

Issue Docket

Conference Committee on House Bill 1

2012-13 General Appropriations Bill

Article 7 - Business and Economic Development

Article VII
ISSUE DOCKET

Conference Committee on General Appropriations Bill

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2012	2013	2012	2013		
<u>Texas Department of Housing and Community Affairs</u>		VII-1		VII-1		
Removal and Cleanup		VII-7, Rider #18 Rider Packet, VII-1				House includes a rider allowing TDHCA to: <ul style="list-style-type: none"> a. use appropriated federal funds to spend up to \$1,100,000 in fiscal year 2012 to eliminate conditions that have been found to be detrimental to public health and safety relating to the removal of housing repair debris related to hurricane damage in Jefferson County; and b. pay for necessary actions to meet federal requirements and to provide funding to other entities, units of government, or hire contractors to complete this operation, consistent with any state and/or federal law.

Agency/Item	House		Senate		Biennial Difference	Explanation
	2012	2013	2012	2013		
Transfer of the Veterans Housing Assistance Program			VII-7, Rider #18 Rider Packet, VII-1			Senate includes a rider requiring TDHCA to use appropriated funds to transfer 10 percent of appropriations in Strategy A.1.3, not to exceed \$4,300,110 for the 2012-13 biennium (\$4,000,000 for grants and \$300,110 and 3.0 full-time equivalents for administration), to the appropriate fund or account with the Texas Veterans Commission for the purpose of administering a Veterans Housing Assistance Program that will assist Texas veterans and their families in obtaining, maintaining or improving housing.
	See also Article XI	House, page XI-6	See also Article XI	Senate, page XI-4		

Article VII
ISSUE DOCKET

Conference Committee on General Appropriations Bill

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2012	2013	2012	2013		
<u>Texas Lottery Commission</u>		VII-8		VII-8		
No Issues						

Article VII
ISSUE DOCKET

Conference Committee on General Appropriations Bill

Agency/Item	House		Senate		Biennial Difference	Explanation
	2012	2013	2012	2013		
<u>Department of Motor Vehicles</u>	VII-12		VII-12			
A.3.1. Automobile Theft Prevention	\$ 1,050,000	\$ 1,050,000	\$ 14,911,870	\$ 14,911,870	\$ 27,723,740	House provides \$2.1 million in General Revenue for staff and operating expenses contingent upon the enactment of legislation and Comptroller certification of increased revenue. See also House Rider #4 below.
Capital Budget	VII-13, Rider #2 Rider Packet, page VII-2		VII-13, Rider #2 Rider Packet, page VII-2			Senate provides \$2.1 million in General Revenue for staff and operating expenses and \$27.7 million for grants contingent upon the enactment of legislation and Comptroller certification of increased revenue. See also Senate Rider #4 below.
						House: a. provides authority to transfer appropriations between capital budget items and use any appropriated funds for the acquisition of capital budget items without prior approval; and b. requires the agency to provide a quarterly report listing funding transfers that exceed 25 percent of a line item in Rider #2 and expenditures for any capital items not listed in Rider #2.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2012	2013	2012	2013		
Contingent Appropriation: Automobile Burglary and Theft Prevention Authority	VII-14, Rider #4 Rider Packet, page VII-3					House includes a rider that: <ul style="list-style-type: none"> a. makes \$2.1 million in General Revenue appropriations contingent upon the enactment of legislation and Comptroller certification of increased revenues; b. appropriates all Automobile Burglary and Theft Prevention Authority (ABTPA) fees collected above \$20.7 million in 2012 and \$20.3 million in 2013 for grants; and c. establishes legislative intent that the ABTPA seek appropriate federal funds for the program, including Byrne Justice Assistance Grants administered by the Office of the Governor.
Contingency for Senate Bill 9 or House Bill 2153: Automobile Burglary and Theft Prevention Authority Appropriation			VII-14, Rider #4 Rider Packet, page VII-4			Senate includes a rider that makes \$29.8 million in General Revenue appropriations contingent upon the enactment of legislation and Comptroller certification of increased revenues.
Unexpended Balances between Fiscal Years within the Biennium	VII-15, Rider #5 Rider Packet, page VII-5					House provides unexpended balances authority between fiscal years of the biennium.
	See also Article XI House, page XI-6		See also Article XI Senate, page XI-4			

Article VII
ISSUE DOCKET

Conference Committee on General Appropriations Bill

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2012	2013	2012	2013		
<u>Texas Department of Rural Affairs</u>		VII-15		Art. VII-14		
Appropriation of Loan Repayments		VII-18, Rider #11 Rider Packet, page VII-6				House includes a rider that appropriates any loan repayments, interest, and reimbursements received by the agency for the Outstanding Rural Scholar Loan Forgiveness Program back to the agency to be expended for the same purpose.

Article VII
ISSUE DOCKET

Conference Committee on General Appropriations Bill

Agency/Item	House		Senate		Biennial Difference	Explanation
	2012	2013	2012	2013		
<u>Department of Transportation</u>	VII-19		VII-18			
All Funds	\$ 8,795,799,324	\$ 7,497,010,348	\$ 10,311,473,495	\$ 9,234,317,929	\$ 3,252,981,752	Biennial Funding Differences Between the House and the Senate:
General Revenue	\$ 122,812,045	\$ 58,412,748	\$ 122,312,045	\$ 122,912,748	\$ 64,000,000	a. House provides \$1 million in General Revenue for public awareness and education regarding a ban on the use of wireless communication devices while driving (see also House Rider #40 below).
General Revenue Dedicated	\$ 888,824	\$ 900,510	\$ 629,703	\$ 629,703	\$ 529,928	b. Senate provides \$65 million in General Revenue for debt service on \$3 billion in new Proposition 12 GO Bond authority.
Proposition 12 General Obligation Bond Proceeds	\$ 593,322,931	\$ 362,082,959	\$ 2,109,756,223	\$ 2,035,161,347	\$ 3,189,511,680	c. House provides \$529,928 in General Revenue Dedicated Highway Beautification Account No. 071 for 3 additional FTEs and operating costs (see also House Rider #39 below).
						d. House provides \$810,488,320 in Proposition 12 GO Bond Proceeds to complete projects initiated in 2010-11.

Agency/Item	House		Senate		Biennial Difference	Explanation
	2012	2013	2012	2013		
A.1.2. Contracted Planning and Design	\$ 195,139,975	\$ 157,293,681	\$ 355,139,975	\$ 372,293,681	\$ 375,000,000	<p>e. Senate provides:</p> <p>(1) \$1 billion in Proposition GO Bond Proceeds to complete projects initiated in 2010-11; and</p> <p>(2) \$3 billion in Proposition 12 GO Bond Proceeds to fund planning, right-of-way acquisition, and new construction contracts related to congestion relief, statewide connectivity, bridges, rehabilitation, and safety projects (see also Senate Rider #43 below).</p> <p>Senate provides \$375 million in Proposition 12 GO Bond Proceeds.</p>
A.1.3. Right-of-way Acquisition	\$ 349,889,339	\$ 203,715,132	\$ 509,889,339	\$ 418,715,132	\$ 375,000,000	Senate provides \$375 million in Proposition 12 GO Bond Proceeds.
B.1.1. Existing Construction Contracts	\$ 2,109,601,474	\$ 824,429,621	\$ 2,626,034,766	\$ 497,508,009	\$ 189,511,680	<p>House provides \$810,488,320 in Proposition 12 GO Bond Proceeds (\$483,566,708 in 2012 and \$326,921,612 in 2013) for the completion of projects initiated in 2010-11.</p> <p>Senate provides \$1 billion in Proposition 12 GO Bond Proceeds in 2012 for the completion of projects initiated in 2010-11.</p>
B.1.2. New Construction Contracts	\$ 311,041,674	\$ 838,803,010	\$ 651,041,674	\$ 1,623,803,010	\$ 1,125,000,000	Senate provides \$1,125 million in Proposition 12 GO Bond Proceeds for new construction contracts.

Agency/Item	House		Senate		Biennial Difference	Explanation
	2012	2013	2012	2013		
C.1.2. New Maintenance Contracts	\$ 426,379,002	\$ 886,283,893	\$ 816,379,002	\$ 1,796,283,893	\$ 1,300,000,000	Senate provides \$1,125 million in Proposition 12 GO Bond Proceeds and \$175 million in State Highway Funds for new maintenance contracts.
C.1.3. Contracted Routine Maintenance	\$ 699,671,274	\$ 703,219,294	\$ 674,671,274	\$ 628,219,294	\$ 100,000,000	House provides \$100 million in State Highway Funds for contracted routine maintenance.
C.1.4. Routine Maintenance	\$ 792,258,780	\$ 814,934,144	\$ 766,999,659	\$ 764,663,337	\$ 75,529,928	House provides: <ul style="list-style-type: none"> a. \$529,928 from GR-Dedicated Highway Beautification Account No. 071 for 3 additional FTEs and operating costs contingent upon Comptroller certification of increased revenues (See also House Rider #39) b. \$75 million in State Highway Funds.
G.1.1. General Obligation Bonds	\$ 127,967,471	\$ 63,558,743	\$ 127,967,471	\$ 128,558,743	\$ 65,000,000	Senate provides \$65 million in General Revenue for debt service associated with \$3 billion in new Proposition 12 GO Bond authority. (See also Article XI Senate, page XI-4.)
Supplemental Appropriations Made in Riders	\$ 5,500,000	\$ 5,500,000	\$ 5,000,000	\$ 5,000,000	\$ 1,000,000	House provides \$1 million in General Revenue for public education regarding a ban on the use of wireless communication devices while driving contingent upon the enactment of legislation and Comptroller certification of increased revenue (see also House Rider #40 below).

Agency/Item	House		Senate		Biennial Difference	Explanation
	2012	2013	2012	2013		
Court Costs	VII-25, Rider #6 Rider Packet, page VII-7					House and Senate include identical rider provisions with different rider captions for Rider #6.
Refunds and Lawsuits			VII-24, Rider #6 Rider Packet, page VII-7			
Executive Leadership Salaries			VII-30, Rider #20 Rider Packet, page VII-7			Senate includes a rider requiring the Transportation Commission to set the salary of the Executive Director and up to 5 additional senior leadership positions within the Group 8 salary range provided by Article IX and authorizing the Transportation Commission to establish salaries that exceed the Group 8 salary range if (1) a study conducted by a consultant determines that the median salary for an equivalent private sector position exceeds the Group 8 range and (2) the Governor and the Legislative Budget Board approve a higher salary rate.
Sale of Surplus Property	VII-32, Rider #30 Rider Packet, page VII-8		VII-33, Rider #31 Rider Packet, page VII-8			House authorizes the use of proceeds from the sale of surplus property for rail purposes authorized by Chapter 91, Transportation Code.

Agency/Item	House		Senate		Biennial Difference	Explanation
	2012	2013	2012	2013		
Limitation on Expenditures: Prohibition on Lobbyists	VII-33, Rider #32 Rider Packet, page VII-8		VII-33, Rider #33 Rider Packet, page VII-8			House prohibits use of appropriations for the purpose of selecting, hiring, or retaining a person required to register as a lobbyist. Senate prohibits the use of appropriations for the purpose of selecting, hiring, or retaining a person to provide services that would require the person to register as a lobbyist.
Contingent Revenue: Highway Beautification	VII-34, Rider #39 Rider Packet, page VII-8					House makes \$259,121 in fiscal year 2012 and \$270,807 in fiscal year 2013 from GR-Dedicated Highway Beautification Account No. 071 and 3 FTEs in each fiscal year contingent upon Comptroller certification of increased revenue above the 2012-13 Biennial Revenue Estimate for Highway Beautification Fees.
Battleship TEXAS			VII-33, Rider #39 Rider Packet, page VII-9			Senate includes a rider requiring the agency to make \$16.1 million in Federal Transportation Enhancement Funds available for the Battleship TEXAS project in 2012-13 to retain the same amount of funds designated to the project by the 81st Legislature (2009) for 2010-11.

Agency/Item	House		Senate		Biennial Difference	Explanation
	2012	2013	2012	2013		
Contingency for Public Education about Ban on Wireless Device Use While Driving	VII-34, Rider #40 Rider Packet, page VII-10					House appropriates \$500,000 in each fiscal year from General Revenue for public awareness and education regarding a ban on the use of wireless communication devices while driving contingent upon the enactment of legislation and Comptroller certification of increased revenue from Driver Responsibility Program surcharges resulting from the legislation.
Clothing Provision			VII-34, Rider #40 Rider Packet, page VII-10			Senate authorizes a cleaning allowance for agency Travel Information Center and ferry operations personnel not to exceed \$500 per year.
Transcription Services Evaluation	VII-34, Rider #42 Rider Packet, page VII-10					House requires the agency to evaluate the use of transcription services to reduce the costs of creating documents and reports and to consider the findings of the evaluation when using appropriated funds for the procurement of transcription services.

Agency/Item	House		Senate		Biennial Difference	Explanation
	2012	2013	2012	2013		
Federal Funding for the Texas Rail Plan	VII-34, Rider #43 Rider Packet, page VII-11					House requires the agency to prioritize seeking, obtaining, maximizing, and expending federal multimodal and rail funds; appropriates federal rail-related funds to the Texas Rail Relocation and Improvement Fund for implementation of the Texas Rail Plan, contingent upon availability and receipt of such funds; and allocates up to \$50 million in non-constitutionally dedicated State Highway Funds for 2012-13 to the Texas Rail Relocation and Improvement Fund if the federal funds require state matching funds or the commitment of state funds.

Agency/Item	House		Senate		Biennial Difference	Explanation
	2012	2013	2012	2013		
Appropriations from Proposition 12 General Obligation Bond Proceeds for Bridge, Safety, Connectivity, and Congestion Relief Projects			VII-34, Rider #43 Rider Packet, page VII-11			Senate includes a rider to direct the use of \$3 billion in Proposition 12 GO Bond Proceeds as follows: <ul style="list-style-type: none"> a. \$300 million for right-of-way, project feasibility studies and planning, and consultant engineering work for the most congested road segments; b. \$500 million for specific bridge projects; c. \$600 million for distribution by formula for metropolitan and urban mobility projects; d. \$200 million for statewide connectivity projects selected by the Transportation Commission; and e. \$1.4 billion to be distributed by formula for statewide rehabilitation and safety projects.
New Letting for the 2012-13 Biennium			VII-35, Rider #44 Rider Packet, page VII-13			Senate establishes legislative intent that the agency use appropriated funds to award at least \$8,560.8 million in new highway improvement contracts during the 2012-13 biennium.
Funds for Research of Methods to Maximize Toll Revenues			VII-35, Rider #45 Rider Packet, page VII-13			Senate requires the agency to provide funds to the Texas Transportation Institute to study methods to maximize toll revenues.

Agency/Item	House		Senate		Biennial Difference	Explanation
	2012	2013	2012	2013		
Purchase of Asphalt			VII-35, Rider #46 Rider Packet, page VII-13			Senate requires the agency to examine and consider the purchase of rubberized asphalt as its first option if cost savings are demonstrated or predicted and to examine and modify agency specifications to allow for the inclusion of rubberized asphalt.
Transportation Development Credits			VII-35, Rider #47 Rider Packet, page VII-14			Senate requires the agency to prioritize the use of transportation development credits as the required match for federal funds to maximize the use of federal funds.
		See also Article XI House, pages XI-6 and XI-7				

Article VII
ISSUE DOCKET
 Conference Committee on General Appropriations Bill

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2012	2013	2012	2013		
<u>Texas Workforce Commission</u> The Women's Institute for Technology Employment Training		VII-35		VII-35 VII-44, Rider #28 Rider Packet, VII-15		Senate includes a rider allocating \$500,000 out of Strategy A.1.4, Employment and Community Services, for the biennium 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.

Agency/Item	House		Senate		Biennial Difference	Explanation
	2012	2013	2012	2013		
School Readiness Models			VII-44, Rider #29 Rider Packet, VII-15			<p>Senate includes a rider requiring TWC:</p> <p>a. to match the amount of available General Revenue for Early Childhood School Readiness Programs funded in Rider #56 following the appropriation in Article III, to the Texas Education Agency to provide for each year of the 2012-13 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;</p> <p>b. if General Revenue is not available and notwithstanding other GAA requirements, out of federal funds appropriated to the TWC, the agency shall provide for each year of the 2012-13 biennium the maximum amount allowable under federal guidelines, and not less than \$11,700,000 in each year, for the same purpose outlined in section (a) above; and</p>

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2012	2013	2012	2013		
						c. 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 Governor the detailed use of all state funds expended by the center for early childhood education services.
	See also Article XI House, page XI-7		See also Article XI Senate, page XI-4			

Article VII
ISSUE DOCKET

Conference Committee on General Appropriations Bill

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2012	2013	2012	2013		
<u>Reimbursements to the Unemployment Compensation Account</u>		VII-43		VII-44		
			See also Article XI Senate, page XI-4			

Article VII
ISSUE DOCKET

Conference Committee on General Appropriations Bill

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2012	2013	2012	2013		
<u>Special Provisions Relating to All Business and Economic Development Agencies</u>		VII-47		VII-48		
No Issues						