropriated $1,976,250 in General Revenue for the 2010-11 biennium to cover the administration and enforcement of boarding home regulations. This appropriation is also contingent upon the agency assessing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2010-11 biennium, $1,976,250 and deposited in the General Revenue Funds. In addition, the "Number of Full-Time-Equivalents (FTE)" indicated in the agency's bill pattern is hereby increased by 23 FTEs in fiscal year 2010 and by 23 FTEs in fiscal year 2011.

Sec. 17.30. Contingency Appropriation for House Bill 300 or House Bill 3097.[10]

a. Contingent on the enactment of House Bill 300 or House Bill 3097, or similar legislation relating to the creation of the Department of Motor Vehicles, by the Eighty-first Legislature,

---

[9] The Department of Banking, Office of Consumer Credit Commissioner, Credit Union Department, and Department of Savings and Mortgage Lending (the "four agencies") were effectively moved to self-directed and semi-independent status (SDSI) status by the enactment of HB 2774, 81st Legislature, Regular Session, and will not have a bill pattern shown in the Fiscal Size-up (FSU) version of the General Appropriations Act (GAA). There is an explanatory footnote at the beginning of Article 8, GAA. The reasoning for exclusion of the four agencies from having a bill pattern shown in the FSU version of the GAA is twofold. First, the exclusion is based on the fact that the four agencies are no longer required to have an appropriation because their funds are no longer deposited in the state treasury. Second, the exclusion mirrors the lack of presentation of the current SDSI agencies (Texas State Board of Public Accountancy, Texas Board of Architectural Examiners, and Texas Board of Professional Engineers) in the GAA. Although the LBB still works with the SDSI agencies in monitoring activities and processing fiscal notes related to changes in law related to the SDSI agencies' regulated responsibilities, none of the budget or performance information for these agencies will be included or retained in the Automated Budget and Evaluation System of Texas (ABEST) beginning September 1, 2009. The historical information will remain, though. Article 9, GAA riders related to these agencies include: §§ 17.26; 17.27; 17.72; and 17.119.

[10] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

Regular Session, the Department of Motor Vehicles is appropriated $200,000 out of the General Revenue Fund for the fiscal biennium beginning September 1, 2009, and 4.0 Full-Time-Equivalent (FTE) positions in each year of the 2010-2011 biennium to implement the provisions of the legislation. Any unexpended balances of this appropriation remaining as of August 31, 2010, are hereby appropriated to the Department of Motor Vehicles in the fiscal year beginning September 1, 2010, for the same purpose.

b. Contingent on the enactment of House Bill 300 or House Bill 3097, or similar legislation relating to the creation of the Department of Motor Vehicles and the transfer of certain programs to the Department of Motor Vehicles from the Department of Transportation, and subject to approval by the Legislative Budget Board, the Department of Transportation shall, in the time and manner prescribed by the legislation, transfer to the Department of Motor Vehicles all funds and full-time-equivalent (FTE) positions appropriated to the Department of Transportation for fiscal years 2010 and 2011 that are directly associated with the programs and responsibilities required to be transferred under the provisions of the legislation (estimated to be $103.7 million in All Funds and 622.0 FTEs each year) plus any additional FTE positions (not to exceed 75.0 FTEs) and associated funding for personnel that primarily support the programs to be transferred to the Department of Motor Vehicles. The Legislative Budget Board is authorized to resolve any disputes concerning the transfers identified in this rider.

c. Contingent upon the enactment of House Bill 300 or House Bill 3097, or similar legislation relating to the licensing and regulation of used automotive parts recyclers; providing penalties, and contingent upon the Department of Licensing and Regulation assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $448,084 in excess of $62,551,340 (Object Codes 3035, 3146, 3147, 3160, 3161, 3164, 3175, 3366, 3727), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011 and in excess of revenue requirements elsewhere in this act, the Texas Department of Licensing and Regulation shall be appropriated $193,380 in fiscal year 2010 and $166,780 in fiscal year 2011 in General Revenue. Also, the "Number of Full-time Equivalents (FTEs)" indicated in agency's bill pattern shall be increased by 4.0 FTEs in each fiscal year contingent upon agency meeting the above revenue target. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Licensing and Regulation's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

Sec. 17.31. Contingency Appropriation for House Bill 373, House Bill 3556, Senate Bill 362, or Senate Bill 363.[11] Contingent on passage of House Bill 373, House Bill 3556, Senate Bill 362, or Senate Bill 363, or similar legislation relating to requiring a voter to present proof of identification, by the Eighty-first Legislature, Regular Session, the Secretary of State is appropriated $2,000,000 for fiscal year 2010 from the General Revenue Fund for voter education.

Any unexpended balances remaining in appropriations made herein as of August 31, 2010, are hereby appropriated for the fiscal year beginning September 1, 2010.

Sec. 17.32. Contingency Appropriation for House Bill 449: Licensing and Regulation of Laser Hair Removal Facilities.[12] Contingent on passage of House Bill 449, or similar legislation relating to the Licensing and Regulation of Laser Hair Removal Facilities, by the Eighty-first Legislature, Regular Session, the Department of State Health Services is hereby appropriated revenue not to exceed $1,254,254 in fiscal year 2010, and $1,404,205 for fiscal year 2011 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional revenue generated pursuant to House Bill 449. The "Number of Full-Time-Equivalent Positions" indicated in agencies bill pattern increased by 15.2 in fiscal year 2010 and 17.2 in fiscal year 2011.

Sec. 17.33. Contingency Appropriation for House Bill 461: Regulation of Dyslexia Practitioners.[12] Contingent on passage of House Bill 461, or similar legislation relating to the Regulation of Dyslexia Practitioners, by the Eighty-first Legislature, Regular Session, the Department of State Health Services is hereby appropriated revenue not to exceed $152,283 in fiscal year 2010, and $172,572 for fiscal year

[11] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.
[12] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

2011 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional revenue generated pursuant to House Bill 461. The "Number of Full-Time-Equivalent Positions" indicated in agencies bill pattern increased by 2.0 in fiscal year 2010 and 2.5 in fiscal year 2011.

Sec. 17.34. Contingency Appropriation for House Bill 472: Common Carrier and Operator Contamination Reports.[13] In addition to amounts appropriated herein to the Railroad Commission and contingent upon passage of House Bill 472, or similar legislation relating to the effect and implementation of the law regarding reporting by a common carrier or pipeline owner or operator of contamination by the Eighty-First Legislature, Regular Session, 2009, there is hereby appropriated out of the Oil Field Cleanup Account No. 145 in Strategy 3.2.1, Oil and Gas Remediation, $202,500 for the 2010-11 biennium. The funds shall be used to conduct soil sampling in implementing the provisions of the bill.

Any unexpended balances remaining in this appropriation on August 31, 2010 are hereby appropriated for the fiscal year beginning on September 1, 2011.

Sec. 17.35. Contingency Appropriation for House Bill 492.[13] Contingent upon enactment of House Bill 492 by the Eighty-first Legislature, Regular Session, or similar legislation relating to the expansion of faith- and community-based health and human services and social services initiatives, out of funds appropriated elsewhere in this Act to the Health and Human Services Commission (HHSC), HHSC shall allocate $2,400,000 for the 2010-11 biennium to establish the Renewing Our Communities Account grant program and implement all other designated provisions of the legislation.

Sec. 17.36. Contingency Appropriation for House Bill 518.[14] Contingent on enactment of House Bill 518 by the Eighty-first Legislature, Regular Session, or similar legislation relating to the creation of a student loan repayment program for certain correctional officers and a loan repayment assistance program for certain speech pathologists and audiologists, the Higher Education Coordinating Board is hereby appropriated $391,551 in fiscal year 2010 and $869,117 in fiscal year 2011 out of the General Revenue Fund to implement provisions of the legislation.

Sec. 17.37. Contingency Appropriation for House Bill 646.[13] Contingent on the enactment of House Bill 646, or similar legislation relating to participation in the Southern High-Speed Rail Compact, by the Eighty-first Legislature, Regular Session, the Office of the Governor is appropriated $70,000 in fiscal year 2010 and $70,000 in fiscal year 2011 from the General Revenue Fund in Strategy A.1.1, Support Governor and State for participation in the Southern High-Speed Rail Compact.

Sec. 17.38. Contingency Appropriation for House Bill 802.[13] Contingent upon enactment of House Bill 802, or similar legislation by the Eighty-First Legislature, Regular Session, establishing a lifespan respite services program, the Department of Aging and Disability Services is appropriated, in addition to amounts appropriated above, $500,000 in fiscal year 2010 and $500,000 in fiscal year 2011 in General Revenue Funds to support the implementation of a lifespan respite services program to promote the provision of respite services.

Sec. 17.39. Contingency Appropriation for House Bill 821: Television Manufacturers Registration Program.[14] Contingent upon passage of House Bill 821, or similar legislation by the Eighty-first Legislature, Regular Session, 2009, relating to the sale, recovery, and recycling of certain television equipment, and in addition to amounts appropriated herein to the Texas Commission on Environmental Quality (TCEQ), there is hereby appropriated out of the General Revenue Fund in Strategy C.1.3, Pollution Prevention and Recycling, an amount not to exceed $127,500 in each fiscal year of the 2010-11 biennium in new fee revenues generated as a result of the bill's passage. The funds shall be used to implement the television manufacturers registration program created by the bill. This appropriation is contingent upon the TCEQ assessing fees to generate revenue sufficient to cover these appropriations.

Sec. 17.40. Contingency Appropriation for House Bill 982.[14] Notwithstanding any other provisions in this act, contingent on passage of House Bill 982, or similar legislation relating to the imposition of a 10 percent tax on the gross receipts from admissions fees charged by sexually oriented businesses and the repeal of the sexually-oriented business fee, by the Eighty-first Legislature, Regular Session, the Supreme Court is appropriated $750,000 in fiscal year 2010 and $1,250,000 in fiscal year 2011 from

---

[13] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.
[14] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.

taxes on admission fees charged by sexually-oriented businesses deposited to the General Revenue Fund and transferred to the General Revenue-Dedicated Sexual Assault Fund No. 5010 for Basic Civil Legal Services (Strategy B.1.1). Any unexpended balances in appropriations made for this purpose in fiscal year 2010 are appropriated to the Supreme Court in fiscal year 2011 for the same purposes.

Sec. 17.41. Contingency Appropriation for House Bill 1357.[15] Notwithstanding Rider No. 77, Contingency for Regulating Independent Freestanding Emergency Rooms and Urgent Care Clinics in the Department of State Health Services bill pattern and contingent on passage of HB 1357, or similar legislation relating to the licensure of freestanding emergency medical care facilities, and creation of the respective licensing fees, by the Eighty-first Legislature, Regular Session, the Department of State Health Services is appropriated $387,346 for fiscal year 2010 and $148,713 for fiscal year 2011 from the fees collected and deposited in the Freestanding Emergency Medical Care Facility Licensing Fund to implement the provisions of the legislation. The number of "Full-Time Equivalents (FTE)" is increased by 4.5 FTEs in fiscal year 2010 and 2.5 FTEs in fiscal year 2011.

Sec. 17.42. Contingency Appropriation for House Bill 1358.[15] Contingent on enactment of House Bill 1358 by the Eighty-first Legislature, Regular Session, or similar legislation that allows bonds to be used for cancer prevention and research:

(a) The Department of State Health Services is hereby appropriated $875,000 in fiscal year 2010 and $1,000,000 in fiscal year 2011 out of Cancer Bond proceeds for the purpose of enhancing the infrastructure of the cancer registry; and

(b) Appropriations made elsewhere in this Act to the Department of State Health Services for enhancement of the cancer registry are hereby reduced by $875,000 in General Revenue Funds in fiscal year 2010 and $1,000,000 in General Revenue Funds in fiscal year 2011.

Sec. 17.43. Contingency Appropriation for House Bill 1468.[15] Contingent upon the enactment of House Bill 1468 or similar legislation relating to the regulation of funeral services, funeral homes, cemeteries, and crematories; providing penalties, by the Eighty-first Legislature, Regular Session, the Funeral Service Commission shall be appropriated the amounts of $52,000 in fiscal year 2010 and $46,000 in fiscal year 2011 in General Revenue Funds for the purpose of implementing that Act. This appropriation is also contingent on the Funeral Service Commission's assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2010-11 biennium, $124,284 in excess of $2,734,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time-Equivalents (FTE)" indicated in the Funeral Service Commission's bill pattern shall be increased by 1.0 FTE in each fiscal year contingent upon the Funeral Service Commission meeting the above revenue target. The Funeral Service Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Funeral Service Commission's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

Sec. 17.44. Contingency Appropriation for House Bill 1474.[15] Contingent on the enactment of House Bill 1474, or similar legislation relating to the operation and regulation of charitable bingo and the use of bingo proceeds, by the Eighty-first Legislature, Regular Session, the Lottery Commission is appropriated $156,004 for fiscal year 2010 and $129,604 in fiscal year 2011 from the General Revenue Fund to implement the provisions of the legislation. This appropriation is also contingent on the Lottery Commission assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2010-11 biennium, $357,422 in excess of $59,608,000 (Object Codes 3152, 3153, 3166, and 3170), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-time Equivalents (FTEs)" indicated in agency's bill pattern shall be increased by 3.0 FTEs in each fiscal year contingent upon agency meeting the above revenue target. The Lottery Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Lottery Commission's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

---

[15] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

Sec. 17.45. Contingency Appropriation for House Bill 1749: Marine Conservation License Plates.[16] Contingent on passage of House Bill 1749, or similar legislation relating to the issuance of marine conservation specialty license plate, by the Eighty-first Legislature, Regular Session, the Texas Parks and Wildlife Department is appropriated an amount estimated to be $24,600 each fiscal year from an account in the state treasury to implement the provisions of the legislation. Any unexpended balances out of the appropriations made herein for fiscal year 2010 are appropriated to the Texas Parks and Wildlife Department for the fiscal year 2011 for the same purposes.

Sec. 17.46. Contingency Appropriation for House Bill 1779 or Senate Bill 1317.[16] In addition to amounts appropriated herein to the Texas Education Agency and contingent upon passage of House Bill 1779, Senate Bill 1317, or similar legislation relating to education and examination requirements for the issuance of a driver's license to certain persons by the Eighty-first Legislature, 2009, there is hereby appropriated from the General Revenue fund, $263,342 in fiscal year 2010 and $263,342 in fiscal year 2011 in Driver Education fee revenues generated as a result of the bill's passage for the purpose of implementing the provisions of the legislation. These appropriations are contingent upon the TEA assessing fees sufficient to generate, during the 2010-11 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 above to be within the amount of revenue expected to be available.

In addition, contingent upon passage of House Bill 1779, Senate Bill 1317, or similar legislation, the Number of Full-Time Equivalents indicated herein for the TEA is hereby increased by 2.5 in each fiscal year of the 2010-11 biennium.

Sec. 17.47. Contingency Appropriation for House Bill 2812 or House Bill 1935.[16] Contingent upon passage of House Bill 2812 or House Bill 1935, or similar legislation to establish a Jobs and Education for Texans (JET) fund, by the Eighty-first Legislature, Regular Session, the Fiscal Programs-Comptroller of Public Accounts is hereby appropriated $25 million in General Revenue for fiscal year 2010 to award grants to expand existing programs and develop new programs that prepare students for careers in high-demand occupations, including the startup costs associated with career and technical education (CTE) courses, and to provide scholarships for students in career and technical programs. Any unexpended balances remaining as of August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010 for the same purpose.

This appropriation is contingent upon the Comptroller's certification of available General Revenue of $25 million for the biennium above the Comptroller's January 2009 biennial Revenue Estimate.

Sec. 17.48. Contingency for House Bill 2081 and Senate Bill 1013.[17] Contingent on (1) failure to become law of both Senate Bill 1013 and House Bill 2081 and on (2) failure to become law of similar legislation relating to the continuation and functions of the Texas Racing Commission, by the Eighty-first Legislature, Regular Session, the Sunset Contingency Rider 10 following the bill pattern of the Texas Racing Commission under Article VIII of this Act does not take effect.

Sec. 17.49. Contingency Appropriation for House Bill 2154.[16] Contingent upon the enactment of House Bill 2154 by the Eighty-first Legislature, Regular Session, 2009, or similar legislation expanding the physician education loan repayment program:

(a) In addition to the amounts appropriated above in Strategy D.1.8, Physician Education Loan Repayment Program, the Texas Higher Education Coordinating Board is appropriated $7,000,000 from the physician education loan repayment program account in fiscal year 2010 and $15,000,000 from the physician education loan repayment program account in fiscal year 2011 for the purposes of the bill. Any unexpended balance of the appropriated funds remaining as of August 31, 2010 is appropriated to the Texas Higher Education Coordinating Board for the fiscal year beginning September 1, 2010 for the same purpose.

(b) The Texas Higher Education Coordinating Board may allocate no more than $510,864 in fiscal year 2010 and no more than $344,711 in fiscal year 2011 from the funds appropriated under Strategy D.1.8, Physician Education Loan Repayment Program, for administration and other operating expenses.

---

[16] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.
[17] Relevant legislation failed to become law.

(c) The "Number of Full-Time Equivalents" in the agency bill pattern is increased by 4 FTEs in both fiscal years for the operation of the program.

(d) The Higher Education Coordinating Board may enter into a memorandum of understanding with the Department of State Health Services for the transfer of appropriations and full-time equivalents from the Higher Education Coordinating Board to the Department of State Health Services to provide resources for the staffing and technology necessary to perform the duties required by the legislation. A signed copy of the memorandum of understanding shall be provided to the Legislative Budget Board and the Governor no later than December 31, 2009.

Sec. 17.50. Contingency for House Bill 2161.[18] Contingent upon the enactment of House Bill 2161, or similar legislation relating to the issuance of a personal identification certificate to present or former inmates of the Texas Department of Criminal Justice, by the Eighty-first Legislature, Regular Session, 2009, the Department of Criminal Justice shall implement the provisions of the bill from funds appropriated by this Act.

Sec. 17.51. Contingency Appropriation for House Bill 2242 or Senate Bill 1900.[18] Contingent on enactment of House Bill 2242, Senate Bill 1900, or similar legislation relating to the abolition of the Texas Cultural Endowment Fund, by the Eighty-first Legislature, Regular Session, 2009, in addition to amounts appropriated in Strategy A.1.1, Arts Organization Grants, the Texas Commission on the Arts is appropriated all funds (less private donations and interest and income earned on private donations returned to donors) transferred from the Texas Cultural Endowment Fund and deposited to the General Revenue-Dedicated Commission on the Arts Operating Account No. 334 (an amount estimated to be $5,432,296 in fiscal year 2010) for the purpose of awarding Arts Create grants in Strategy A.1.1, Arts Organization Grants. Any unexpended balances out of the appropriation made herein remaining as of August 31, 2010 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

Sec. 17.52. Contingency Appropriation for House Bill 2248.[19] Contingent upon the enactment of House Bill 2248, or similar legislation relating to an emergency management plan for certain health care facilities, by the Eighty-first Legislature, Regular Session, 2009, the Department of Public Safety is appropriated $244,314 in General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 in fiscal year 2010 and $191,664 in General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 in fiscal year 2011 to implement the provisions of the legislation. Also contingent upon the enactment of House Bill 2248 or similar legislation, the "Number of Full-Time-Equivalents (FTE)" for the Department of Public Safety is increased by 5.0 for each fiscal year of the 2010-11 biennium.

Sec. 17.53. Contingency Appropriation for House Bill 2250 or Senate Bill 1106.[19] Contingent on enactment of Senate Bill 1106 or House Bill 2250, or similar legislation relating to payment of claims to pharmacies and pharmacists, by the Eighty-first Legislature, Regular Session, the Texas Department of Insurance is appropriated $190,939 in fiscal year 2010 and $177,115 in fiscal year 2011 from General Revenue Insurance Companies Maintenance Tax and Insurance Department Fees to implement the provisions of the legislation. The "Number of Full-Time Equivalents" in the agency bill pattern is increased by 3.0 FTEs in each fiscal year.

Sec. 17.54. Contingency Appropriation for House Bill 2259: Inactive Oil and Gas Well Plugging.[18] In addition to amounts appropriated herein to the Railroad Commission and contingent upon passage of House Bill 2259 or similar legislation by the Eighty-first Legislature, Regular Session, 2009, relating to the plugging of certain inactive oil or gas wells, there is hereby appropriated out of the Oil Field Cleanup Account No. 145 in Strategy C.2.2, Oil and Gas Well Plugging $251,804 in fiscal year 2010 and $448,195 in fiscal year 2011 for administrative costs in implementing the bill's provisions.

In addition to amounts appropriated herein, there is hereby appropriated to the Railroad Commission an amount not to exceed $1,213,034 in fiscal year 2011 in new fee revenues from hydraulic pressure test fees and permit application fees deposited to the credit of the Oil Field Cleanup Account No. 145 and in excess of the Comptroller's Biennial Revenue Estimate for 2010-11. Such expenditures must comply with limitations established for salary, travel, capital expenditures, employment levels, and other provisions contained in the General Provisions of this Act.

---

[18] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.
[19] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.

Sec. 17.55. Contingency Appropriation for House Bill 2295.[20] Contingent on the enactment of House Bill 2295, or similar legislation relating to the continuation and functions of the Texas Residential Construction Commission, by the Eighty-first Legislature, Regular Session, the Residential Construction Commission is appropriated $764,463 for fiscal year 2010 and $814,463 in fiscal year 2011 from the General Revenue Fund to implement the provisions of the legislation. This appropriation is also contingent on the Residential Construction Commission assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2010-11 biennium, $1,884,258 in excess of $22,064,000 (Object Codes 3175 and 3846), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-time Equivalents (FTEs)" indicated in agency's bill pattern is increased by 10.0 FTEs in each fiscal year contingent upon agency meeting the above revenue target. The Residential Construction Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Residential Construction Commission's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

Sec. 17.56. Contingency Appropriation for House Bill 2310.[21]

a) Contingent upon the enactment of House Bill 2310, or similar legislation relating to the powers and duties of the Texas Department of Licensing and Regulation, including the power to issue emergency orders and temporary and emergency licenses, and contingent upon the Department of Licensing and Regulation assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $1,798,106 in excess of $62,551,340 (Object Codes 3035, 3146, 3147, 3160, 3161, 3164, 3175, 3366, 3727), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011 and in excess of revenue requirements elsewhere in this act, the Department of Licensing and Regulation shall be appropriated $763,097 in General Revenue in fiscal year 2010 and $684,897 in General Revenue in fiscal year 2011. Also, the "Number of Full-time Equivalents (FTEs)" indicated in agency's bill pattern shall be increased by 13.0 FTEs in each fiscal year contingent upon agency meeting the above revenue target. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Licensing and Regulation's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

b) Appropriations of $680,807 in fiscal year 2010 and $73,440 in fiscal year 2011 above in subsection (a) and $1,601,698 included in the amount of excess fees required to be generated are contingent upon House Bill 3180, or similar legislation relating to the licensing and regulation of commercial dog and cat breeders and the regulation of dog and cat dealers; providing penalties, by the Eighty-first Legislature, Regular Session, not being enacted. Also, 11.5 FTEs in each fiscal year above in subsection (a) are also contingent upon House Bill 3180, or similar legislation relating to the licensing and regulation of commercial dog and cat breeders and the regulation of dog and cat dealers; providing penalties, by the Eighty-first Legislature, Regular Session, not being enacted.

Sec. 17.57. Contingency Appropriation for House Bill 2425.[21] Contingent on enactment of House Bill 2425 by the Eighty-first Legislature, Regular Session, or similar legislation relating to the Higher Education Coordinating Board authorizing the creation of one Bachelor of Applied Technology program at a community college district, the Higher Education Coordinating Board is hereby appropriated $125,000 in fiscal year 2010 and $125,000 in fiscal year 2011 out of the General Revenue Fund to implement provisions of the legislation.

Sec. 17.58. Contingency Appropriation for House Bill 2437.[21] Contingent upon enactment of House Bill 2437, or similar legislation relating to the Major Events Trust Fund, by the Eighty-First Legislature, Regular Session, the amount of $25,000,000 is appropriated from General Revenue for the

---

[20] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.
[21] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

biennium beginning September 1, 2009 to the Fiscal Programs-Comptroller of Public Accounts for deposit into the Major Events Trust Fund for the purpose of attracting and securing eligible events. The appropriation is contingent on:

(a) a written statement confirming the state's interest in the event that is signed by both the Governor and the Comptroller of Public Accounts;

(b) certification by the Comptroller of Public Accounts that sufficient revenues will be generated by eligible events to offset the amounts appropriated;

(c) an agreement with one or more endorsing municipalities or counties entered into pursuant to Article 5190.14, Section 5A(r), Vernon's Texas Civil Statutes, as added by SB 1515; and

(d) the receipt of local funds from the endorsing entity(s) pursuant to Article 5190.14, Section 5A(r), Vernon's Texas Civil Statutes, as added by SB 1515.

Sec. 17.59. Contingent Appropriations for House Bill 2447.[22] Contingent on the enactment of House Bill 2447, or similar legislation relating to the abolition of the Board of Tax Professional Examiners and the transfer of its functions to the Texas Department of Licensing and Regulation, the Texas Department of Licensing and Regulation shall be appropriated all unexpended funds appropriated to the Board of Tax Professional Examiners. The transfer of the obligations, property, 3.7 full-time equivalent positions, rights, powers, and duties of the board to the department must be completed not later than March 1, 2010.

Sec. 17.60. Contingency Appropriation for House Bill 2571 or Senate Bill 1431.[22] Contingent upon the enactment of House Bill 2571, Senate Bill 1431, or similar legislation relating to the licensing and regulation of towing companies and vehicle storage facilities; providing penalties, and contingent upon the Department of Licensing and Regulation assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $100,000 in excess of $62,551,340 (Object Codes 3035, 3146, 3147, 3160, 3161, 3164, 3175, 3366, 3727), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011 and in excess of revenue requirements elsewhere in this act, the Department of Licensing and Regulation shall be appropriated $100,000 in fiscal year 2011 in General Revenue. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Licensing and Regulation's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

Sec. 17.61. Contingency Appropriation for House Bill 2626: Forensic Medical Examinations.[22] Contingent upon enactment of House Bill 2626, or similar legislation by the Eighty-First Legislature, Regular Session, relating to the forensic medical examination of a sexual assault victim who has not reported the assault to a law enforcement agency, the Office of the Attorney General is hereby appropriated $230,680 in fiscal year 2010 and $237,790 in fiscal year 2011 out of General Revenue Dedicated-Compensation to Victims of Crime Fund No. 469 to implement the provisions of the legislation.

Sec. 17.62. Contingency Appropriation for House Bill 2677: Amendment of Birth Certificates.[22] Contingent on passage of House Bill 2677, or similar legislation relating to the Amendment of Birth Certificates, by the Eighty-first Legislature, Regular Session, the Department of State Health Services is hereby appropriated revenue not to exceed $78,685 in fiscal year 2010, and $98,297 for fiscal year 2011 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional revenue generated pursuant to House Bill 2677. The "Number of Full-Time-Equivalent Positions" indicated in the agency's bill pattern is increased by 2.0 in each fiscal year.

Sec. 17.63. Contingency Appropriation for House Bill 2740: Licensing and Regulation of Youth Camps.[23] Contingent on passage of House Bill 2740, or similar legislation relating to the Licensing and Regulation of Youth Camps, by the Eighty-first Legislature, Regular Session, the Department of State Health Services is hereby appropriated revenue not to exceed $261,411 in fiscal year 2010, and

[22] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.
[23] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.

$282,974 for fiscal year 2011 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional revenue generated pursuant to House Bill 2740. The "Number of Full-Time-Equivalent Positions" indicated in the agency's bill pattern is increased by 2.3 in fiscal year 2010 and 3.1 in fiscal year 2011.

Sec. 17.64. Contingency Appropriation for House Bill 2962 or Senate Bill 841.[24] Contingent on passage of House Bill 2962, Senate Bill 841, or similar legislation relating to the child health plan program, by the Eighty-first Legislature, Regular Session, the Health and Human Services Commission is appropriated the following to implement the provisions of the legislation: $10,849,180 in fiscal year 2010 and $27,332,502 in fiscal year 2011 from General Revenue Funds; $10,180,970 in fiscal year 2010 and $29,013,610 in fiscal year 2011 from Premium Copayments; $683,448 in fiscal year 2010 and $1,844,449 in fiscal year 2011 from Experience Rebates for CHIP; $734,476 in fiscal year 2010 and $1,974,601 in fiscal year 2011 from Vendor Drug Rebates for CHIP; and $27,455,209 in fiscal year 2010 and $69,653,071 in fiscal year 2011 from Federal Funds.

Sec. 17.65. Contingency Appropriation for House Bill 3180.[24] Contingent upon the enactment of House Bill 3180 or similar legislation relating to the licensing and regulation of commercial dog and cat breeders and the regulation of dog and cat dealers; providing penalties, and contingent upon the Texas Department of Licensing and Regulation assessing or increasing fees sufficient to generate, during the 2010-2011 biennium, $2,028,668 in excess of $62,551,340 (Object Codes 3035, 3146, 3147, 3160, 3161, 3164, 3175, 3366, 3727), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011 and in excess of revenue requirements elsewhere in this act, the Texas Department of Licensing and Regulation shall be appropriated $862,505 in Fiscal Year 2010 and $775,455 in Fiscal Year 2011 in General Revenue. Also, the "Number of Full-time Equivalents (FTEs)" indicated in agency's bill pattern shall be increased by 14.5 FTEs in each fiscal year contingent upon agency meeting the above revenue target. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Licensing and Regulation's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

Sec. 17.66. Contingency Appropriation for House Bill 3219 or Senate Bill 1878.[25] Contingent upon the enactment of House Bill 3219, Senate Bill 1878, or similar legislation relating to the establishment of a housing and health services coordination council at the Texas Department of Housing and Community Affairs and in addition to the amounts appropriated above to the Texas Department of Housing and Community Affairs, $265,288 in General Revenue Funds in fiscal year 2010 and $219,132 in General Revenue Funds in fiscal year 2011 shall be appropriated to add staff for support of the council to carry out its statutory responsibilities and to reimburse travel expenses of council members as authorized, pursuant to Chapter 2110, Texas Government Code. Also contingent upon the enactment of Senate Bill 1878, or similar legislation, the number of "Full-Time Equivalents (FTE)" for the Department of Housing and Community Affairs is increased by a total of 3.0 FTEs in fiscal years 2010 and 2011 and travel reimbursement for advisory committee members is limited to the following advisory committee: Housing and Health Services Coordination Council.

Sec. 17.67. Contingency Appropriation for House Bill 3436 or Senate Bill 1354.[25] Contingent upon the enactment of House Bill 3436 or Senate Bill 1354, or similar legislation relating to the licensing and regulation of plumbers, by the Eighty-first Legislature, Regular Session, the Board of Plumbing Examiners shall be appropriated the amounts of $40,320 in fiscal year 2010 and $55,278 in fiscal year 2011 in General Revenue Funds for the purpose of implementing that Act. This appropriation is also contingent on the Board of Plumbing Examiners assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2010-11 biennium, $110,875 in excess of $6,164,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time-Equivalents (FTE)" indicated in the Board of Plumbing Examiners' bill pattern shall be increased by 0.3 FTE in fiscal year 2010 and 1.0 FTE in fiscal year 2011 contingent upon the Board of Plumbing Examiners meeting the above revenue target. In addition, the Capital Budget Rider 2 in the bill pattern of the Board of Plumbing Examiners shall be increased by $23,000 in fiscal year 2010 to purchase a new vehicle contingent upon the Board of Plumbing Examiners meeting the above revenue target. The Board of Plumbing Examiners, upon completion of necessary actions to assess or increase such additional fees,

[24] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.
[25] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

shall furnish copies of the Board of Plumbing Examiners' 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

Sec. 17.68. Contingency Appropriation for House Bill 3452.[26] Contingent on enactment of House Bill 3452 by the Eighty-first Legislature, Regular Session, or similar legislation relating to the creation of the Texas Armed Services Scholarship Program, the Higher Education Coordinating Board is hereby appropriated $1,000,000 in fiscal year 2010 and $1,000,000 in fiscal year 2011 out of the General Revenue Fund to implement provisions of the legislation. Any unexpended balances as of August 31, 2010, may be carried forward to fiscal year 2011 for the same purpose.

Sec. 17.69. Contingency Appropriation for House Bill 3519.[26] Contingent on enactment of House Bill 3519 by the Eighty-first Legislature, Regular Session, or similar legislation relating to the Texas Workforce Commission entering into memorandum of understanding with the Higher Education Coordinating Board regarding the Texas Career Opportunity Grant Program, the Higher Education Coordinating Board is hereby appropriated $675,000 in fiscal year 2010 and $675,000 in fiscal year 2011 out of the General Revenue Fund to implement provisions of the legislation.

Sec. 17.70. Contingency Appropriation for House Bill 3594.[26] Contingent upon the enactment of House Bill 3594, or similar legislation relating to the preservation of evidence that contains biological material, by the Eighty-first Legislature, Regular Session, 2009, the Department of Public Safety is appropriated $500,000 in fiscal year 2010 and $500,000 in fiscal year 2011 from the General Revenue-Dedicated Operators and Chauffeurs License Account No. 99 to implement the provisions of the legislation. Also contingent upon the enactment of House Bill 3594 or similar legislation, the "Number of Full-Time-Equivalents (FTE)" for the Department of Public Safety is increased by 2.0 for each fiscal year of the 2010-11 biennium.

Sec. 17.71. Contingency Appropriation for House Bill 3595.[27] Contingent on passage of House Bill 3595, or similar legislation relating to the provision of drug court programs, by the Eighty-first Legislature, Regular Session, the Office of Court Administration is appropriated $149,374 in fiscal year 2010 and $145,516 in fiscal year 2011 in General Revenue to implement the provisions of the legislation. Also contingent on passage of House Bill 3595, or similar legislation, the "Number of Full-Time-Equivalents (FTE)" for the Office of Court Administration is increased by 2.0 FTEs each fiscal year.

Sec. 17.72. Contingency Appropriation for House Bill 3621.[28] Contingent upon the enactment of House Bill 3621, or similar legislation relating to certain charges included in a motor vehicle installment agreement, by the Eighty-First Legislature, Regular Session, the Office of Consumer Credit Commissioner is hereby appropriated the amounts of $139,000 in fiscal year 2010 and $136,500 in fiscal year 2011 out of General Revenue for the purpose of implementing that Act. Also, the "Number of Full-Time-Equivalents (FTE)" figure is increased by 2.0 FTEs in each fiscal year.

Sec. 17.73. Contingency Appropriation for House Bill 3765.[26] Contingent upon passage of House Bill 3765, or similar legislation relating to the use of hazardous and solid waste remediation fee funds

---

[26] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.
[27] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.
[28] The Department of Banking, Office of Consumer Credit Commissioner, Credit Union Department, and Department of Savings and Mortgage Lending (the "four agencies") were effectively moved to self-directed and semi-independent status (SDSI) status by the enactment of HB 2774, 81st Legislature, Regular Session, and will not have a bill pattern shown in the Fiscal Size-up (FSU) version of the General Appropriations Act (GAA). There is an explanatory footnote at the beginning of Article 8, GAA. The reasoning for exclusion of the four agencies from having a bill pattern shown in the FSU version of the GAA is twofold. First, the exclusion is based on the fact that the four agencies are no longer required to have an appropriation because their funds are no longer deposited in the state treasury. Second, the exclusion mirrors the lack of presentation of the current SDSI agencies (Texas State Board of Public Accountancy, Texas Board of Architectural Examiners, and Texas Board of Professional Engineers) in the GAA. Although the LBB still works with the SDSI agencies in monitoring activities and processing fiscal notes related to changes in law related to the SDSI agencies' regulated responsibilities, none of the budget or performance information for these agencies will be included or retained in the Automated Budget and Evaluation System of Texas (ABEST) beginning September 1, 2009. The historical information will remain, though. Article 9, GAA riders related to these agencies include: §§ 17.26; 17.27; 17.72; and 17.119.

for lead-acid battery recycling activities by the Eighty-first Legislature, Regular Session, 2009, the Commission on Environmental Quality may expend up to $1,430,000 in each fiscal year of the 2010-11 biennium out of amounts appropriated herein out of the Hazardous and Solid Waste Remediation Fee Account No. 550 in Strategy D.1.2, Hazardous Materials Cleanup, for lead-acid battery recycling activities.

Sec. 17.74. Contingency Appropriation for House Bill 3961.[29] Contingent upon the enactment of House Bill 3961, or similar legislation relating to the regulation of nursing, and contingent upon the Board of Nursing assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $300,000 in excess of $26,001,209 (Object Codes 3560 and 3570), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011 and the revenue requirements elsewhere in this act, the Board of Nursing shall be appropriated $300,000 in Fiscal Year 2011 in General Revenue. The Board of Nursing, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Nursing's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

Sec. 17.75. Contingency Appropriation for House Bill 4341 or Senate Bill 2339.[29] Contingent on enactment of House Bill 4341 or Senate Bill 2339, or similar legislation relating to regulation of discount health care programs by the Texas Department of Insurance; providing penalties, by the Eighty-first Legislature, Regular Session, the Texas Department of Insurance is appropriated $97,153 in fiscal year 2010 and $43,062 in fiscal year 2011 from General Revenue-Dedicated Texas Department of Insurance Operating Account Fund 36, and $44,875 in fiscal year 2011 from General Revenue Insurance Companies Maintenance Tax and Insurance Department Fees to implement the provisions of the legislation. The "Number of Full-Time Equivalents" in the agency bill pattern is increased by 2.0 FTEs in each fiscal year.

Sec. 17.76. Contingency Appropriation for House Bill 4833.[29] Contingent on passage of House Bill 4833, or similar legislation relating to the creation of district courts and statutory county courts and to the composition of the juvenile boards in certain counties, by the Eighty-first Legislature, Regular Session, the Judiciary Section, Comptroller's Department is appropriated an amount estimated to be $241,319 for fiscal year 2010 and an amount estimated to be $429,011 for fiscal year 2011 from the General Revenue Fund and an amount estimated to be $618,496 for fiscal year 2010 and an amount estimated to be $810,660 for fiscal year 2011 from Judicial Fund No. 573 to implement provisions of the legislation. Also contingent on passage of House Bill 4833, or similar legislation, the "Number of Full-Time Equivalent Positions (FTE)" for the Judiciary Section, Comptroller's Department is hereby increased by 3.0 FTEs in fiscal year 2010 and 5.0 FTEs in fiscal year 2011 for the new district courts.

Sec. 17.77. Contingency Appropriation for Senate Bill 6.[29] Contingent on enactment of Senate Bill 6, or similar legislation relating to the creation of the Healthy Texas Program, by the Eighty-first Legislature, Regular Session, the Texas Department of Insurance is appropriated $17,404,000 in fiscal year 2010 and $17,425,000 in fiscal year 2011 from General Revenue, and $96,000 in fiscal year 2010 and $75,000 in fiscal year 2011 from General Revenue Insurance Companies Maintenance Tax and Insurance Department Fees to implement the provisions of the legislation. Any unexpended balances of the fiscal year 2010 appropriation made by this provision are hereby appropriated to the Texas Department of Insurance for fiscal year 2011 for the same purpose. The "Number of Full-Time Equivalents" in the agency bill pattern is increased by 0.5 FTEs in each fiscal year.

Sec. 17.78. Contingency Appropriation and Reporting Requirements for Senate Bill 7.[29] Contingent upon enactment of Senate Bill 7 by the Eighty-first Legislature, Regular Session, or similar legislation relating to strategies for and improvements in quality of health care and care management provided through health care facilities and through the child health plan and medical assistance programs designed to improve health outcomes:

a) the Health and Human Services Commission (HHSC) is appropriated:

   1) $4,041,036 in General Revenue Match for Medicaid for fiscal year 2010 and $3,094,764 in General Revenue Match for Medicaid for fiscal year 2011;

[29] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

2) $10,604,536 in Federal Funds for fiscal year 2010 and $5,788,637 in Federal Funds for fiscal year 2011;

to establish pilot programs, to conduct audits of hospitals receiving disproportionate share funding, to develop a quality-based hospital reimbursement system for the Medicaid program, and for system modifications to deny payments for preventable adverse events.

b) the Department of Aging and Disability Services (DADS) is appropriated $1,250,000 per fiscal year of the biennium in General Revenue Match for Medicaid and $1,250,000 per fiscal year of the biennium in Federal Funds to establish an incentive payment program for nursing facilities.

c) the Health and Human Services Commission shall submit a progress report by November 1, 2010, on the implementation of new rules related to preventing payment for hospital medical errors in the Medicaid program to the Legislative Budget Board and the Governor.

d) the Department of State Health Services shall submit a progress report by November 1, 2010, on the progress of creating a system to collect data on hospital medical errors and related data collection to the Legislative Budget Board and the Governor.

Sec. 17.79. Contingency Appropriation for Senate Bill 8.[30] Contingent on passage of Senate Bill 8, or similar legislation relating to the Texas Health Services Authority, by the Eighty-first Legislature, Regular Session, the Health and Human Services Commission is hereby appropriated $1,000,000 in General Revenue for fiscal year 2010, and $1,000,000 in General Revenue for fiscal year 2011 to implement the provisions of the legislation. Additionally, the agency's FTE cap is increased by 5.0 in fiscal year 2010 and 5.0 in fiscal year 2011.

Sec. 17.80. Contingency for Senate Bill 11.[31] Contingent upon the enactment of Senate Bill 11, or similar legislation relating to the prevention, investigation, prosecution, and punishment for certain gang-related and other criminal offenses and to the consequences and costs of engaging in certain activities of a criminal street gang or certain other criminal activity, by the Eighty-first Legislature, Regular Session, 2009, it is the intent of the Legislature that at least $5,500,000 in appropriations by this Act for the Trusteed Programs within the Office of the Governor, including federal Byrne grant allocations, be used to implement the provisions of the legislation.

Sec. 17.81. Contingency Appropriation for Senate Bill 16.[32]

(a) Texas Commission on Environmental Quality - Additional Appropriations: In addition to amounts appropriated herein and contingent upon passage of Senate Bill 16, or similar legislation, by the Eighty-first Legislature, Regular Session, 2009, there is hereby appropriated to the Texas Commission on Environmental Quality (TCEQ) in Strategy A.1.1, Air Quality Assessment and Planning: $521,074 in each fiscal year of the 2010-11 biennium out of the Texas Emissions Reduction Plan Account No. 5071; $656,880 in fiscal year 2010 and $598,380 in fiscal year 2011 out of the Clean Air Account No. 151; and $315,997 in fiscal year 2010 and $111,397 in fiscal year 2011 out of the Operating Permit Fee Account No. 5094. In addition, the number of Full-Time-Equivalents indicated herein for the TCEQ is hereby increased by 12.0 in each fiscal year of the 2010-11 biennium.

(b) Texas Commission on Environmental Quality - Allocations out of the TERP Account No. 5071: Notwithstanding appropriations and allocations made herein out of the TERP Account No. 5071, and contingent upon passage of Senate Bill 16, or similar legislation, by the Eighty-first Legislature, Regular Session, 2009, the allocation of appropriations to the TCEQ in the amount of $117,003,925 each fiscal year of the 2010-11 biennium out of the TERP Account No. 5071 are hereby modified as follows:

(1) $104,133,494 in each fiscal year of the 2010-11 biennium shall be used for the Diesel Reductions Program established in Health and Safety Code, Chapter 386, Subchapter C. Not more than 10 percent of these funds shall be used.

---

[30] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.
[31] Neither SB 11, 81st Legislature, Regular Session, nor similar legislation became law.
[32] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

(A) $4,165,339 each fiscal year shall be used to implement the Clean School Bus Initiative established in Health and Safety Code § 386.252; and

(B) $99,968,155 shall be used for incentive payments and to implement the New Technology Program established in Health and Safety Code, Chapter 391, pursuant to Health and Safety Code § 386.252. No more than 10 percent of these funds may be used to implement the New Technology Program established in Health and Safety Code, Chapter 391, pursuant to Health and Safety Code, § 386.252, without written consent of the Legislative Budget Board.

(2) $10,530,353 in each fiscal 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; and

(3) $2,340,078 in each fiscal year of the 2010-11 biennium shall be used to administer the Diesel Emissions Reduction Program.

(4) Notwithstanding these allocations, the TCEQ may re-allocate funds for programs under Health and Safety Code § 385.252 (a) as authorized in Health and Safety Code §386.252. This exemption does not apply to the approval requirement in Section (b)(1)(B) above.

(c) Comptroller of Public Accounts - In addition to amounts appropriated herein to the Comptroller of Public Accounts and contingent upon passage of Senate Bill 16, or similar legislation, by the Eighty-first Legislature, Regular Session, 2009, there is hereby appropriated to the Comptroller of Public Accounts out of the General Revenue Fund $291,974 in each fiscal year of the 2010-11 biennium. The funds shall be used to assess the financial stability of applicants for the New Technology Implementation Program established by the bill and conduct grant audits. In addition, the number of Full-Time-Equivalents indicated herein for the Comptroller of Public Accounts is hereby increased by 5.0 in each fiscal year of the 2010-11 biennium.

(d) Texas Commission on Environmental Quality - Clean Air Act Section 185 Appropriation -- In addition to amounts appropriated herein to the Texas Commission on Environmental Quality (TCEQ), there is hereby appropriated all fee revenue deposited to the credit of the General Revenue Fund during the biennium beginning on September 1, 2009, (estimated to be $0) pursuant to the Federal Clean Air Act, § 185 (42 USC, § 7511d). The funds shall be used to support activities associated with the state's efforts to comply with federal air quality standards and to address other air pollution issues in the Houston-Galveston-Brazoria nonattainment area, including existing grant programs addressing emissions reductions programs authorized in Health and Safety Code, Chapters 386, 387, 390 and 391.

In the event Senate Bill 16, or similar legislation that directs the deposit of funds received pursuant to the Federal Clean Air Act, § 185 (42 USC, § 7511d), to the credit of the Clean Air Act No. 151, is enacted by the Eighty-first Legislature, Regular Session, in addition to the amounts appropriated herein to the TCEQ, there is hereby appropriated all fee revenue deposited to the Clean Air Account No. 151 during the biennium beginning on September 1, 2009, (estimated to be $0) pursuant to the Federal Clean Air Act, § 185 (42 USC, § 7511d). These funds shall be used to support activities associated with the state's efforts to comply with federal air quality standards and to address other air pollution issues in the Houston-Galveston-Brazoria nonattainment area, including existing grant programs addressing emissions reduction authorized in Health and Safety Code, Chapters 386, 387, 390 and 391.

Sec. 17.82. Contingency Appropriation for Senate Bill 75.[33] Contingent upon enactment of Senate Bill 75 by the Eighty-first Legislature, Regular Session, or similar legislation relating to the establishment of a disaster and emergency education program, out of funds appropriated elsewhere in this Act to the Department of State Health Services (DSHS), DSHS shall allocate $1,694,860 in General Revenue Funds in fiscal year 2010 and $1,736,532 in General Revenue Funds in fiscal year 2011 to create a Disaster and Emergency Education Program and implement all other designated provisions of the legislation. Additionally, the agency's FTE cap is increased by 2.0 in fiscal year 2010 and 2.0 in fiscal year 2011.

[33] Similar legislation, HB 1831, became law.

Sec. 17.83. Contingency Appropriation for Senate Bill 81.[34] Contingent on passage of Senate Bill 81, or similar legislation relating to the certain providers of subsidized child care, by the Eighty-first Legislature, Regular Session, the Department of Public Safety is hereby appropriated revenue not to exceed $70,725 in fiscal year 2010, and $62,100 for fiscal year 2011 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional revenue generated pursuant to Senate Bill 81.

Sec. 17.84. Contingency Appropriation for Senate Bill 282.[35] Contingent on enactment of Senate Bill 282 or similar legislation relating to grant and outreach programs to provide nutrition education to children, the Texas Department of Agriculture is hereby appropriated $500,000 out of the General Revenue fund in each fiscal year of the 2010-11 Biennium and the agency's cap on full-time-equivalent positions is hereby increased by 0.5 in each fiscal year of the 2010-11 biennium for the purpose of implementing the legislation.

Sec. 17.85. Contingency Appropriation for Senate Bill 297.[35] Contingent on enactment of Senate Bill 297 by the Eighty-first Legislature, Regular Session, or similar legislation relating to tuition rates and fees at public institutions of higher education for certain veterans and their families, the Higher Education Coordinating Board is hereby appropriated $349,500 in fiscal year 2010 and $349,500 in fiscal year 2011 out of the General Revenue Fund to implement provisions of the legislation.

Sec. 17.86. Contingency Appropriation for Senate Bill 455.[35] Contingent upon the enactment of Senate Bill 455, or similar legislation relating to the regulation of the practice of dental assistants, including the delegation of certain dental acts, and contingent upon the Texas State Board of Dental Examiners assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $10,132 in excess of $7,328,204 (Object Codes 3570 and 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011 and the revenue requirements elsewhere in this act, the Texas State Board of Dental Examiners shall be appropriated $10,132 in Fiscal Year 2011 in General Revenue. The Texas State Board of Dental Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas State Board of Dental Examiners' 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

Sec. 17.87. Contingency Appropriation for Senate Bill 482.[35] Contingent on the enactment of Senate Bill 482 by the Eighty-first Legislature, Regular Session, 2009, or similar legislation relating to the creation of a Holocaust and Genocide Commission, the Texas Historical Commission is hereby appropriated $86,397 in fiscal year 2010 and $81,397 in fiscal year 2011 in General Revenue funds to support functions and activities of the Holocaust and Genocide Commission. In addition, the "Number of Full-time-Equivalents (FTE)" indicated in the Texas Historical Commission's bill pattern shall be increased by 0.5 FTE in each fiscal year.

Sec. 17.88. Contingency Appropriation for Senate Bill 485.[34] Contingent on enactment of Senate Bill 485 or similar legislation relating to medical loss ratios of preferred provider benefit plan issuers, by the Eighty-first Legislature, Regular Session, the Texas Department of Insurance is appropriated $150,442 in fiscal year 2010 and $61,361 in fiscal year 2011 from General Revenue Insurance Companies Maintenance Tax and Insurance Department Fees to implement the provisions of the legislation. The "Number of Full-Time Equivalents" in the agency bill pattern is increased by 1.0 FTEs in each fiscal year.

Sec. 17.89. Contingency for Senate Bill 497.[35] Contingent on passage of Senate Bill 497, or similar legislation relating to compensation paid to certain judges and justices, by the Eighty-first Legislature, Regular Session, out of General Revenue funds appropriated to the Office of Court Administration in Strategy A.1.1, Court Administration $63,250 each fiscal year shall be transferred to the Judiciary Section, Comptroller's Department in Strategy A.1.1, District Judge Salaries for the purpose of paying salary supplements for district judges presiding over asbestos- or silica-related multi-district litigation cases.

Sec. 17.90. Contingency Appropriation for Senate Bill 499: Birth Records of Adopted Children.[34] Contingent on passage of Senate Bill 499, or similar legislation relating to the Birth Records of Adopted Children, by the Eighty-first Legislature, Regular Session, the Department of State Health

---

[34] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.
[35] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

Services is hereby appropriated revenue not to exceed $49,500 in fiscal year 2010, and $75,000 for fiscal year 2011 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional revenue generated pursuant to Senate Bill 499.

Sec. 17.91. Contingency Appropriation for Senate Bill 546.[36] Contingent upon the enactment of Senate Bill 546, or similar legislation relating to energy efficiency goals and programs and demand reduction targets; creating an office of energy efficiency deployment in the state energy conservation office, the Public Utility Commission shall be appropriated $55,354 in fiscal year 2010 and $55,453 in fiscal year 2011 in General Revenue and 1.0 FTE each fiscal year.

Sec. 17.92. Contingency Appropriation for Senate Bill 696 or House Bill 3632.[37] Contingent on passage of Senate Bill 696, House Bill 3632, or similar legislation relating to the use of state parking facilities, by the Eighty-first Legislature, Regular Session, in addition to amounts appropriated above in Strategy A.1.2, Facilities Planning, the Texas Facilities Commission is appropriated from money received from a lease under Section 2165.204 or Section 2165.2045, Government Code, an amount not to exceed $51,163 for fiscal year 2010 and $46,011 for fiscal year 2011 to implement the provisions of the legislation. To meet the administrative needs of a parking facility leasing program, the Full-Time Equivalent (FTE) cap for the Texas Facilities Commission is hereby increased by 1 in fiscal year 2010 and 1 in fiscal year 2011 to administer the legislated duties of the referenced programs.

Sec. 17.93. Contingency Appropriation for Senate Bill 727.[37] Contingent upon the enactment of Senate Bill 727, or similar legislation relating to the creation of DNA records for the DNA database system, by the Eighty-first Legislature, Regular Session, 2009, the Department of Public Safety is appropriated $2,053,286 in fiscal year 2010 and $1,706,224 in fiscal year 2011 from General Revenue Funds to implement the provisions of the legislation. Also contingent upon the enactment of Senate Bill 727 or similar legislation, the "Number of Full-Time-Equivalents (FTE)" for the Department of Public Safety is increased by 6.0 for each fiscal year of the 2010-11 biennium.

Sec. 17.94. Contingency for Senate Bill 785 for Client Abuse and Neglect Reporting System Status Report.[38] Contingent upon the enactment of Senate Bill 785, or similar legislation relating to adding names from the Client Abuse and Neglect Reporting System to the Employee Misconduct Registry, by the Eighty-first Legislature, Regular Session, 2009, the Department of Aging and Disability Services and the Department of State Health Services shall submit a report that includes information about the progress of moving names from the Client Abuse and Neglect Reporting System (CANRS) to the Employee Misconduct Registry. The report should address, but not be limited to, the progress the agency has made in the following areas:

a. an explanation of the process the agency used to identify who in CANRS has had due process and who has not;

b. total number of names in CANRS eligible to be listed in the Employee Misconduct Registry;

c. total number of names in CANRS that cannot be moved to the Employee Misconduct Registry because of a lack of access to due process;

d. a suggested methodology and cost for adding the names of employees who did not receive due process to the Employee Misconduct Registry; and

e. any other relevant information related to this process.

The report shall be submitted to the Governor and the Legislative Budget Board by May 1, 2010.

Sec. 17.95. Contingency Appropriation for Senate Bill 858.[37] In addition to amounts appropriated herein to the Texas Education Agency and contingent upon passage of Senate Bill 858 or similar legislation relating to offering the classroom portion of a driver education course through an alternative method of instruction by the Eighty-first Legislature, 2009, there is hereby appropriated from the General Revenue fund, $145,000 in fiscal year 2010 and $145,000 in fiscal year 2011 in Driver Education fee revenues generated as a result of the bill's passage for the purpose of implementing the provisions of the legislation. These appropriations are contingent upon the TEA assessing fees sufficient to generate, during the 2010-11 biennium, revenue to cover the appropriations for

[36] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.
[37] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.
[38] Similar legislation, SB 806, became law.

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 above to be within the amount of revenue expected to be available.

In addition, contingent upon passage of Senate Bill 858 or similar legislation, the Number of Full-Time Equivalents indicated herein for the TEA is hereby increased by 2.0 in each fiscal year of the 2010-11 biennium.

Sec. 17.96. Contingency Appropriation for Senate Bill 876: Annual Soil Tests for Concentrated Animal Feeding Operations.[39] In addition to amounts appropriated herein to the Texas Commission on Environmental Quality (TCEQ) and contingent upon passage of Senate Bill 876, or similar legislation by the Eighty-First Legislature, Regular Session, 2009, relating to the performance of annual soil tests for certain concentrated animal feeding operations, there is hereby appropriated out of the Water Resource Management Account No. 153 in Strategy A.1.2, Water Assessment and Planning, $166,583 in fiscal year 2010 and $108,083 in fiscal year 2011 to perform soil testing as required by the bill.

Sec. 17.97. Contingency Appropriation for Senate Bill 911.[39] Contingent upon the enactment of Senate Bill 911, or similar legislation relating to the certification and regulation of pain management clinics, by the Eighty-first Legislature, Regular Session, the Texas Medical Board shall be appropriated the amounts of $35,000 in fiscal year 2010 and $35,000 in fiscal year 2011 in General Revenue Funds for the purpose of implementing that Act. This appropriation is also contingent on the Texas Medical Board assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2010-11 biennium, $70,000 in excess of $28,688,000 (Object Code 3560 and 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time-Equivalents (FTE)" indicated in the Texas Medical Board's bill pattern shall be increased by 1.0 FTE in each fiscal year contingent upon the Texas Medical Board meeting the above revenue target. The Texas Medical Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas Medical Board's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

Sec. 17.98. Contingency Appropriation for Senate Bill 1001 or House Bill 2233. [40] Contingent upon the enactment of Senate Bill 1001 or House Bill 2233, or similar legislation relating to the continuation and operation of the office of public insurance counsel by the Eighty-first Legislature, Regular Session, the Office of Public Insurance Counsel shall be appropriated the amounts of $61,786 in fiscal year 2010 and $59,286 in fiscal year 2011 out of General Revenue for the purpose of implementing that Act. The "Number of Full-Time-Equivalents (FTE)" indicated in the Office of Public Insurance Counsel's bill pattern shall be increased by 1.0 FTE in each fiscal year.

Sec. 17.99. Sunset Contingency for Senate Bill 1003.[39] Notwithstanding other provisions of this Act, appropriations, related Full-Time-Equivalents, and applicable bill pattern and Article IX riders for fiscal years 2010 and 2011 for the Office of State-Federal Relations are contingent upon enactment of Senate Bill 1003, Eighty-first Legislature, Regular Session, or similar legislation that provides for the continuation of the Office of State-Federal Relations or transfer or administrative attachment of the Office of State-Federal Relations to the office of the governor.

In the event that Senate Bill 1003, Eighty-first Legislature, Regular Session, or similar legislation is not enacted, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

Sec. 17.100. Contingency for Senate Bill 1005.[39] Contingent upon the enactment of Senate Bill 1005, or similar legislation relating to the regulation of polygraph examiners by the Texas Department of Licensing and Regulation and the abolition of the Polygraph Examiners Board, the Texas Department of Licensing and Regulation shall be appropriated all unexpended funds appropriated to the

---

[39] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.
[40] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.

Polygraph Examiners Board as of January 1, 2010. The transfer of obligations, property, full-time equivalent positions, rights, powers, and duties of the board to the department must be completed not later than January 1, 2010.

Sec. 17.101. Contingency for Senate Bill 1007 or House Bill 2203.[41] Contingent upon the enactment of Senate Bill 1007 or House Bill 2203, or similar legislation relating to the continuation and operation of the Texas Department of Insurance and the operation of certain insurance programs; imposing administrative penalties, by the Eighty-first Legislature, Regular Session, appropriations to the Texas Department of Insurance shall be reduced in the amounts of $805,576 in fiscal year 2010 and $805,576 in fiscal year 2011 from General Revenue-Dedicated Texas Department of Insurance Operating Account Fund No. 036 and $491,997 in fiscal year 2010 and $491,997 in fiscal year 2011 from General Revenue Insurance Companies Maintenance Tax and Insurance Department Fees. The "Number of Full-Time-Equivalents (FTE)" indicated in the Texas Department of Insurance's bill pattern shall be reduced by 28.0 FTEs in each fiscal year.

Sec. 17.102. Contingency Appropriation for Senate Bill 1011 or House Bill 3390.[42] Contingent upon the enactment of Senate Bill 1011, House Bill 3390, or similar legislation relating to the continuation and functions of the Commission on Fire Protection, appropriations to the Commission on Fire Protection are increased by $98,571 in fiscal year 2010 and $132,701 in fiscal year 2011 in General Revenue Funds (Fund 8042-Insurance Companies Maintenance Tax and Insurance Department Fees) for the purpose of implementing the provisions of the legislation. These appropriations are also contingent upon the Commission on Fire Protection increasing revenues from fees for certification and fingerprint-based criminal history background checks, pursuant to Government Code, Chapter 419, by $163,400 and providing such information deemed necessary by the Comptroller of Public Accounts to issue a finding of fact that the increased revenues are estimated to be available in excess of the Comptroller's Biennial Revenue Estimate, including supplemental estimates used in certifying this Act, to fund the increased appropriations and benefits. Also contingent upon the finding of fact, the "Number of Full-Time-Equivalents (FTE)" for the Commission on Fire Protection is increased by 1.0 in fiscal year 2010 and 1.0 in fiscal year 2011.

Sec. 17.103. Contingency Appropriation for Senate Bill 1016.[42] Contingent on enactment of Senate Bill 1016 or similar legislation relating to the continuation and functions of the Department of Agriculture and the Prescribed Burning Board and the abolition of the Texas-Israel Exchange Fund Board, the Department of Agriculture is hereby appropriated $62,519 in General Revenue funds in fiscal year 2010 and $54,519 in General Revenue funds in fiscal year 2011 and $150,988 from the Texas Agricultural Fund No. 683 in fiscal year 2010 and $143,988 from the Texas Agricultural Fund No. 683 in fiscal year 2011 and the agency's cap on full-time-equivalent positions is hereby increased by 3.0 in each fiscal year of the 2010-11 biennium for the purpose of implementing the legislation.

Sec. 17.104. Contingency Appropriation for Senate Bill 1091.[42] Contingent on passage of Senate Bill 1091, or similar legislation relating to the establishment of the Capital Writs Committee and the Office of Capital Writs and to the appointment and compensation of certain counsel for indigent defendants in a capital case, by the Eighty-first Legislature, Regular Session, out of funds appropriated in Article IV of this Act, $323,000 from General Revenue in Strategy D.1.6, Death Penalty Representation to the Judiciary Section, Comptroller Department for fiscal year 2011 and $548,914 from the General Revenue-Dedicated Fair Defense Account No. 5073 in Strategy A.2.1, Indigent Defense to the Office of Court Administration for fiscal year 2011 shall be transferred to the Office of Capital Writs to implement the provisions of the legislation. In addition, the Office of Capital Writs is appropriated $171,520 in fiscal year 2011 out of the General Revenue Fund. Also contingent on passage of Senate Bill 1091, or similar legislation, the "Number of Full-Time-Equivalent Positions (FTE)" is 3.3 FTEs in fiscal year 2011 for the new Office of Capital Writs.

Sec. 17.105. Contingency Appropriation for Senate Bill 1095.[42]

a) Contingent upon the enactment of Senate Bill 1095, or similar legislation relating to the licensing and regulation of used automotive parts recyclers; providing penalties, and contingent upon the Department of Licensing and Regulation assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $468,084 in excess of $62,551,340 (Object Codes 3035, 3146, 3147, 3160, 3161, 3164, 3175, 3366, 3727), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011 and in excess of revenue requirements elsewhere in this act, the Texas Department of

[41] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.
[42] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

Licensing and Regulation shall be appropriated $203,380 in fiscal year 2010 and $176,780 in fiscal year 2011 in General Revenue. Also, the "Number of Full-time Equivalents (FTEs)" indicated in agency's bill pattern shall be increased by 4.0 FTEs in each fiscal year contingent upon agency meeting the above revenue target. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Licensing and Regulation's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

b) Contingent upon the enactment of House Bill 300, or similar legislation relating to the continuation and functions of the Texas Department of Transportation including the governance of the department and the transfer of certain functions of the department to the Texas Department of Motor Vehicles and the office of the governor, or contingent upon the enactment of House Bill 3097 or similar legislation relating to the creation, organization, governance, duties and functions of the Texas Department of Motor Vehicles, including the transfer of certain duties to the Texas Department of Motor Vehicles and the Texas Department of Licensing and Regulation, subsection (a) would not take effect.

Sec. 17.106. Contingency Appropriation for Senate Bill 1166.[43] Contingent on passage of Senate Bill 1166, or similar legislation relating to the duties and salary of the county attorney of Swisher County and the election and duties of the district attorney for the 64th Judicial District, by the Eighty-first Legislature, Regular Session, the Judiciary Section, Comptroller's Department is appropriated $85,700 each fiscal year from the General Revenue Fund and $11,250 each fiscal year from Judicial Fund No. 573 to implement provisions of the legislation. Also contingent on passage of Senate Bill 1166, or similar legislation, the "Number of Full-Time-Equivalent Positions (FTE)" for the Judiciary Section, Comptroller's Department is hereby increased by 1.0 FTE each fiscal year for the new professional prosecutor.

Sec. 17.107. Contingency Appropriation for Senate Bill 1329.[44] Contingent on passage of Senate Bill 1329, or similar legislation relating to the licensing of food manufacturers, wholesalers, and warehouse operators, by the Eighty-first Legislature, Regular Session, the Department of State Health Services is hereby appropriated revenue not to exceed $224,758 in Food and Drug Registration funds in fiscal year 2011 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional revenue generated pursuant to Senate Bill 1329. The "Number of Full-Time-Equivalent Positions" indicated in the agency's bill pattern is increased by 3.0 in fiscal year 2011.

Sec. 17.108. Contingency Appropriation for Senate Bill 1331.[43] Contingent upon the enactment of Senate Bill 1331, or similar legislation relating to the creation of the Texas Physician Health Program, by the Eighty-first Legislature, Regular Session, the Texas Medical Board shall be appropriated the amount of $148,530 in fiscal year 2010 and $288,036 in fiscal year 2011 in General Revenue Funds for the purpose of implementing that Act. This appropriation is also contingent on the Texas Medical Board assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2010-11 biennium, $541,146 in excess of $28,688,000 (Object Code 3560 and 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-time Equivalent Positions (FTE)" indicated in the Board of Professional Land Surveying's bill pattern shall be increased by 2.5 FTEs in fiscal year 2010 and 5.0 FTEs in fiscal year 2011, contingent upon the Texas Medical Board meeting the above revenue target. The Texas Medical Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas Medical Board's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

---

[43] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.
[44] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.

Sec. 17.109. Contingency Appropriation for Senate Bill 1387: Capture, Injection, Sequestration, or Geologic Storage of Carbon Dioxide.[45] In addition to amounts appropriated herein to the Railroad Commission, and contingent upon passage of Senate Bill 1387, or similar legislation by the Eighty-first Legislature, Regular Session, 2009, relating to the implementation of projects involving the capture, injection, sequestration, or geologic storage of carbon dioxide, there is hereby appropriated out of the General Revenue Fund in Strategy A.1.1, Energy Resource Development, $75,431 in fiscal year 2010 and $73,421 in fiscal year 2011 to be used to establish and operate the well permitting program created by the bill.

Sec. 17.110. Contingency Appropriation for Senate Bill 1388.[46] Contingent on passage of Senate Bill 1388, or similar legislation relating to process server certification and the establishment of a certification division within the Office of Court Administration, by the Eighty-first Legislature, Regular Session, the Office of Court Administration is appropriated $265,466 in fiscal year 2010 and $246,300 in fiscal year 2011 from the new General Revenue-Dedicated Process Server Certification Account and is provided 4.0 FTEs in each fiscal year to implement the provisions of the legislation.

Sec. 17.111. Contingency Appropriation for Senate Bill 1414: Regulation of Aggregate Production Operations.[46] In addition to amounts appropriated herein to the Texas Commission on Environmental Quality (TCEQ) and contingent upon passage of Senate Bill 1414 or similar legislation relating to the regulation of aggregate production operations by the Eighty-first Legislature, 2009, there is hereby appropriated out of the Water Resource Management Account No. 153 in Strategy C.1.1, Field Inspection and Complaint Response, $257,314 in fiscal year 2010 and $194,314 in fiscal year 2011 in new fee revenues generated as a result of the bill's passage. The funds shall be used to regulate aggregate production operations as required by the bill. These appropriations are contingent upon the TCEQ assessing fees sufficient to generate, during the 2010-11 biennium, revenue to cover the appropriations for the aggregate productions operations regulation program as well as "Other direct and indirect costs" for the program 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 above to be within the amount of revenue expected to be available.

In addition, contingent upon passage of Senate Bill 1414 or similar legislation, the Number of Full-Time Equivalents indicated herein for the TCEQ is hereby increased by 4.0 in each fiscal year of the 2010-11 biennium.

Sec. 17.112. Contingency Appropriation for Senate Bill 1548 or Senate Bill 2567.[46] Contingent on passage of Senate Bill 1548, Senate Bill 2567, or similar legislation relating to the monitoring and oversight of certain public retirement systems and public investments, and establishing the State Pension and Investment Review Board by the Eighty-first Legislature, Regular Session, the Pension Review Board or successor agency is hereby appropriated an additional $1,000,000 out of the General Revenue Fund in each fiscal year of the 2010-11 biennium and is authorized to employ an additional 11 Full-Time Equivalents each fiscal year of the biennium, to implement the provisions of the legislation.

Sec. 17.113. Contingency Appropriation for Senate Bill 1830.[46] Contingent upon enactment of Senate Bill 1830 by the Eighty-first Legislature, Regular Session, or similar legislation relating to the establishment, operation, and funding of open enrollment charter schools, the Texas Education Agency is hereby appropriated $5,000,000 in General Revenue for Fiscal Year 2010 to implement the provisions of the bill. Any unexpended balances from fiscal year 2010 from this provision are hereby appropriated to the agency in fiscal year 2011 for the same purpose.

Sec. 17.114. Contingency Appropriation for Senate Bill 1853.[45] Contingent upon the enactment of Senate Bill 1853, or similar legislation relating to disciplinary actions regarding a pharmacy technician or pharmacy technician trainee, and contingent upon the Board of Pharmacy assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $129,065 in excess of $12,081,060 (Object Codes 3570 and 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011 and in excess of revenue requirements elsewhere in this act, the Board of Pharmacy shall be appropriated $61,060 in fiscal year 2010 and $44,231 in fiscal year 2011. Also, the "Number of Full-time Equivalents (FTEs)" indicated in agency's bill pattern shall be increased by 1.0 FTE in each fiscal year contingent upon agency meeting the above revenue target. The Board of Pharmacy, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Pharmacy's minutes and other information supporting the estimated revenues to

[45] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.
[46] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.

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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

Sec. 17.115. Contingency Appropriation for Senate Bill 1877: Texas Medical Child Abuse Resource and Education System.[47] Contingent on passage of Senate Bill 1877, or similar legislation relating to the Texas Medical Child Abuse Resource and Education System, by the Eighty-first Legislature, Regular Session, the Department of State Health Services is hereby appropriated $2,500,000, in General Revenue, in fiscal year 2010, and $2,500,000, in General Revenue, in fiscal year 2011 to implement the provisions of the legislation.

Sec. 17.116. Contingency Appropriation for Senate Bill 1879.[48] Contingent upon the enactment of Senate Bill 1879, or similar legislation relating to the licensing and regulation of genetic counselors, by the Eighty-first Legislature, Regular Session, the Texas Medical Board shall be appropriated the amounts of $35,281 in fiscal year 2010 and $18,382 in fiscal year 2011 in General Revenue Funds for the purpose of implementing that Act. This appropriation is also contingent on the Texas Medical Board assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2010-11 biennium, $64,167 in excess of $28,688,000 (Object Code 3560 and 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time-Equivalents (FTE)" indicated in the Texas Medical Board's bill pattern shall be increased by 0.5 FTEs in each fiscal year contingent upon the Texas Medical Board meeting the above revenue target. The Texas Medical Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas Medical Board's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

Sec. 17.117. Appropriation for Senate Bill 2043: Closure of a Man-Made Pass.[47] In addition to amounts appropriated herein to the General Land Office and Veterans Land Board, there is hereby appropriated $5,850,000 out of the General Revenue Fund for the biennium beginning on September 1, 2009 for the implementation of Senate Bill 2043, which provides for the closure or modification of a manmade pass or its environs, if the Land Commissioner determines that the pass causes or contributes to significant erosion to the adjacent beach shoreline. In addition, the Capital Budget authority for the General Land Office and Veterans' Land Board herein for Coastal Erosion Response Construction is hereby increased by $5,850,000 for the 2010-11 biennium.

Sec. 17.118. Contingency Appropriation for Senate Bill 2153.[47] Contingent upon the enactment of Senate Bill 2153, or similar legislation relating to the booting of vehicles by private entities in parking facilities; providing penalties, and contingent upon the Texas Department of Licensing and Regulation assessing or increasing fees sufficient to generate, during the 2010-2011 biennium, $605,742 in excess of $62,551,340 (Object Codes 3035, 3146, 3147, 3160, 3161, 3164, 3175, 3366, 3727), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011 and in excess of revenue requirements elsewhere in this act, the Texas Department of Licensing and Regulation shall be appropriated $265,490 in Fiscal Year 2010 and $224,990 in Fiscal Year 2011 in General Revenue. Also, the "Number of Full-time Equivalents (FTEs)" indicated in agency's bill pattern shall be increased by 5.0 FTEs in each fiscal year contingent upon agency meeting the above revenue target. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Licensing and Regulation's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

---

[47] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.
[48] The rider was vetoed. See Governor's veto proclamation, 81st Legislature, Regular Session.

Sec. 17.119. Contingency Appropriation for Senate Bill 2233.[49] Contingent upon the enactment of Senate Bill 2233, or similar legislation relating to the regulation of debt management services providers and providing a penalty, by the Eighty-First Legislature, Regular Session, the Office of Consumer Credit Commissioner is hereby appropriated the amounts of $250,600 in fiscal year 2010 and $230,600 in fiscal year 2011 out of General Revenue for the purpose of implementing that Act. Also, the "Number of Full-Time-Equivalents (FTE)" figure is increased by 4.0 FTEs in each fiscal year.

Sec. 17.120. Contingency Appropriation for Senate Bill 2298.[50] Contingent upon the enactment of Senate Bill 2298, or similar legislation relating to the compensation of certain state employees, by the Eighty-First Legislature, Regular Session:

(a) The Higher Education Coordinating Board is hereby appropriated the amounts of $17,710 in fiscal year 2010 and $428,131 in fiscal year 2011 out of General Revenue for the purpose of implementing a loan repayment program for legislative employees as required by that Act. Also, the "Number of Full-Time-Equivalents (FTE)" figure is increased by 1.0 FTE in fiscal year 2011.

(b) The Judiciary Section, Comptroller's Department, is hereby appropriated the amounts of $33,000 in fiscal year 2010 and $33,000 in fiscal year 2011 out of General Revenue in Strategy A.1.1, District Judge Salaries, for the purpose of paying a salary supplement to judges qualifying under that Act.

Sec. 17.121. Contingency Appropriation for Senate Bill 2313.[51] Contingent on passage of Senate Bill 2313, or similar legislation relating to the creation and funding of the Water Plan Projects Fund to assist the Texas Water Development Board in the funding of certain projects identified in the state and regional water plans, by the Eighty-first Legislature, Regular Session, the Water Development Board is appropriated $35,060,992 for fiscal year 2010 and $57,834,840 for fiscal year 2011 out of the Water Plan Projects Fund to issue $940,000,000 in G.O. Water Bonds. Included in this amount is $3,781,250 in fiscal year 2010 and $7,906,250 in fiscal year 2011 out of the Water Plan Projects Fund for debt service to issue $150,000,000 in bonds for the State Participation Program; $1,382,292 in fiscal year 2010 and $2,847,292 in fiscal year 2011 out of the Water Plan Projects Fund for debt service to issue $35,000,000 in bonds for the Economically Distressed Areas Program; and $29,897,452 in fiscal year 2010 and $47,081,298 in fiscal year 2011 to issue $755,000,000 out of the Water Plan Projects Fund in Water Infrastructure Fund bonds.

Also contingent on passage and funding of Senate Bill 2313 or similar legislation, the General Revenue appropriated elsewhere in this Act for Debt Service Payments -Non-Self Supporting G.O. Water Bonds is reduced by $17,530,496 in fiscal year 2010 and $28,917,420 in fiscal year 2011 or a total of $46,447,916 for the 2010-11 biennium, the reduction to be distributed between the following strategies: Strategy A.1.1, $691,145 in fiscal year 2010 and $1,423,646 in fiscal year 2011; Strategy A.1.2, $1,890,625 in fiscal year 2010 and $3,953,125 in fiscal year 2011; and Strategy A.1.4, $14,948,726 in fiscal year 2010 and $23,540,649 in fiscal year 2011.

Finally, contingent on passage and funding of Senate Bill 2313 or similar legislation, and the reduction in General Revenue appropriated elsewhere in this Act for Debt Service Payments - Non Self-Supporting G.O. Water Bonds, $46,447,916 in General Revenue is hereby transferred to the General Revenue-Dedicated Texas Emissions Reduction Plan Account No. 5071 as of September 1, 2009.

---

[49] The Department of Banking, Office of Consumer Credit Commissioner, Credit Union Department, and Department of Savings and Mortgage Lending (the "four agencies") were effectively moved to self-directed and semi-independent (SDSI) status by the enactment of HB 2774, 81st Legislature, Regular Session, and will not have a bill pattern shown in the Fiscal Size-up (FSU) version of the General Appropriations Act (GAA). There is an explanatory footnote at the beginning of Article 8, GAA. The reasoning for exclusion of the four agencies from having a bill pattern shown in the FSU version of the GAA is twofold. First, the exclusion is based on the fact that the four agencies are no longer required to have an appropriation because their funds are no longer deposited in the state treasury. Second, the exclusion mirrors the lack of presentation of the current SDSI agencies (Texas State Board of Public Accountancy, Texas Board of Architectural Examiners, and Texas Board of Professional Engineers) in the GAA. Although the LBB still works with the SDSI agencies in monitoring activities and processing fiscal notes related to changes in law related to the SDSI agencies' regulated responsibilities, none of the budget or performance information for these agencies will be included or retained in the Automated Budget and Evaluation System of Texas (ABEST) beginning September 1, 2009. The historical information will remain, though. Article 9, GAA, riders related to these agencies include: §§ 17.26; 17.27; 17.72; and 17.119.

[50] The appropriation or change directed by this Article IX rider has been incorporated as part of the applicable bill pattern of the agency or institution.

[51] Relevant legislation failed to become law.

RECAPITULATION - ARTICLE IX
GENERAL PROVISIONS
(General Revenue)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Appropriation for a Salary Increase for State Employees in Schedule C	1,057,997	1,057,997
TOTAL, ARTICLE IX - GENERAL PROVISIONS	$ 1,057,997	$ 1,057,997

RECAPITULATION - ARTICLE IX
GENERAL PROVISIONS
(General Revenue - Dedicated)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Appropriation for a Salary Increase for State Employees in Schedule C	1,478,040	1,478,040
TOTAL, ARTICLE IX - GENERAL PROVISIONS	$ 1,478,040	$ 1,478,040

RECAPITULATION - ARTICLE IX
GENERAL PROVISIONS
(Federal Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Appropriation for a Salary Increase for State Employees in Schedule C	699,310	699,310
TOTAL, ARTICLE IX - GENERAL PROVISIONS	$ 699,310	$ 699,310

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE IX
GENERAL PROVISIONS
(Other Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Appropriation for a Salary Increase for State Employees in Schedule C	10,648,653	10,648,653
Less Interagency Contracts	$ 0	$ 0
TOTAL, ARTICLE IX - GENERAL PROVISIONS	$ 10,648,653	$ 10,648,653

RECAPITULATION - ARTICLE IX
GENERAL PROVISIONS
(All Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Appropriation for a Salary Increase for State Employees in Schedule C	13,884,000	13,884,000
Less Interagency Contracts	$ 0	$ 0
TOTAL, ARTICLE IX - GENERAL PROVISIONS	$ 13,884,000	$ 13,884,000
Number of Full-Time-Equivalents (FTE)	0.0	0.0

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

ARTICLE X

THE LEGISLATURE

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated legislative agencies.

SENATE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 33,341,485	$ 36,732,396
Total, Method of Financing	$ 33,341,485	$ 36,732,396
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Items of Appropriation:		
A. Goal: SENATE		
A.1.1. Strategy: SENATE	$ 33,341,485	$ 36,732,396
Grand Total, SENATE	$ 33,341,485	$ 36,732,396
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,927,555	$ 1,956,470
Group Insurance	4,835,655	5,253,698
Social Security	2,365,399	2,400,879
Benefits Replacement	131,314	124,748
Subtotal, Employee Benefits	$ 9,259,923	$ 9,735,795
Debt Service		
Lease Payments	$ 2,878,010	$ 1,711,735
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 12,137,933	$ 11,447,530

1. **Purposes for Which Appropriations May Be Expended.** Funds appropriated to the Senate may be expended for constitutionally authorized annual salaries for Members of the Senate and the Lieutenant Governor, per diem, other salaries and wages, consumable supplies and materials, current and recurring operating expenses, films, membership dues in any national or regional organization of legislative leaders, capital outlay, building repair and remodeling and other expenses of the Senate including interim expenses of the Eighty-first and Eighty-second Legislatures as may be authorized by law or by resolution.

2. **Appropriation of Fees: Rental Space in Capitol Building.** The Texas Senate shall charge a reasonable fee for rental of space within the State Capitol Building under its control and authority. Any fees so collected are hereby appropriated for use by the Texas Senate during the biennium covered by this Act.

3. **Unexpended Balances.** Any unexpended balances as of August 31, 2009, in the appropriations made by the Legislature to the Senate are hereby appropriated to the Senate for the same purposes for the biennium beginning September 1, 2009.

   Any unexpended balances as of August 31, 2010 in the appropriations made to the Senate are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

HOUSE OF REPRESENTATIVES

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 36,307,136	$ 41,033,338
Total, Method of Financing	$ 36,307,136	$ 41,033,338
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Items of Appropriation:		
A. Goal: HOUSE OF REPRESENTATIVES		
A.1.1. Strategy: HOUSE OF REPRESENTATIVES	$ 36,307,136	$ 41,033,338
Grand Total, HOUSE OF REPRESENTATIVES	$ 36,307,136	$ 41,033,338
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,834,804	$ 1,862,325
Group Insurance	7,252,698	7,905,309
Social Security	2,308,787	2,343,419
Benefits Replacement	102,075	96,972
Subtotal, Employee Benefits	$ 11,498,364	$ 12,208,025
Debt Service		
Lease Payments	$ 3,135,333	$ 2,653,418
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 14,633,697	$ 14,861,443

1. **Purposes For Which Appropriations May Be Expended.** Funds appropriated to the House of Representatives may be expended for Constitutionally authorized annual salaries for Members of the House of Representatives, per diem, other salaries and wages, consumable supplies and materials, current and recurring operating expenses, films, membership dues in the National Conference of State Legislatures and in any national or regional organization of legislative leaders, capital outlay, building repair and remodeling, and other expenses for the House of Representatives, including interim expenses of the Eighty-first and Eighty-second Legislatures as may be authorized by law or resolution.

2. **Appropriation of Fees: Rental Space in Capitol Building.** The House of Representatives shall charge a reasonable fee for rental of space within the State Capitol Building under its control and authority. Any fees so collected are hereby appropriated for use by the House during the biennium covered by this Act.

3. **Unexpended Balances.** Any unexpended balances as of August 31, 2009, in the appropriations made by the Legislature to the House of Representatives are hereby appropriated to the House of Representatives for the same purposes for the biennium beginning September 1, 2009.

   Any unexpended balances as of August 31, 2010 in the appropriations made to the House of Representatives are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

4. **Transfer and Appropriation to Legislative Budget Board Account.** Out of the appropriations made in this Article for the Senate or the House of Representatives, there may be transferred, upon the written approval of the Lieutenant Governor or the Speaker of the House, to an appropriations account for the Legislative Budget Board, such sums as may be deemed necessary but not to exceed an aggregate of $4,592,682 for the fiscal year beginning September 1, 2009, and $4,592,682 for the fiscal year beginning September 1, 2010, for maintaining the operations of said Legislative Budget Board. In addition to amounts identified elsewhere in this provision, there is hereby appropriated to the Legislative Budget Board out of the General Revenue Fund a total of $17,530,833 for the 2010-11 biennium.

Such sums as may be transferred to an account for the Legislative Budget Board shall be budgeted by said Board pursuant to Chapter 322, Government Code, and any amendments thereto including the payment of travel expenses and registration fees incurred by Budget Board members or members of its staff in attending meetings on problems of federal-state relations, interstate problems, problems affecting state or local governments, and meetings sponsored by the Council of State Governments or any of its affiliated organizations, and contributions incident to membership in national or regional organizations of state governments.

5. Unexpended Balances: Legislative Budget Board.

a. Any unexpended balances as of August 31, 2009, in the appropriations made to the Legislative Budget Board for fiscal year 2009, are hereby appropriated to the Legislative Budget Board for the biennium beginning September 1, 2009.

b. Any unexpended balances as of August 31, 2010, in the appropriations made to the Legislative Budget Board are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

6. Texas School Performance Reviews. In view of the cost savings and efficiency measures accruing to school districts from School Performance Reviews, the Legislative Budget Board may enter into interlocal cost sharing agreements with school districts where districts requesting review will be responsible for up to 25 percent of the cost of such performance reviews. The Legislative Budget Board shall be solely responsible for the terms and conditions of the contracts and administration of the program. However, any such cost sharing contracts shall include the school as a third party. The financial responsibility of such schools shall be a direct obligation of the school to pay the vendor upon approval of the work product by the Legislative Budget Board.

7. Transfer to Sunset Advisory Commission Account and Unexpended Balances.

a. Out of the appropriations made in this Article for the Senate or the House of Representatives, there may be transferred upon the written approval of the Lieutenant Governor or the Speaker of the House, to an appropriations account for the Sunset Advisory Commission such sums as may be deemed necessary but not to exceed an aggregate of $2,010,773 for the fiscal year beginning September 1, 2009, and $2,010,773 for the fiscal year beginning September 1, 2010, for maintaining the operations of the Commission.

b. Any unexpended balances as of August 31, 2009, in the appropriations made to the Sunset Advisory Commission are hereby appropriated for the same purposes for the biennium beginning September 1, 2009.

Any unexpended balances as of August 31, 2010, in the appropriations made to the Sunset Advisory Commission, are hereby appropriated to the Sunset Advisory Commission for the fiscal year beginning September 1, 2010.

c. The money that an entity is required by law to pay to the Sunset Advisory Commission to cover the costs the commission incurs in performing a review of the entity is appropriated to the commission for maintaining the operations of the commission. Money appropriated to the commission under this subsection is in addition to the aggregate amounts appropriated to the commission under Subsection a.[1]

8. Study on Spending Limitation. It is the intent of the legislature that the Legislative Budget Board using funds appropriated by this Act shall conduct a study to evaluate the effect of changing the constitutional and statutory spending limit based on the sum of the rate of population growth and the rate of monetary inflation. Not later than January 1, 2011, the Legislative Budget Board shall make recommendations from the conclusions of the study to the governor and lieutenant governor.

---

[1] Provision added due to passage of SB 2, §3.03, 81st Legislature, First Called Session, relating to reimbursement for reviews of certain entities.

LEGISLATIVE COUNCIL

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 35,157,003	$ 40,525,210
Total, Method of Financing	$ 35,157,003	$ 40,525,210
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Items of Appropriation:		
A. Goal: LEGISLATIVE COUNCIL		
A.1.1. Strategy: LEGISLATIVE COUNCIL	$ 35,157,003	$ 40,525,210
Grand Total, LEGISLATIVE COUNCIL	$ 35,157,003	$ 40,525,210
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 1,552,802	$ 1,576,092
Group Insurance	2,764,772	2,977,916
Social Security	1,811,448	1,838,620
Benefits Replacement	139,766	132,778
Subtotal, Employee Benefits	$ 6,268,788	$ 6,525,406
Debt Service		
Lease Payments	$ 4,069,749	$ 2,357,383
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 10,338,537	$ 8,882,789

1. **Purposes for Which Appropriations May Be Expended.** Funds appropriated to the Legislative Council may be expended for payment of salaries and other necessary expenses to carry out the council's statutory powers and duties (including those powers and duties provided by Chapters 301, 323, and 326, Government Code; §§ 531.203, 762.011, and 2053.004, Government Code; and § 276.008, Election Code) and to carry out responsibilities assigned pursuant to legislative resolution. Out of the funds appropriated above:

   (1) $1,000,000 each shall be transferred annually to the Senate and the House of Representatives for printing costs;

   (2) $50,000 each shall be transferred annually to the Senate and House of Representatives for moving expenses; and

   (3) Out of funds appropriated above, the Legislative Council shall transfer to the chamber of the legislature for which the Council estimates it has spent or will spend less money on bill analysis services during the 2010-11 biennium, as compared to the other chamber, an amount of funds equal to the difference in the amounts estimated by the Council as spent or to be spent on bill analysis services for each chamber of the legislature.

2. **Unexpended Balances.** Any unexpended balances as of August 31, 2009, previously appropriated to the Legislative Council are hereby appropriated to the Council for the biennium beginning September 1, 2009, for the purposes stated in Rider provision 1 of the preceding appropriation to the Council.

   Any unexpended balances in the appropriations made to the Legislative Council as of August 31, 2010, are hereby appropriated to the Legislative Council for the fiscal year beginning September 1, 2010.

3. **Appropriation of Fees: Charges for Information Services.** In addition to other amounts appropriated, there is appropriated to the Legislative Council for the fiscal years beginning September 1, 2009, and September 1, 2010, any amounts received as charges under § 323.014(c), Government Code.

4. **Transfers to Legislative Agencies.** The Legislative Council may transfer amounts, as appropriate, to the Commission on Uniform State Laws and to legislative agencies as determined by the Lieutenant Governor and the Speaker of the House.

COMMISSION ON UNIFORM STATE LAWS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 170,160	$ 209,467
Total, Method of Financing	$ 170,160	$ 209,467
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Items of Appropriation:		
A. Goal: COMMISSION ON UNIFORM STATE LAWS		
A.1.1. Strategy: COMMISSION ON UNIFORM STATE LAWS	$ 170,160	$ 209,467
Grand Total, COMMISSION ON UNIFORM STATE LAWS	$ 170,160	$ 209,467

1. **Purposes for Which Appropriations May Be Expended.** Funds appropriated to the Commission on Uniform State Laws may be expended for payment of the contribution by the State of Texas to the National Conference of Commissioners on Uniform State Laws and for payment of other necessary expenses of the commission in carrying out provisions of Chapter 762, Government Code, including the printing of the commission's report and travel expenses of members of the commission to attend the annual meeting of the National Conference of Commissioner's on Uniform State Laws and travel to the state capitol on commission business.

2. **Unexpended Balances.** Any unexpended balances as of August 31, 2009, in the appropriations made to the Commission on Uniform State Laws are hereby appropriated to the Commission on Uniform State Laws for the same purposes for the biennium beginning September 1, 2009.

   Any unexpended balances in the appropriations of the Commission on Uniform State Laws as of August 31, 2010, are hereby appropriated to the Commission on Uniform State Laws for the fiscal year beginning September 1, 2010.

STATE AUDITOR'S OFFICE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 13,726,071	$ 13,726,071
Other Funds		
Appropriated Receipts	275,000	275,000
Interagency Contracts	4,500,000	4,500,000
Subtotal, Other Funds	$ 4,775,000	$ 4,775,000
Total, Method of Financing	$ 18,501,071	$ 18,501,071
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		

STATE AUDITOR'S OFFICE
(Continued)

Items of Appropriation:		
A. Goal: STATE AUDITOR		
A.1.1. Strategy: STATE AUDITOR	$ 18,501,071	$ 18,501,071
Grand Total, STATE AUDITOR'S OFFICE	$ 18,501,071	$ 18,501,071
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
Employee Benefits		
Retirement	$ 752,159	$ 763,442
Group Insurance	1,388,959	1,505,441
Social Security	933,946	947,955
Benefits Replacement	52,141	49,534
Subtotal, Employee Benefits	$ 3,127,205	$ 3,266,372
Debt Service		
Lease Payments	$ 1,872,877	$ 1,078,443
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 5,000,082	$ 4,344,815

1. **Legislative Audit Committee Direction.** The sums appropriated for the State Auditor's Office are to be expended under the direction and subject to the control of the Legislative Audit Committee.

2. **Appropriation of Interagency Contracts.** All funds transferred to the State Auditor's Office (SAO) pursuant to interagency contracts for services provided by the SAO are hereby appropriated to the SAO during the fiscal year in which they are received and shall be used as provided by Government Code, Chapter 321.

3. **Appropriation of Appropriated Receipts.** All funds reimbursed to the State Auditor's Office (SAO) by governmental entities for the provision of services are hereby appropriated to the SAO during the fiscal year in which they are received and shall be used as provided by Government Code, Chapter 321.

4. **Unexpended Balances.** Any unexpended balance as of August 31, 2009, in amounts previously appropriated to the State Auditor from the General Revenue Fund is hereby appropriated to the State Auditor for the same purposes for the biennium beginning September 1, 2009.

   Any unexpended balance remaining in the appropriations of the State Auditor as of August 31, 2010, is hereby appropriated to the State Auditor for the same purposes for the fiscal year beginning September 1, 2010.

5. **Notification of State Auditor Reports.** The State Auditor shall provide copies of audit reports to the respective affected agencies and to the Legislative Audit Committee prior to public release of any audit or audit report.

LEGISLATIVE REFERENCE LIBRARY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 1,458,323	$ 1,653,357
Other Funds		
Appropriated Receipts	6,400	6,400
Interagency Contracts	1,600	1,600
Subtotal, Other Funds	$ 8,000	$ 8,000
Total, Method of Financing	$ 1,466,323	$ 1,661,357

LEGISLATIVE REFERENCE LIBRARY
(Continued)

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Items of Appropriation:		
A. Goal: LEGISLATIVE REFERENCE LIBRARY		
A.1.1. Strategy: LEGISLATIVE REFERENCE LIBRARY	$ 1,466,323	$ 1,661,357
Grand Total, LEGISLATIVE REFERENCE LIBRARY	$ 1,466,323	$ 1,661,357

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits		
Retirement	$ 72,778	$ 73,870
Group Insurance	162,263	175,118
Social Security	89,266	90,605
Benefits Replacement	3,769	3,580
Subtotal, Employee Benefits	$ 328,076	$ 343,173
Debt Service		
Lease Payments	$ 269,921	$ 155,426
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	$ 597,997	$ 498,599

1. **Purposes for Which Appropriations May Be Expended.** Funds appropriated to the Legislative Reference Library may be expended for library administration and services, for salaries and wages, travel, consumable supplies and materials, current and recurring operating expenses, capital outlay, books and periodicals, and other necessary expenses to be expended under the direction of the Legislative Library Board.

2. **Unexpended Balances.** Any unexpended balances as of August 31, 2009, in the appropriations made to the Legislative Reference Library are hereby appropriated for the biennium beginning September 1, 2009.

   Any unexpended balances as of August 31, 2010, in the appropriations made to the Legislative Reference Library are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2010.

RETIREMENT AND GROUP INSURANCE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund, estimated	$ 22,544,445	$ 24,049,681
Total, Method of Financing	$ 22,544,445	$ 24,049,681
Items of Appropriation:		
A. Goal: EMPLOYEES RETIREMENT SYSTEM		
A.1.1. Strategy: RETIREMENT CONTRIBUTIONS Retirement Contributions. Estimated.	$ 6,140,098	$ 6,232,199
A.1.2. Strategy: GROUP INSURANCE Group Insurance. Estimated.	$ 16,404,347	$ 17,817,482
Total, Goal A: EMPLOYEES RETIREMENT SYSTEM	$ 22,544,445	$ 24,049,681
Grand Total, RETIREMENT AND GROUP INSURANCE	$ 22,544,445	$ 24,049,681

SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund, estimated	$ 7,937,911	$ 8,029,090
Total, Method of Financing	$ 7,937,911	$ 8,029,090
Items of Appropriation:		
A. Goal: SOCIAL SECURITY/BENEFIT REPLACEMENT		
Comptroller - Social Security.		
A.1.1. Strategy: STATE MATCH -- EMPLOYER	$ 7,508,846	$ 7,621,478
State Match — Employer. Estimated.		
A.1.2. Strategy: BENEFIT REPLACEMENT PAY	$ 429,065	$ 407,612
Benefit Replacement Pay. Estimated.		
Total, Goal A: SOCIAL SECURITY/BENEFIT REPLACEMENT	$ 7,937,911	$ 8,029,090
Grand Total, SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY	$ 7,937,911	$ 8,029,090

LEASE PAYMENTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ 12,225,890	$ 7,956,405
Total, Method of Financing	$ 12,225,890	$ 7,956,405
Items of Appropriation:		
A. Goal: FINANCE CAPITAL PROJECTS		
A.1.1. Strategy: LEASE PAYMENTS	$ 12,225,890	$ 7,956,405 & UB
To TFC for Payment to TPFA.		
Grand Total, LEASE PAYMENTS	$ 12,225,890	$ 7,956,405

SPECIAL PROVISIONS RELATING TO THE LEGISLATURE

Sec. 2. (a) A provision of the General Provisions of this Act that restricts or limits the use or transfer of appropriated funds, or that imposes a duty or places a limitation or condition precedent on a state agency, applies to entities and appropriations under this Article only to the extent that the provision by its terms specifically and expressly applies to those entities or appropriations. A general reference to "funds appropriated by this Act" or similar words is not specific and express application for purposes of this section.

(b) Amounts appropriated under this Article may be transferred among entities covered by this Article in accordance with Chapter 326, Government Code.

Sec. 3. Authorization to Spend Unexpended Balances. Notwithstanding any other provision contained herein, a legislative agency may only spend prior year balances with the approval of its respective governing board.

RECAPITULATION - ARTICLE X
THE LEGISLATURE
(General Revenue)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Senate	$ 33,341,485	$ 36,732,396
House of Representatives	36,307,136	41,033,338
Legislative Budget Board, Rider Appropriations	8,765,416	8,765,417
Legislative Council	35,157,003	40,525,210
Commission on Uniform State Laws	170,160	209,467
State Auditor's Office	13,726,071	13,726,071
Legislative Reference Library	1,458,323	1,653,357
Subtotal, Legislature	$ 128,925,594	$ 142,645,256
Retirement and Group Insurance	22,544,445	24,049,681
Social Security and Benefit Replacement Pay	7,937,911	8,029,090
Subtotal, Employee Benefits	$ 30,482,356	$ 32,078,771
Lease Payments	12,225,890	7,956,405
Subtotal, Debt Service	$ 12,225,890	$ 7,956,405
TOTAL, ARTICLE X - THE LEGISLATURE	$ 171,633,840	$ 182,680,432

RECAPITULATION - ARTICLE X
THE LEGISLATURE
(Other Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
State Auditor's Office	$ 4,775,000	$ 4,775,000
Legislative Reference Library	8,000	8,000
Subtotal, Legislature	$ 4,783,000	$ 4,783,000
Less Interagency Contracts	$ 4,501,600	$ 4,501,600
TOTAL, ARTICLE X - THE LEGISLATURE	$ 281,400	$ 281,400

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE X
THE LEGISLATURE
(All Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Senate	$ 33,341,485	$ 36,732,396
House of Representatives	36,307,136	41,033,338
Legislative Budget Board, Rider Appropriations	8,765,416	8,765,417
Legislative Council	35,157,003	40,525,210
Commission on Uniform State Laws	170,160	209,467
State Auditor's Office	18,501,071	18,501,071
Legislative Reference Library	1,466,323	1,661,357
Subtotal, Legislature	$ 133,708,594	$ 147,428,256
Retirement and Group Insurance	22,544,445	24,049,681
Social Security and Benefit Replacement Pay	7,937,911	8,029,090
Subtotal, Employee Benefits	$ 30,482,356	$ 32,078,771
Lease Payments	12,225,890	7,956,405
Subtotal, Debt Service	$ 12,225,890	$ 7,956,405
Less Interagency Contracts	$ 4,501,600	$ 4,501,600
TOTAL, ARTICLE X - THE LEGISLATURE	$ 171,915,240	$ 182,961,832

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

ARTICLE XII

AMERICAN RECOVERY AND REINVESTMENT ACT

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated agencies.

COMMISSION ON THE ARTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 427,300	$ 0
Total, Method of Financing	$ 427,300	$ 0
Items of Appropriation:		
Item 1: Promotion of the Arts - Partnership Agreements	$ 427,300	$ 0
Grand Total, COMMISSION ON THE ARTS	$ 427,300	$ 0

OFFICE OF THE ATTORNEY GENERAL

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ (27,300,000)	$ 0
Federal American Recovery and Reinvestment Fund	37,400,000	0
Total, Method of Financing	$ 10,100,000	$ 0
Items of Appropriation:		
Item 1: Child Support Enforcement - Reduce GR	$ (27,300,000)	$ 0
Item 2: Child Support Enforcement	$ 27,300,000	$ 0
Item 3: Crime Victims Compensation	$ 7,800,000	$ 0
Item 4: Internet Crimes Against Children (ICAC)	$ 2,300,000	$ 0
Grand Total, OFFICE OF THE ATTORNEY GENERAL	$ 10,100,000	$ 0

FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 284,800,000	$ 0
Total, Method of Financing	$ 284,800,000	$ 0
Items of Appropriation:		
Item 1: State Energy Program	$ 218,800,000	$ 0
Item 2: Energy Efficiency and Conservation Block Grant	$ 45,600,000	$ 0
Item 3: ENERGY STAR Appliance Rebate Program	$ 20,400,000	$ 0
Grand Total, FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS	$ 284,800,000	$ 0

TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 101,400,000	$ 0
Total, Method of Financing	$ 101,400,000	$ 0
Items of Appropriation:		
Item 1: Byrne Justice Assistance Grants (JAG)	$ 90,300,000	$ 0
Item 2: Crime Victims Assistance	$ 2,100,000	$ 0
Item 3: Violence Against Women	$ 9,000,000	$ 0
Grand Total, TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR	$ 101,400,000	$ 0

DEPARTMENT OF AGING AND DISABILITY SERVICES

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ (4,200,000)	$ 0
Federal American Recovery and Reinvestment Fund	10,200,000	0
Total, Method of Financing	$ 6,000,000	$ 0
Items of Appropriation:		
Item 1: Senior Nutrition Program - Congregate Nutrition	$ 4,000,000	$ 0
Item 2: Senior Nutrition Program - Home Delivered Meals	$ 2,000,000	$ 0
Item 3: Title XX	$ 4,200,000	$ 0
Item 4: Title XX - Reduce GR	$ (4,200,000)	$ 0
Grand Total, DEPARTMENT OF AGING AND DISABILITY SERVICES	$ 6,000,000	$ 0

DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 87,600,000	$ 0
Total, Method of Financing	$ 87,600,000	$ 0
Items of Appropriation:		
Item 1: IDEA, Part C, Special Education Grants for Infants and Families	$ 39,400,000	$ 0
Item 2: Independent Living Services - State Grants	$ 1,100,000	$ 0
Item 3: Independent Living Services - Elderly/Blind	$ 2,300,000	$ 0
Item 4: Vocational Rehabilitation Services	$ 44,800,000	$ 0
Grand Total, DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES	$ 87,600,000	$ 0

DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 64,370,942	$ 0
Total, Method of Financing	$ 64,370,942	$ 0
Items of Appropriation:		
Item 1: Child Care and Development Block Grant (CCDBG)	$ 16,388,233	$ 0
Item 2: Temporary Assistance for Needy Families (TANF)	$ 47,982,709	$ 0
Grand Total, DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES	$ 64,370,942	$ 0

DEPARTMENT OF STATE HEALTH SERVICES

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 7,360,681	$ 0
Federal Funds	(1,662,611)	0
Total, Method of Financing	$ 5,698,070	$ 0
Items of Appropriation:		
Item 1: Section 317 Immunizations (Prevention and Wellness)	$ 3,160,681	$ 0
Item 2: Reduce Federal Funds - Title XX	$ (4,200,000)	$ 0
Item 3: Temporary Assistance to Needy Families (TANF) to Title XX	$ 4,200,000	$ 0
Item 4: Prevention and Wellness Fund	$ 400,000	$ 0
Item 5: Infection Reduction Activities	$ 2,137,389	$ 0
Grand Total, DEPARTMENT OF STATE HEALTH SERVICES	$ 5,698,070	$ 0

HEALTH AND HUMAN SERVICES COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ (2,513,000,000)	$ 0
Federal American Recovery and Reinvestment Fund	2,560,594,804	0
Total, Method of Financing	$ 47,594,804	$ 0
Items of Appropriation:		
Item 1: Food Stamps (Supplemental Nutritional Assistance Program)	$ 27,600,000	$ 0
Item 2: Temporary Assistance for Needy Families (TANF)	$ 17,868,380	$ 0
Item 3: Medicaid Enhanced FMAP - Reduce GR	$ (2,513,000,000)	$ 0
Item 4: Medicaid Enhanced FMAP	$ 2,513,000,000	$ 0
Item 5: Prevention and Wellness Fund	$ 2,126,424	$ 0
Grand Total, HEALTH AND HUMAN SERVICES COMMISSION	$ 47,594,804	$ 0

TEXAS EDUCATION AGENCY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
General Revenue Fund	$ (3,250,200,000)	$ 0
Federal American Recovery and Reinvestment Fund	5,874,392,500	0
Total, Method of Financing	$ 2,624,192,500	$ 0
Items of Appropriation:		
Item 1: Education for Homeless Children and Youth	$ 3,500,000	$ 0
Item 2: Educational Technology State Grants	$ 59,400,000	$ 0
Item 3: IDEA, Special Education Grants to States	$ 945,600,000	$ 0
Item 4: Title I, Grants to Local Educational Agencies	$ 944,600,000	$ 0
Item 5: IDEA, Preschool Grants to States	$ 24,300,000	$ 0
Item 6: Title I, School Improvement Grants	$ 285,200,000	$ 0
Item 7: Level of State Support - Reduce GR	$ (1,866,000,000)	$ 0
Item 8: Available School Fund Shortfall - Reduce GR	$ (1,384,200,000)	$ 0
Item 9: Education Stabilization Funds for FSP Funding and ASF Shortfall	$ 3,250,200,000	$ 0
Item 10: Proclamation 2010 Textbooks	$ 361,592,500	$ 0
Grand Total, TEXAS EDUCATION AGENCY	$ 2,624,192,500	$ 0

HIGHER EDUCATION COORDINATING BOARD

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 80,000,000	$ 0
Total, Method of Financing	$ 80,000,000	$ 0
Items of Appropriation:		
Item 1: Incentive Funding	$ 80,000,000	$ 0
Grand Total, HIGHER EDUCATION COORDINATING BOARD	$ 80,000,000	$ 0

GENERAL ACADEMIC INSTITUTIONS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 81,000,000	$ 0
Total, Method of Financing	$ 81,000,000	$ 0
Items of Appropriation:		
Item 1: Formula Funding	$ 81,000,000	$ 0
Grand Total, GENERAL ACADEMIC INSTITUTIONS	$ 81,000,000	$ 0

HEALTH RELATED HIGHER EDUCATION INSTITUTIONS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 51,000,000	$ 0
Total, Method of Financing	$ 51,000,000	$ 0
Items of Appropriation:		
Item 1: Formula Funding	$ 51,000,000	$ 0
Grand Total, HEALTH RELATED HIGHER EDUCATION INSTITUTIONS	$ 51,000,000	$ 0

HIGHER EDUCATION AND OTHER GOVERNMENT PROGRAMS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 111,407,500	$ 0
Total, Method of Financing	$ 111,407,500	$ 0
Items of Appropriation:		
Item 1: Stimulus Funding	$ 111,407,500	$ 0
Grand Total, HIGHER EDUCATION AND OTHER GOVERNMENT PROGRAMS	$ 111,407,500	$ 0

PUBLIC COMMUNITY/JUNIOR COLLEGES

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 15,000,000	$ 0
Total, Method of Financing	$ 15,000,000	$ 0
Items of Appropriation:		
Item 1: Formula Funding	$ 15,000,000	$ 0
Grand Total, PUBLIC COMMUNITY/JUNIOR COLLEGES	$ 15,000,000	$ 0

DEPARTMENT OF AGRICULTURE

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 21,800,000	$ 0
Total, Method of Financing	$ 21,800,000	$ 0

DEPARTMENT OF AGRICULTURE
(Continued)

Items of Appropriation:		
Item 1: Temporary Emergency Food Assistance Program	$ 8,200,000	$ 0
Item 2: Temporary Emergency Food Assistance Program - Administration	$ 2,100,000	$ 0
Item 3: National School Lunch Equipment	$ 11,500,000	$ 0
Grand Total, DEPARTMENT OF AGRICULTURE	$ 21,800,000	$ 0

COMMISSION ON ENVIRONMENTAL QUALITY

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 12,509,000	$ 0
Total, Method of Financing	$ 12,509,000	$ 0
Items of Appropriation:		
Item 1: Leaking Underground Storage Tank Trust Fund	$ 10,779,000	$ 0
Item 2: Clean Diesel Grant	$ 1,730,000	$ 0
Grand Total, COMMISSION ON ENVIRONMENTAL QUALITY	$ 12,509,000	$ 0

DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 565,075,732	$ 0
Total, Method of Financing	$ 565,075,732	$ 0
Items of Appropriation:		
Item 1: Weatherization Assistance Program	$ 326,975,732	$ 0
Item 2: Community Services Block Grant (CSBG)	$ 48,200,000	$ 0
Item 3: HOME Program	$ 148,400,000	$ 0
Item 4: Homelessness Prevention	$ 41,500,000	$ 0
Grand Total, DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS	$ 565,075,732	$ 0

OFFICE OF RURAL COMMUNITY AFFAIRS

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 19,500,000	$ 0
Total, Method of Financing	$ 19,500,000	$ 0
Items of Appropriation:		
Item 1: Community Development Block Grant (CDBG)	$ 19,500,000	$ 0
Grand Total, OFFICE OF RURAL COMMUNITY AFFAIRS	$ 19,500,000	$ 0

DEPARTMENT OF TRANSPORTATION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 1,637,800,000	$ 0
Total, Method of Financing	$ 1,637,800,000	$ 0
Items of Appropriation:		
Item 1: Highway and Bridge Construction	$ 1,587,800,000	$ 0
Item 2: Urban and Non-Urban Capital Transit	$ 50,000,000	$ 0
Grand Total, DEPARTMENT OF TRANSPORTATION	$ 1,637,800,000	$ 0

TEXAS WORKFORCE COMMISSION

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Method of Financing:		
Federal American Recovery and Reinvestment Fund	$ 436,811,767	$ 0
Total, Method of Financing	$ 436,811,767	$ 0
Items of Appropriation:		
Item 1: Child Care and Development Block Grant (CCDBG)	$ 198,511,767	$ 0
Item 2: Employment Services (ES)	$ 27,200,000	$ 0
Item 3: Senior Community Service Employment Program (SCSEP)	$ 1,300,000	$ 0
Item 4: Workforce Investment Act (WIA) - Adults	$ 24,300,000	$ 0
Item 5: Workforce Investment Act - Adult - Skills Development Program	$ 10,000,000	$ 0
Item 6: Workforce Investment Act (WIA) - Dislocated Workers	$ 53,800,000	$ 0
Item 7: Workforce Investment Act (WIA) - Youth	$ 82,000,000	$ 0
Item 8: Unemployment Insurance - Improve Systems	$ 39,700,000	$ 0
Grand Total, TEXAS WORKFORCE COMMISSION	$ 436,811,767	$ 0

SPECIAL PROVISIONS
AMERICAN RECOVERY AND REINVESTMENT ACT

Sec. 2. Informational Item: Fiscal Year 2009 Allocations. In addition to the amounts appropriated above, it is estimated that the following amounts will be distributed in fiscal year 2009 under provisions of the American Recovery and Reinvestment Act for the following purposes:

Health and Human Services Commission: Enhanced Federal Medical Assistance Percentage	$1,619,843,693
Office of the Attorney General: Child Support Enforcement	27,300,000
Texas Department of Transportation: Highway & Bridge Construction	662,200,000
Total, Fiscal Year 2009 Allocation	**$2,309,343,693**

Sec. 3. Informational Item: American Recovery and Reinvestment Act funding not included in this Act. In addition to the amounts appropriated in this Article, it is estimated that the following amounts will not be appropriated to state agencies but available for distribution to local entities.

Urban and Non-Urban Transit Funds	$ 325,000,000
Byrne Justice Assistance Grants	$ 57,000,000
Medicaid Disproportionate Share Hospital Funds Allocated to Hospitals	$ 71,000,000
Homelessness Prevention Funds Allocated to Locals	$ 63,000,000

Clean Water State Revolving Fund	$	181,000,000
Safe Drinking Water State Revolving Fund	$	161,000,000
Total	$	858,000,000

Sec. 4. Unexpended Balances. Any unexpended balances as of August 31, 2010, out of appropriations made above in this Article are hereby appropriated for the fiscal year beginning September 1, 2010, for the same purposes.

Sec. 5. Reporting Requirements.

(a) Each state agency and institution of higher education receiving appropriations under this article shall develop and submit a plan to the Legislative Budget Board and the Governor providing details on the entity's intended use of their appropriations from the American Recovery and Reinvestment Act (ARRA). The plan shall include a summary of any ARRA funds spent, allocated or encumbered prior to August 31, 2009. The report shall be delivered by September 30, 2009. If the Legislative Budget Board and the Governor do not issue a written disapproval within fifteen business days of receiving the agency's notification, the agency may expend the funds.

(b) Each of the agencies and institutions receiving appropriations under this Article shall submit quarterly reports on expenditure of funds appropriated from the American Recovery and Reinvestment Act Fund. The report shall be in the format prescribed by the Legislative Budget Board, including the following;

(1) the estimated number of jobs to be created or retained; and
(2) the number of full-time equivalents positions.

Reports shall be submitted no later than the following dates each year: December 31, March 31, June 30, and September 30. The reports shall be submitted to the Governor, Legislative Budget Board, State Auditor's Office, and Comptroller of Public Accounts.

(c) Each state agency or institution that receives funds as a result of the American Recovery and Reinvestment Act and that provides reports to the Legislative Budget Board and federal agencies regarding funding received under ARRA shall post on the agency's or institution's internet website, the agency's or institution's ARRA report and provide a link to the State Auditor's Office fraud hotline.

Sec. 6. Limitation on Use of Funds.

(a) None of the funds appropriated in this Article may be expended for any purpose other than those identified above without prior written approval of the Governor and Legislative Budget Board.

b) If the federal Government or its agencies fail to approve an application by an entity receiving funds in this act, of funds appropriated in this act, the affected state agency shall notify the Governor, Comptroller, LBB and State Auditor of such federal determination. Such notice may include a proposed alternate use of the subject funds if consistent with the purposes identified above, and if the Governor and LBB do not issue a written disapproval within fifteen business days of receiving the agency's notification, the agency may expend the funds. If the Governor and LBB issue a written disapproval of the proposed alternate use, the Governor and Legislative Budget Board may modify the purposes for which such appropriation may be expended.

(c) Prior to the expenditure of any funds appropriated in this Article, each agency shall report to the Legislative Budget Board, the Governor, and Comptroller of Public Accounts any changes in federal law, rules, or regulations related to programs that receive appropriations under this Article that could create a future fiscal obligation beyond fiscal year 2011 to the state. If the Legislative Budget Board and the Governor do not issue a written disapproval within fifteen business days of receiving the agency's notification, the agency may expend the funds.

(d) Each state agency that receives funds appropriated under this Article shall certify to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts how these funds or the programs receiving these funds under this Article comply with applicable state

law, federal law, rules, regulations, and other relevant guidance, including any changes in guidance or interpretation and any information reported under Subsection (b). Such certification shall include a statement that the agency's chief executive and executive staff have knowledge of ARRA law and federal agency actions regarding that law and in their official capacity accept responsibility that its use of funds appropriated under this Article is in compliance with federal law, state law, rules, regulations and relevant guidance.

(e) The Comptroller, in cooperation with the State Auditor, may prescribe and implement any payment and post-payment audit procedures deemed necessary to ensure compliance with this section. The Comptroller may provide consultation and training for agencies prior to obligation or expenditure of funds, and will provide technical assistance as needed during the biennium. The Comptroller will coordinate with the State Auditor to ensure appropriate use of the funds throughout the biennium. Each state agency that receives funds under this Article must comply with reporting requirements implemented by the Comptroller and State Auditor.

Sec. 7. Priority of Funding. To the extent allowed under the American Recovery and Reinvestment Act (ARRA), from funds appropriated in this Article, agencies shall give priority to expenditures that do not recur beyond the 2010-11 fiscal biennium.

Further, to the extent allowed under ARRA, agencies shall not create a liability on behalf of the State of Texas to make:

(a.) repayment to the United States treasury (i.e. "clawback") in the event of a future discontinuation of payments to the direct or indirect beneficiaries from those American Recovery and Reinvestment Act funds already expended; or

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

Sec. 8. Discontinuance of Position Associated with American Recovery and Reinvestment Act. It is the intent of the legislature that a position of employment created as a result of the receipt of funds received as a result of the American Recovery and Reinvestment Act shall be eliminated by an agency or institution upon exhaustion or discontinued availability of funds received as a result of the American Recovery and Reinvestment Act for that position.

Sec. 9. Maximization of American Recovery and Reinvestment Act Funds. In order to maximize the amount of American Recovery and Reinvestment Act federal funds that might become available to the State of Texas, state funds from any source used by a state agency or institution to provide services or benefits may be counted in any manner consistent with then existing law towards any required state matching contribution for such American Recovery and Reinvestment Act funds.

Sec. 10. Cooperation of Agency Audit and Investigation Personnel with State Auditor. All inspectors general, internal auditors, external contracted auditors, and all other personnel at state agencies and institutions of higher education shall cooperate with any and all requests by the State Auditor's Office related to funds received under the American Recovery and Reinvestment Act or any subsequent Federal economic stimulus legislation.

Sec. 11. Informational Rider: Reduction in General Revenue. The amounts of general revenue reductions shown above in certain agency appropriations in this Article are in accordance with Title V, State Fiscal Relief, of the American Recovery and Reinvestment Act.

Sec. 12. FMAP Allocations. Appropriations above to the Health and Human Services Commission for Medicaid Enhanced FMAP shall be allocated by the Commission to affected agencies. The Commission shall submit a plan for that allocation to the Legislative Budget Board and the Governor by September 30, 2009.

Sec. 13. State Energy Projects Funding. From funds appropriated to the Comptroller of Public Accounts in this Article for the State Energy Program, the Comptroller of Public Accounts shall grant to the Texas Facilities Commission in fiscal year 2010 funds to the fullest extent allowed by federal law and regulations for energy efficiency upgrades on the following state-owned buildings: Disaster Recovery Operations Computer Center, James E. Rudder, Lyndon B. Johnson, Sam Houston, E. O. Thompson, Brown Heatly, John H. Winters, William P. Clements, Robert E. Johnson, State Records Center, Insurance Annex, Thomas J. Rusk, Department of Assistive Rehabilitation Services, and Price

Daniels subject to approval by the United States Department of Energy and, if not approved, shall be used for the state energy program at the discretion of the Comptroller.

Sec. 14. Informational Item: Border Security Appropriations. It is the intent of the legislature that the Byrne Justice Assistance Grants appropriated above be distributed based on the following priorities first to:

(1) $3,600,000 to the Department of Public Safety for overtime and operational costs for increased patrol and investigative capacity for certified peace officers (DPS and local); then to

(2) $6,500,000 to the Department of Public Safety for border-wide crime mapping and surveillance capability to support resource deployment and assessments; then to

(3) $1,500,000 to the Department of Public Safety to establish a multi-agency gang intelligence section in the Texas Fusion Center; then to

(4) $1,200,000 to the Texas Parks and Wildlife Department for 2 deep water patrol boats, 6 jet-drive flat bottom river patrol boats, and 5 lake patrol boats and related capital budget authority; then to

(5) $500,000 to the Texas Parks and Wildlife Department for overtime and operational costs for increased patrol and investigative capacity; then to

(6) $10,000,000 to the Trusteed Programs within the Office of the Governor for expanding radio interoperability, communications and night vision capabilities; then to

(7) $2,000,000 to the Trusteed Programs within the Office of the Governor to provide funding for equipment and training to support patrol operations; then to

(8) $2,500,000 to the Trusteed Programs within the Office of the Governor to fund overtime to expand gang enforcement patrols; and then to

(9) $1,750,000 to the Trusteed Programs within the Office of the Governor to fund overtime to expand multi-jurisdictional gang investigations.

Sec. 15. Green Jobs Training Program. To the extent allowed by federal law, the Texas Workforce Commission shall use Workforce Investment Act federal funds under the American Recovery and Reinvestment Act (ARRA), to facilitate a green jobs training program. The Commission shall report to the Legislative Budget Board before September 30, 2009, regarding programs and recovery funding streams in other state and local agencies that could be part of a coordinated green jobs strategy including funds allocated for child care programs, vocational training initiatives, energy efficiency measures, the Weatherization Assistance Program (WAP), and/or any other recovery funds.

Sec. 16. Minority Participation in Certain Contracts. It is the intent of the legislature that each state agency or institution shall take appropriate action ensuring minority participation in contract procurement for goods and services when contracting for the expenditure of federal funds appropriated to the state under the American Recovery and Reinvestment Act.

Sec. 17. Prevention and Wellness Pilot. Contingent upon the receipt of Prevention and Wellness federal stimulus funds in excess of amounts reflected in Article XII of this Act, the Department of State Health Services (DSHS) shall allocate up to $1,500,000 in federal stimulus funds in each fiscal year of the 2010-11 biennium to develop a pilot project that would create an online medical home targeting obesity and other chronic diseases for selected populations. DSHS shall report annually on the progress of the pilot program as required by the American Reinvestment and Recovery Act of 2009.

Sec. 18. Vocational Rehabilitation Stimulus Grants Funds. The Department of Assistive and Rehabilitative Services (DARS) is authorized to utilize Vocational Rehabilitation Stimulus Grant Funds appropriated by Article XII of this Act for contracted workers, temporary enhanced services, and one-time equipment purchases for the 2010-11 biennium, to the extent allowed under the American Recovery and Reinvestment Act. Vocational Rehabilitation Stimulus Grant funds may not be expended for any purpose other than those identified above without prior written approval of the Governor and Legislative Budget Board.

Sec. 19. IDEA, Part C, Special Education Grants for Infants and Families Stimulus Funds. The Department of Assistive and Rehabilitative Services (DARS) is authorized to utilize IDEA, Part C, Special Education Grants for Infants and Families Stimulus funds appropriated by Article XII of this Act to provide temporary provider rate increases to early childhood intervention (ECI) providers in the 2010-11 biennium, contingent upon the following:

1. The agency retains the current eligibility criteria;
2. The agency retains no less than the current service levels per child;
3. The agency attests that a temporary provider rate increase will not create a need for supplemental funding or a transfer from another agency, including transfers pursuant to rider 9 in the bill pattern of the Department of Assistive and Rehabilitative Services in this Act;
4. The agency attests that it can reasonably and proportionately reduce or eliminate the temporary provider rate increase authorized by this rider after the American Recovery and Reinvestment Act funding is reduced or eliminated; and
5. To the extent allowed under the American Recovery and Reinvestment Act.

Forty-five calendar days prior to implementing a temporary provider rate increase to ECI providers, the Commissioner of DARS shall submit a letter to the Legislative Budget Board and Governor confirming that the five conditions outlined above are met and estimating the amount by fiscal year for the 2010-11 biennium of IDEA, Part C, Special Education Grants for Infants and Families Stimulus funds that are budgeted for the temporary provider rate increases. Additionally, DARS shall submit a budget for Strategy A.1.1, ECI Services for both fiscal years of the 2010-11 biennium, detailing the Method of Finance, Unexpended Balances, carryforwards, caseload assumptions, and average cost assumptions. The budget shall be submitted in a format specified by the Legislative Budget Board.

Sec. 20. Federal Stimulus Match Assumptions. The following percentages reflect federal match assumptions used in this Article.

Federal Medical Assistance Percentage (FMAP)

	2010	**2011**
Federal Fiscal Year	68.26%	60.91%
State Fiscal Year	68.43%	61.56%

In the event that the actual FMAP exceeds these levels, a health and human services agency is authorized to expend the General Revenue Funds within the Medicaid program thereby made available only upon prior written approval from the Legislative Budget Board and Governor. Any additional General Revenue Funds made available should first be used to reduce any anticipated supplemental need related to maintaining current Medicaid entitlement services; this includes the transfer of funds made available at any health and human services agency to any other health and human services agency that anticipates a shortfall.

To request authorization to expend available General Revenue Funds resulting from a higher FMAP, an agency shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information, by fiscal year:

a. a detailed explanation of the proposed use(s) of the available General Revenue Funds and whether the expenditure(s) will be one-time or ongoing;

b. the amount available by strategy;

c. the strategy(ies) in which the funds will be expended and the associated amounts, including any matching federal funds;

d. an estimate of performance levels and, where relevant, a comparison to targets included in this Act; and

e. the capital budget and/or full-time equivalent impact.

Any request to use funds for purposes other than to maintain current Medicaid entitlement services must be accompanied by a certification from the Executive Commissioner of the Health and Human Services Commission that no health and human services agency anticipates a supplemental need related

to Medicaid entitlement services based upon the commission's most recent caseload and cost projections.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issue a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the expenditure of General Revenue Funds made available if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

Sec. 21. Quality Infant and Toddler Programs. Out of the funds appropriated above to the Department of Family and Protective Services for fiscal year 2010, $4,000,000 in Child Care Development Block Grant funds may only be used to invest in high quality programs for infants and toddlers based on a plan that is approved by the Governor and the Legislative Budget Board.

Sec. 22. Temporary Assistance for Needy Families Emergency Contingency Funding. Notwithstanding Rider 25 in the General Appropriations Act, Article II, Health and Human Services Commission (Conference Committee Report on Senate Bill No. 1, 81st Legislature, Regular Session), the Health and Human Services Commission may use Temporary Assistance for Needy Families (TANF) Emergency Contingency Funds received under the federal American Recovery and Reinvestment Act (ARRA) of 2009 to fund up to an additional $75 for each TANF child for one-time grants (for a total of up to $105 for each TANF child) in August 2010 in an effort to maximize federal ARRA funding to the state. Any additional ARRA TANF Emergency Contingency Funds that become available are hereby appropriated for the biennium beginning September 1, 2009 for the purpose of refinancing expenditures that have been made from regular TANF federal block grant funds and increasing the TANF reserves balance. The refinancing is expected to yield an estimated increase in the TANF reserves balance of $3,100,000 by August 2011.

Sec. 23. Education Stabilization Funds - Necessary Adjustments. The Texas Education Agency, with the prior approval of the Legislative Budget Board, is hereby authorized to make any necessary adjustments to the agency's appropriation authority provided by this Act for federal Education Stabilization Funds, including allocations across fiscal years and strategies, as well as necessary adjustments to appropriate rider provisions, in order to conform these items to the state application for the Education Stabilization Funds as approved by the U.S. Department of Education. The Texas Education Agency shall notify the Governor and the Comptroller of Public Accounts of any adjustments made under this provision.

General Revenue amounts identified above in Item 7 for the Texas Education Agency represent the same reductions made in Rider 85, Foundation School Funds for Improving Equity, Reducing Recapture, and Providing Educator Salary Increases, of the Texas Education Agency's bill pattern in Article III of this Act, as a contingency in the event school finance legislation described by that rider should fail to pass.

Should school finance legislation as described by Rider 85 fail to pass, the Texas Education Agency is hereby authorized to establish a method for distributing funds identified above in Item 9, in the amount of $933 million in each year of the 2010-11 biennium, to school districts through the state's primary funding formulas, pursuant to the provisions of the American Recovery and Reinvestment Act of 2009. The Texas Education Agency shall consult with the Office of the Governor prior to the establishment of a distribution method under this provision. The Texas Education Agency may not expend any funds appropriated under this provision without the prior approval of the Legislative Budget Board.

Sec. 24. Informational Rider: Government Services Stabilization. Funds appropriated above from Title XIV (b), Other Government Services, of the American Recovery and Reinvestment Act are a one-time expenditure for the 2010-11 biennium.

Sec. 25. Allocation of Higher Education and Other Government Programs Stimulus Funding. Appropriations made above for Higher Education and Other Government Programs Stimulus Funding shall be allocated as follows:

Angelo State University	Nursing & Allied Health	$2,000,000
Blinn College	Star of Texas	$100,000
Coastal Bend Community College	Mobile Simulation Lab	$500,000
Commission on the Arts	Cultural Trust	$1,000,000
Department of State Health Services	Vernon State Hospital	$2,500,000
Historical Commission	Renovate Presidio de San Saba	$1,000,000
Lamar Port Arthur	Centennial Scholarships	$500,000
Lamar University	Institutional Enhancement	$2,500,000
Midwestern University	Autism Support Program	$220,000
Office of the Governor Trusteed Programs	Defense Economic Adjustment Assistance Grants	$5,000,000
Sam Houston University	Institutional Enhancement	$4,000,000
Temple College	Eastern Williamson County Higher Education Center	$805,000
Texas A&M Health Science Center	College of Medicine Expansion	$8,000,000
Texas A&M Health Science Center in McAllen	Biosecurity and Import Safety	$1,000,000
Texas A&M Texarkana	Downward Expansion	$6,000,000
Texas A&M University-Commerce	BS Construction Engineering	$1,000,000
Texas Department of Agriculture	Fairpark Agriculture Buildings	$1,000,000
Texas Education Agency	Houston Early College High School	$1,000,000
Texas Engineering Experiment Station	Nuclear Power Institute	$4,000,000
Texas State University-San Marcos	River Systems Monitoring	$1,000,000
Texas Tech Health Science Center	West Texas Area Health Education Center	$4,000,000
Texas Tech University	Emerging Technologies Research	$4,000,000
University of Houston	Energy Research	$3,000,000
University of Houston-Downtown	Community Development	$250,000
University of North Texas	Institutional Enhancement	$2,000,000
University of North Texas	State Historical Association	$150,000
University of North Texas System	Law School Contingency	$5,000,000
University of Texas Health Science Center-Houston	Heart Institute--Adult Stem Cell Program	$5,000,000
University of Texas Health Science Center-Houston	Public Health	$9,500,000
University of Texas Health Science Center-San Antonio	Life Science Institute	$4,000,000
University of Texas Health Science Center-San Antonio	Regional Academic Health Center	$6,500,000
University of Texas-San Antonio	Life Science Institute	$4,000,000
University of Texas-Austin	Law School Clinical Program	$420,000
University of Texas-Dallas	Middle School Brain Years	$6,000,000
University of Texas-Dallas	Academic Bridge	$462,500
University of Texas-Dallas	Center for Values in Medicine, Science and Technology	$5,000,000
University of Texas-San Antonio	P-16 Council	$500,000
University of Texas Southwestern Medical Center-Dallas	Institute for Genetic & Molecular Disease	$8,000,000
Vernon Community College	Workforce Training Development	$500,000

Sec. 26. University of North Texas. Amounts appropriated above to the University of North Texas include $75,000 in each year of the 2010-11 biennium for support of K-12 education programs sponsored by the Texas State Historical Association to enhance the study of history and mastery of the applicable TEKS.

Sec. 27. Midwestern State University.[1] Amounts appropriated above to Midwestern State University include $106,500 in fiscal year 2010 and $114,500 in fiscal year 2011 to be used for the Autism Support Program for students with autism spectrum disorder.

Sec. 28. Vernon State Hospital. Contingent upon the Department of State health Services (DSHS) submitting and the Legislative Budget Board and Governor approving a plan detailing the capacity expansion at Vernon State Hospital, $1,250,000 in funds appropriated above in each year of the 2011-2011 biennium to DSHS shall be used to increase the number of beds at Vernon State hospital by up to 16. The number of full time equivalents is increased by 49 in each fiscal year of the 2010-11 biennium.

Sec. 29. American Recovery and Reinvestment Act (ARRA) Compliance Costs. State agencies, including the Comptroller and the Governor's Office, are expected to incur additional expenses as a cost of compliance with the federal ARRA. To the extent that Texas receives more than $700,000,000 from Title XIV (b), Other Government Services, of the American Recovery and Reinvestment Act, the first $10,000,000 plus any statewide cost allocation plan recoveries, is hereby appropriated to the Office of the Governor for compliance costs associated with the American Recovery and Reinvestment Act. These funds may be transferred, or expended by interagency contract as necessary to cover the costs of federal compliance. Any excess funds in addition to the amounts described above are hereby appropriated to the Texas Commission on Environmental Quality for the Texas Emissions Reduction Plan.

Sec. 30. Reduction of Appropriations. General revenue appropriations made in Article III of this Act are hereby reduced by $588,592,500 in amounts to correspond with the following Government Stabilization Funds appropriated above:

Texas Education Agency	Proclamation 2010 Textbooks	$361,592,500
Higher Education Coordinating Board	Incentive Funding	$80,000,000
General Academic Institutions	Formula Funding	$81,000,000
Health Related Institutions	Formula Funding	$51,000,000
Public Community/Junior Colleges	Formula Funding	$15,000,000

[1] Amounts in Section 27 describe the appropriation of $220,000 made in Section 25. To match the appropriation, the Section 27 annual amounts should be $106,000 in Fiscal Year 2010 and $114,000 in Fiscal Year 2011.

RECAPITULATION - ARTICLE XII
AMERICAN RECOVERY AND REINVESTMENT ACT
(General Revenue)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Office of the Attorney General	$ (27,300,000)	$ 0
Department of Aging and Disability Services	(4,200,000)	0
Health and Human Services Commission	(2,513,000,000)	0
Texas Education Agency	(3,250,200,000)	0
Article XII, Special Provisions, Rider Appropriations	(588,592,500)	0
TOTAL, ARTICLE XII - AMERICAN RECOVERY AND REINVESTMENT ACT	$ (6,383,292,500)	$ 0

RECAPITULATION - ARTICLE XII
AMERICAN RECOVERY AND REINVESTMENT ACT
(Federal Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Commission on the Arts	$ 427,300	$ 0
Office of the Attorney General	37,400,000	0
Fiscal Programs - Comptroller of Public Accounts	284,800,000	0
Trusteed Programs within the Office of the Governor	101,400,000	0
Department of Aging and Disability Services	10,200,000	0
Department of Assistive and Rehabilitative Services	87,600,000	0
Department of Family and Protective Services	64,370,942	0
Department of State Health Services	5,698,070	0
Health and Human Services Commission	2,560,594,804	0
Texas Education Agency	5,874,392,500	0
Higher Education Coordinating Board	80,000,000	0
General Academic Institutions	81,000,000	0
Health Related Higher Education Institutions	51,000,000	0
Higher Education and Other Government Programs	111,407,500	0
Public Community/Junior Colleges	15,000,000	0
Department of Agriculture	21,800,000	0
Commission on Environmental Quality	12,509,000	0
Department of Housing and Community Affairs	565,075,732	0
Office of Rural Community Affairs	19,500,000	0
Department of Transportation	1,637,800,000	0
Texas Workforce Commission	436,811,767	0
TOTAL, ARTICLE XII - AMERICAN RECOVERY AND REINVESTMENT ACT	$ 12,058,787,615	$ 0

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

RECAPITULATION - ARTICLE XII
AMERICAN RECOVERY AND REINVESTMENT ACT
(All Funds)[1]

	For the Years Ending August 31, 2010	For the Years Ending August 31, 2011
Commission on the Arts	$ 427,300	$ 0
Office of the Attorney General	10,100,000	0
Fiscal Programs - Comptroller of Public Accounts	284,800,000	0
Trusteed Programs within the Office of the Governor	101,400,000	0
Department of Aging and Disability Services	6,000,000	0
Department of Assistive and Rehabilitative Services	87,600,000	0
Department of Family and Protective Services	64,370,942	0
Department of State Health Services	5,698,070	0
Health and Human Services Commission	47,594,804	0
Texas Education Agency	2,624,192,500	0
Higher Education Coordinating Board	80,000,000	0
General Academic Institutions	81,000,000	0
Health Related Higher Education Institutions	51,000,000	0
Higher Education and Other Government Programs	111,407,500	0
Public Community/Junior Colleges	15,000,000	0
Department of Agriculture	21,800,000	0
Commission on Environmental Quality	12,509,000	0
Department of Housing and Community Affairs	565,075,732	0
Office of Rural Community Affairs	19,500,000	0
Department of Transportation	1,637,800,000	0
Texas Workforce Commission	436,811,767	0
Article XII, Special Provisions, Rider Appropriations	(588,592,500)	0
Less Interagency Contracts	$ 0	$ 0
TOTAL, ARTICLE XII - AMERICAN RECOVERY AND REINVESTMENT ACT	$ 5,675,495,115	$ 0

[1] Appropriation figures in SB 1, Conference Committee Report, 81st Legislature, Regular Session, have been adjusted to incorporate certain provisions elsewhere in agency bill patterns, certain Article IX appropriations, Governor's vetoes, HB 4586, and other miscellaneous bills, including those of the First Called Session. For specific adjustments, please see agency bill patterns.

ARTICLE XIII. SAVINGS CLAUSE

If any section, sentence, clause or part of this Act shall for any reason be held to be invalid, such decision shall not affect the remaining portions of this Act; and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause, or part thereof irrespective of the fact that any other sentence, section, clause or part thereof may be declared invalid.

ARTICLE XIV. EMERGENCY CLAUSE

The importance of the legislation to the people of the State of Texas and the crowded condition of the calendars in both Houses of the Legislature create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three separate days in each House be suspended, and said Rule is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

S.B. No. 1

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1 passed the Senate on April 1, 2009, by the following vote: Yeas 26, Nays 5; April 24, 2009, Senate refused to concur in House amendments and requested appointment of Conference Committee; April 28, 2009, House granted request of the Senate; May 28, 2009, Senate adopted Conference Committee Report by the following vote: Yeas 29, Nays 2; passed subject to the provisions of Article III, Section 49a, of the Constitution of Texas.

Secretary of the Senate

I hereby certify that S.B. No. 1 passed the House, with amendments, on April 17, 2009, by the following vote: Yeas 149, Nays 0; April 28, 2009, House granted request of the Senate for appointment of Conference Committee; May 29, 2009, House adopted Conference Committee Report by the following vote: Yeas 142, Nays 2, one present not voting; passed subject to the provisions of Article III, Section 49a, of the Constitution of Texas.

Chief Clerk of the House

Approved:

19 JUN '09

Date

Governor

FILED IN THE OFFICE OF THE SECRETARY OF STATE
2:00 O'CLOCK
JUN 19 2009
Secretary of State

I, Susan Combs, Comptroller of Public Accounts, do hereby certify that the amounts appropriated in the herein S.B. No. 1, Regular Session, 81st Legislature, are within the amount estimated to be available in the affected fund.

Certified June 8, 2009.

Comptroller of Public Accounts

PROCLAMATION

BY THE

Governor of the State of Texas

41-3223

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Senate Bill No. 1, the General Appropriations Act, having been duly certified by the Comptroller of Public Accounts pursuant to Article 3, Section 49a of the Texas Constitution, has been presented to me for action. The bill would appropriate approximately $182.3 billion from all funding sources, including $80.7 billion from the General Revenue Fund, for the fiscal biennium beginning September 1, 2009. General revenue spending would decrease by $1.6 billion, or 1.9 percent, compared to the current biennium, which has happened only once before in Texas since World War II.

At the beginning of the session, Lieutenant Governor Dewhurst, Speaker Straus and I announced our shared commitment to working together to ensure a balanced budget, even in light of a significantly lower revenue estimate than last biennium. We worked collectively throughout the session to ensure our state's priorities were met while remembering that every dollar spent is that of a hard-working Texan. The legislature has done a commendable job in reducing the general revenue appropriation to live within the revenue estimate the comptroller issued in January. It is particularly noteworthy that this balanced budget was produced without making appropriations from the state's "Rainy Day Fund," and without a tax increase. In fact, the Rainy Day Fund is projected to have a balance of more than $9 billion at the end of the 2010–2011 biennium, and taxes were reduced on approximately 40,000 small businesses across Texas.

This budget makes many investments that I support, including continuing investments in water infrastructure and border security, which are essential to the growth and security of our state. It continues funding for the Texas Enterprise Fund and the Emerging Technology Fund, two of the greatest tools our state has in creating a competitive business climate and investing in new technologies to attract world-class researchers to the state's institutions of higher education. It also makes a significant increase in funding for financial aid for higher education, and for the Skills Development Fund, which will be critical to helping more Texans pursue their dreams of going to college and continuing to ensure the state has an educated and trained workforce to compete in the global marketplace.

While the Texas Legislature has crafted a budget that meets the state's continued obligations despite the tightening economy, I would be remiss if I did not sound three notes of caution. First, funding from the American Recovery and Reinvestment Act has been isolated in a single article of the budget to ensure the greatest transparency in how these funds are appropriated, which will be critical to writing the budget next session. However, just as I have repeatedly warned against spending stimulus dollars on things that will create ongoing obligations once this money runs out, I must reiterate that state agencies and organizations receiving these funds should not expect them to be renewed by the state in the next biennium.

Additionally, I continue to believe that state spending should be transparent and easy to understand for the more than 24 million people living in Texas. While some areas of this document have become more transparent, other items of appropriation have become harder to identify. Texans have a right to understand how their tax dollars are being spent. Providing more transparent items of appropriation and increasing the number of specific line items would add precision and clarity to the appropriations act.

FILED IN THE OFFICE OF THE SECRETARY OF STATE
2 PM O'CLOCK
JUN 19 2009

Finally, although the legislature took steps to further reduce diversions in the budget, truth-in-budgeting is an important part of our commitment to transparency, and we must continue to reduce and eliminate these diversions in future budgets. I have been on record, along with others in state leadership, calling to end diversions from the State Highway Fund that reduce the funds available for important road construction and maintenance throughout the state. We must continue to improve our truth-in-budgeting so that Texans' taxes and fees are spent for the purposes for which they are collected.

My line-item vetoes total $97.2 million in general revenue and $288.9 million from all funding sources. I hereby object to and veto the following items from Senate Bill No. 1, and include a statement of my objections to each of those items:

Article II – Health and Human Services
Department of State Health Services

Sec. 77. Contingency for Regulating Independent Freestanding Emergency Rooms and Urgent Care Clinics. ~~Contingent on passage of House Bill 2183, or similar legislation relating to the licensure of independent freestanding emergency rooms and urgent care clinics, and creation of the respective licensing fees, by the Eighty-first Legislature, Regular Session, the Department of State Health Services is appropriated $1,074,136 for fiscal year 2010 and $633,658 for fiscal year 2011 from the fees collected and deposited in the General Revenue Fund to implement the provisions of the legislation. The number of "Full-Time Equivalents (FTE)" is increased by 19.5 FTEs in fiscal year 2010 and 11 FTEs in fiscal year 2011.~~

This veto deletes a contingent rider for a bill that did not pass.

Article V – Public Safety and Criminal Justice
Texas Department of Criminal Justice

Sec. 81. Contingency for Reducing and Increasing Texas Department of Criminal Justice Appropriations. ~~Contingent on the enactment of Senate Bill 1206, House Bill 1899, House Bill 1958, or similar legislation relating to the release of certain inmates who complete a rehabilitation tier program from the Texas Department of Criminal Justice, by the Eighty-first Legislature, Regular Session, funding in Goal C, Incarcerate Felons, is reduced by $9,039,832 in General Revenue Funds in fiscal year 2010 and $5,742,667 in General Revenue Funds in fiscal year 2011. Also contingent on the enactment of this legislation, funding in Strategy F.2.1 Parole Supervision, is increased by $736,746 in General Revenue Funds in fiscal year 2010 and $468,027 in General Revenue Funds in fiscal year 2011 to provide for the supervision of these offenders.~~

This veto deletes a contingent rider for a bill that I vetoed.

Article VIII – Regulatory

Residential Construction Commission	2010	2011
All Items of Appropriation	$ 8,995,102	~~$ 8,995,103~~

This veto deletes a contingent appropriation for the agency. Rider 4 provides that funds appropriated for fiscal year 2011 were made contingent on the continuation of the Texas Residential Construction Commission. House Bill No. 2295, or similar legislation providing for the continuation of the agency, failed to pass the 81st Legislature.

Article IX – General Provisions
Sec. 17.31. Contingency Appropriation for House Bill No. 373, House Bill No. 3556, Senate Bill No. 362 or Senate Bill No. 363. ~~Contingent on passage of House Bill 373, House Bill 3556, Senate Bill 362, or Senate Bill 363, or similar legislation relating to requiring a voter to present proof of identification, by the Eighty-first Legislature,~~

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK
JUN 19 2009

~~Regular Session, the Secretary of State is appropriated $2,000,000 for fiscal year 2010 from the General Revenue Fund for voter education.~~

~~Any unexpended balances remaining in appropriations made herein as of August 31, 2010, are hereby appropriated for the fiscal year beginning September 1, 2010.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.36. Contingency Appropriation for House Bill No. 518. ~~Contingent on enactment of House Bill 518 by the Eighty-first Legislature, Regular Session, or similar legislation relating to the creation of a student loan repayment program for certain correctional officers and a loan repayment assistance program for certain speech pathologists and audiologists, the Higher Education Coordinating Board is hereby appropriated $391,551 in fiscal year 2010 and $869,117 in fiscal year 2011 out of the General Revenue Fund to implement provisions of the legislation.~~

This veto deletes a contingent rider for a bill that I vetoed.

Sec. 17.39. Contingency Appropriation for House Bill No. 821. ~~Contingent upon passage of House Bill 821, or similar legislation by the Eighty-first Legislature, Regular Session, 2009, relating to the sale, recovery, and recycling of certain television equipment, and in addition to amounts appropriated herein to the Texas Commission on Environmental Quality (TCEQ), there is hereby appropriated out of the General Revenue Fund in Strategy C.1.3, Pollution Prevention and Recycling, an amount not to exceed $127,500 in each fiscal year of the 2010-11 biennium in new fee revenues generated as a result of the bill's passage. The funds shall be used to implement the television manufacturers registration program created by the bill. This appropriation is contingent upon the TCEQ assessing fees to generate revenue sufficient to cover these appropriations.~~

This veto deletes a contingent rider for a bill that I vetoed.

Sec. 17.40. Contingency Appropriation for House Bill No. 982. ~~Notwithstanding any other provisions in this act, contingent on passage of House Bill 982, or similar legislation relating to the imposition of a 10 percent tax on the gross receipts from admissions fees charged by sexually oriented businesses and the repeal of the sexually-oriented business fee, by the Eighty-first Legislature, Regular Session, the Supreme Court is appropriated $750,000 in fiscal year 2010 and $1,250,000 in fiscal year 2011 from taxes on admission fees charged by sexually-oriented businesses deposited to the General Revenue Fund and transferred to the General Revenue-Dedicated Sexual Assault Fund No. 5010 for Basic Civil Legal Services (Strategy B.1.1). Any unexpended balances in appropriations made for this purpose in fiscal year 2010 are appropriated to the Supreme Court in fiscal year 2011 for the same purposes.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.52. Contingency Appropriation for House Bill No. 2248. ~~Contingent upon the enactment of House Bill 2248, or similar legislation relating to an emergency management plan for certain health care facilities, by the Eighty-first Legislature, Regular Session, 2009, the Department of Public Safety is appropriated $244,314 in General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 in fiscal year 2010 and $191,664 in General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 in fiscal year 2011 to implement the provisions of the legislation. Also contingent upon the enactment of House Bill 2248 or similar legislation, the "Number of Full-Time-Equivalents (FTE)" for the Department of Public Safety is increased by 5.0 for each fiscal year of the 2010-11 biennium.~~

This veto deletes a contingent rider for a bill that did not pass.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK

JUN 19 2009

Sec. 17.53. Contingency Appropriation for House Bill No. 2250 or Senate Bill No. 1106. ~~Contingent on enactment of Senate Bill 1106 or House Bill 2250, or similar legislation relating to payment of claims to pharmacies and pharmacists, by the Eighty-first Legislature, Regular Session, the Texas Department of Insurance is appropriated $190,939 in fiscal year 2010 and $177,115 in fiscal year 2011 from General Revenue Insurance Companies Maintenance Tax and Insurance Department Fees to implement the provisions of the legislation. The "Number of Full-Time Equivalents" in the agency bill pattern is increased by 3.0 FTEs in each fiscal year.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.55. Contingency Appropriation for House Bill No. 2295. ~~Contingent on the enactment of House Bill 2295, or similar legislation relating to the continuation and functions of the Texas Residential Construction Commission, by the Eighty-first Legislature, Regular Session, the Residential Construction Commission is appropriated $764,463 for fiscal year 2010 and $814,463 in fiscal year 2011 from the General Revenue Fund to implement the provisions of the legislation. This appropriation is also contingent on the Residential Construction Commission assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2010-11 biennium, $1,884,258 in excess of $22,064,000 (Object Codes 3175 and 3846), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-time Equivalents (FTEs)" indicated in agency's bill pattern is increased by 10.0 FTEs in each fiscal year contingent upon agency meeting the above revenue target. The Residential Construction Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Residential Construction Commission's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.63. Contingency Appropriation for House Bill No. 2740. ~~Contingent on passage of House Bill 2740, or similar legislation relating to the Licensing and Regulation of Youth Camps, by the Eighty-first Legislature, Regular Session, the Department of State Health Services is hereby appropriated revenue not to exceed $261,411 in fiscal year 2010, and $282,974 for fiscal year 2011 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional revenue generated pursuant to House Bill 2740. The "Number of Full-Time-Equivalent Positions" indicated in the agency's bill pattern is increased by 2.3 in fiscal year 2010 and 3.1 in fiscal year 2011.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.64. Contingency Appropriation for House Bill No. 2962 or Senate Bill No. 841. ~~Contingent on passage of House Bill 2962, Senate Bill 841, or similar legislation relating to the child health plan program, by the Eighty-first Legislature, Regular Session, the Health and Human Services Commission is appropriated the following to implement the provisions of the legislation: $10,849,180 in fiscal year 2010 and $27,332,502 in fiscal year 2011 from General Revenue Funds; $10,180,970 in fiscal year 2010 and $29,013,610 in fiscal year 2011 from Premium Copayments; $683,448 in fiscal year 2010 and $1,844,449 in fiscal year 2011 from Experience Rebates for CHIP; $734,476 in fiscal year 2010 and $1,974,601 in fiscal year 2011 from Vendor Drug Rebates for CHIP; and $27,455,209 in fiscal year 2010 and $69,653,071 in fiscal year 2011 from Federal Funds.~~

This veto deletes a contingent rider for a bill that did not pass.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 pm O'CLOCK

JUN 19 2009

Sec. 17.65. Contingency Appropriation for House Bill No. 3180. ~~Contingent upon the enactment of House Bill 3180 or similar legislation relating to the licensing and regulation of commercial dog and cat breeders and the regulation of dog and cat dealers; providing penalties, and contingent upon the Texas Department of Licensing and Regulation assessing or increasing fees sufficient to generate, during the 2010-2011 biennium, $2,028,668 in excess of $62,551,340 (Object Codes 3035, 3146, 3147, 3160, 3161, 3164, 3175, 3366, 3727), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011 and in excess of revenue requirements elsewhere in this act, the Texas Department of Licensing and Regulation shall be appropriated $862,505 in Fiscal Year 2010 and $775,455 in Fiscal Year 2011 in General Revenue. Also, the "Number of Full-time Equivalents (FTEs)" indicated in agency's bill pattern shall be increased by 14.5 FTEs in each fiscal year contingent upon agency meeting the above revenue target. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Licensing and Regulation's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.71. Contingency Appropriation for House Bill No. 3595. ~~Contingent on passage of House Bill 3595, or similar legislation relating to the provision of drug court programs, by the Eighty-first Legislature, Regular Session, the Office of Court Administration is appropriated $149,374 in fiscal year 2010 and $145,516 in fiscal year 2011 in General Revenue to implement the provisions of the legislation. Also contingent on passage of House Bill 3595, or similar legislation, the "Number of Full-Time-Equivalents (FTE)" for the Office of Court Administration is increased by 2.0 FTEs each fiscal year.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.79. Contingency Appropriation for Senate Bill No. 8. ~~Contingent on passage of Senate Bill 8, or similar legislation relating to the Texas Health Services Authority, by the Eighty-first Legislature, Regular Session, the Health and Human Services Commission is hereby appropriated $1,000,000 in General Revenue for fiscal year 2010, and $1,000,000 in General Revenue for fiscal year 2011 to implement the provisions of the legislation. Additionally, the agency's FTE cap is increased by 5.0 in fiscal year 2010 and 5.0 in fiscal year 2011.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.83. Contingency Appropriation for Senate Bill No. 81. ~~Contingent on passage of Senate Bill 81, or similar legislation relating to the certain providers of subsidized child care, by the Eighty-first Legislature, Regular Session, the Department of Public Safety is hereby appropriated revenue not to exceed $70,725 in fiscal year 2010, and $62,100 for fiscal year 2011 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional revenue generated pursuant to Senate Bill 81.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.88. Contingency Appropriation for Senate Bill No. 485. ~~Contingent on enactment of Senate Bill 485 or similar legislation relating to medical loss ratios of preferred provider benefit plan issuers, by the Eighty-first Legislature, Regular Session,~~

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK

JUN 19 2009

~~the Texas Department of Insurance is appropriated $150,442 in fiscal year 2010 and $61,361 in fiscal year 2011 from General Revenue-Insurance Companies Maintenance Tax and Insurance Department Fees to implement the provisions of the legislation. The "Number of Full-Time Equivalents" in the agency bill pattern is increased by 1.0 FTEs in each fiscal year.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.90. Contingency Appropriation for Senate Bill No. 499. ~~Contingent on passage of Senate Bill 499, or similar legislation relating to the Birth Records of Adopted Children, by the Eighty-first Legislature, Regular Session, the Department of State Health Services is hereby appropriated revenue not to exceed $49,500 in fiscal year 2010, and $75,000 for fiscal year 2011 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional revenue generated pursuant to Senate Bill 499.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.91. Contingency Appropriation for Senate Bill No. 546. ~~Contingent upon the enactment of Senate Bill 546, or similar legislation relating to energy efficiency goals and programs and demand reduction targets; creating an office of energy efficiency deployment in the state energy conservation office, the Public Utility Commission shall be appropriated $55,354 in fiscal year 2010 and $55,453 in fiscal year 2011 in General Revenue and 1.0 FTE each fiscal year.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.98. Contingency Appropriation for Senate Bill No. 1001 or House Bill No. 2233. ~~Contingent upon the enactment of Senate Bill 1001 or House Bill 2233, or similar legislation relating to the continuation and operation of the office of public insurance counsel by the Eighty-first Legislature, Regular Session, the Office of Public Insurance Counsel shall be appropriated the amounts of $61,786 in fiscal year 2010 and $59,286 in fiscal year 2011 out of General Revenue for the purpose of implementing that Act. The "Number of Full-Time-Equivalents (FTE)" indicated in the Office of Public Insurance Counsel's bill pattern shall be increased by 1.0 FTE in each fiscal year.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.101. Contingency for Senate Bill No. 1007 or House Bill No. 2203. ~~Contingent upon the enactment of Senate Bill 1007 or House Bill 2203, or similar legislation relating to the continuation and operation of the Texas Department of Insurance and the operation of certain insurance programs; imposing administrative penalties, by the Eighty-first Legislature, Regular Session, appropriations to the Texas Department of Insurance shall be reduced in the amounts of $805,576 in fiscal year 2010 and $805,576 in fiscal year 2011 from General Revenue-Dedicated Texas Department of Insurance Operating Account Fund No. 036 and $491,997 in fiscal year 2010 and $491,997 in fiscal year 2011 from General Revenue.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.107. Contingency Appropriation for Senate Bill No. 1329. ~~Contingent on passage of Senate Bill 1329, or similar legislation relating to the licensing of food manufacturers, wholesalers, and warehouse operators, by the Eighty-first Legislature, Regular Session, the Department of State Health Services is hereby appropriated revenue not to exceed $224,758 in Food and Drug Registration funds in fiscal year 2011 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional revenue generated pursuant to Senate Bill~~

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK

JUN 19 2009

~~1329. The "Number of Full-Time-Equivalent Positions" indicated in the agency's bill pattern is increased by 3.0 in fiscal year 2011.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.110. Contingency Appropriation for Senate Bill No. 1388. ~~Contingent on passage of Senate Bill 1388, or similar legislation relating to process server certification and the establishment of a certification division within the Office of Court Administration, by the Eighty-first Legislature, Regular Session, the Office of Court Administration is appropriated $265,466 in fiscal year 2010 and $246,300 in fiscal year 2011 from the new General Revenue-Dedicated Process Server Certification Account and is provided 4.0 FTEs in each fiscal year to implement the provisions of the legislation.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.111. Contingency Appropriation for Senate Bill No. 1414. ~~In addition to amounts appropriated herein to the Texas Commission on Environmental Quality (TCEQ) and contingent upon passage of Senate Bill 1414 or similar legislation relating to the regulation of aggregate production operations by the Eighty-first Legislature, 2009, there is hereby appropriated out of the Water Resource Management Account No. 153 in Strategy C.1.1, Field Inspection and Complaint Response, $257,314 in fiscal year 2010 and $194,314 in fiscal year 2011 in new fee revenues generated as a result of the bill's passage. The funds shall be used to regulate aggregate production operations as required by the bill. These appropriations are contingent upon the TCEQ assessing fees sufficient to generate, during the 2010-11 biennium, revenue to cover the appropriations for the aggregate productions operations regulation program as well as "Other direct and indirect costs" for the program 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 above to be within the amount of revenue expected to be available.~~

~~In addition, contingent upon passage of Senate Bill 1414 or similar legislation, the Number of Full-Time Equivalents indicated herein for the TCEQ is hereby increased by 4.0 in each fiscal year of the 2010-11 biennium.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.112. Contingency Appropriation for Senate Bill No. 1548 or Senate Bill No. 2567. ~~Contingent on passage of Senate Bill 1548, Senate Bill 2567, or similar legislation relating to the monitoring and oversight of certain public retirement systems and public investments, and establishing the State Pension and Investment Review Board by the Eighty-first Legislature, Regular Session, the Pension Review Board or successor agency is hereby appropriated an additional $1,000,000 out of the General Revenue Fund in each fiscal year of the 2010-11 biennium and is authorized to employ an additional 11 Full-Time Equivalents each fiscal year of the biennium, to implement the provisions of the legislation.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.113. Contingency Appropriation for Senate Bill No. 1830. ~~Contingent upon enactment of Senate Bill 1830 by the Eighty-first Legislature, Regular Session, or similar legislation relating to the establishment, operation, and funding of open enrollment charter schools, the Texas Education Agency is hereby appropriated $5,000,000 in General Revenue for Fiscal Year 2010 to implement the provisions of the bill. Any unexpended balances from fiscal year 2010 from this provision are hereby appropriated to the agency in fiscal year 2011 for the same purpose.~~

This veto deletes a contingent rider for a bill that did not pass.

FILED IN THE OFFICE OF THE SECRETARY OF STATE
2 PM O'CLOCK

JUN 19 2009

Sec. 17.116. Contingency Appropriation for Senate Bill No. 1879. ~~Contingent upon the enactment of Senate Bill 1879, or similar legislation relating to the licensing and regulation of genetic counselors, by the Eighty-first Legislature, Regular Session, the Texas Medical Board shall be appropriated the amounts of $35,281 in fiscal year 2010 and $18,382 in fiscal year 2011 in General Revenue Funds for the purpose of implementing that Act. This appropriation is also contingent on the Texas Medical Board assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2010-11 biennium, $64,167 in excess of $28,688,000 (Object Code 3560 and 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time-Equivalents (FTE)" indicated in the Texas Medical Board's bill pattern shall be increased by 0.5 FTEs in each fiscal year contingent upon the Texas Medical Board meeting the above revenue target. The Texas Medical Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas Medical Board's 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, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.119. Contingency Appropriation for Senate Bill No. 2233. ~~Contingent upon the enactment of Senate Bill 2233, or similar legislation relating to the regulation of debt management services providers and providing a penalty, by the Eighty-First Legislature, Regular Session, the Office of Consumer Credit Commissioner is hereby appropriated the amounts of $250,600 in fiscal year 2010 and $230,600 in fiscal year 2011 out of General Revenue for the purpose of implementing that Act. Also, the "Number of Full-Time-Equivalents (FTE)" figure is increased by 4.0 FTEs in each fiscal year.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 17.121. Contingency Appropriation for Senate Bill No. 2313. ~~Contingent on passage of Senate Bill 2313, or similar legislation relating to the creation and funding of the Water Plan Projects Fund to assist the Texas Water Development Board in the funding of certain projects identified in the state and regional water plans, by the Eighty-first Legislature, Regular Session, the Water Development Board is appropriated $35,060,992 for fiscal year 2010 and $57,834,840 for fiscal year 2011 out of the Water Plan Projects Fund to issue $940,000,000 in G.O. Water Bonds. Included in this amount is $3,781,250 in fiscal year 2010 and $7,906,250 in fiscal year 2011 out of the Water Plan Projects Fund for debt service to issue $150,000,000 in bonds for the State Participation Program; $1,382,292 in fiscal year 2010 and $2,847,292 in fiscal year 2011 out of the Water Plan Projects Fund for debt service to issue $35,000,000 in bonds for the Economically Distressed Areas Program; and $29,897,452 in fiscal year 2010 and $47,081,298 in fiscal year 2011 to issue $755,000,000 out of the Water Plan Projects Fund in Water Infrastructure Fund bonds.~~

~~Also contingent on passage and funding of Senate Bill 2313 or similar legislation, the General Revenue appropriated elsewhere in this Act for Debt Service Payments -Non-Self Supporting G.O. Water Bonds is reduced by $17,530,496 in fiscal year 2010 and $28,917,420 in fiscal year 2011 or a total of $46,447,916 for the 2010-11 biennium, the reduction to be distributed between the following strategies: Strategy A.1.1, $691,145 in fiscal year 2010 and $1,423,646 in fiscal year 2011; Strategy A.1.2, $1,890,625 in fiscal year 2010 and $3,953,125 in fiscal year 2011; and Strategy A.1.4, $14,948,726 in fiscal year 2010 and $23,540,649 in fiscal year 2011.~~

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2PM O'CLOCK

JUN 19 2009

~~Finally, contingent on passage and funding of Senate Bill 2313 or similar legislation, and the reduction in General Revenue appropriated elsewhere in this Act for Debt Service Payments - Non Self-Supporting G.O. Water Bonds, $46,447,916 in General Revenue is hereby transferred to the General Revenue-Dedicated Texas Emissions Reduction Plan Account No. 5071 as of September 1, 2009.~~

This veto deletes a contingent rider for a bill that did not pass.

I have signed Senate Bill No. 1 together with this proclamation stating my objections to individual items of appropriation therein. In accordance with Article IV, Section 14 of the Texas Constitution, individual items of appropriation objected to shall be of no force or effect. The remaining portions of the bill shall be effective according to their terms.

Since the Legislature by its adjournment has prevented the return of this bill, I am filing this bill and these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 19th day of June, 2009.

RICK PERRY

RICK PERRY
Governor of Texas

ATTESTED BY:

Coby Shorter III

COBY SHORTER, III
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2PM O'CLOCK
JUN 19 2009

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2PM O'CLOCK
JUN 19 2009