

House Appropriations Committee
Representative Darby, Chair, Subcommittee on Articles VI, VII, and VIII
Members: Representatives Gooden, Johnson, Miller, Riddle, Torres
Decision Document

Decisions as of 2/18/11 at 10:00 am

Article VIII, Regulatory Total, Article VIII Regulatory Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total GR & GR- Dedicated	All Funds	Adopted 2012-13 Biennial Total GR & GR- Dedicated	All Funds
State Office of Administrative Hearings				
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0
Board of Chiropractic Examiners				
Total, Outstanding Items / Tentative Decisions	\$ 114,308	\$ 114,308	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	2.0	2.0	0.0	0.0
Board of Dental Examiners				
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0
Funeral Service Commission				
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0
Board of Professional Geoscientists				
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0

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	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Health Professions Council				
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0
Office of Injured Employee Counsel				
Total, Outstanding Items / Tentative Decisions	\$ 876,954	\$ 876,954	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	6.0	6.0	0.0	0.0
Department of Insurance				
Total, Outstanding Items / Tentative Decisions	\$ 8,367,626	\$ 8,367,626	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	39.0	39.0	0.0	0.0
Office of Public Insurance Counsel				
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0
Board of Professional Land Surveying				
Total, Outstanding Items / Tentative Decisions	\$ 2,600	\$ 2,600	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0

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	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Department of Licensing and Regulation				
Total, Outstanding Items / Tentative Decisions	\$ 985,419	\$ 985,419	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	4.0	4.0	0.0	0.0
Texas Medical Board				
Total, Outstanding Items / Tentative Decisions	\$ 1,011,614	\$ 1,011,614	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	11.5	11.5	0.0	0.0
Board of Nursing				
Total, Outstanding Items / Tentative Decisions	\$ 2,145,502	\$ 2,145,502	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	19.0	19.0	0.0	0.0
Optometry Board				
Total, Outstanding Items / Tentative Decisions	\$ 71,208	\$ 71,208	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.5	1.0	0.0	0.0
Board of Pharmacy				
Total, Outstanding Items / Tentative Decisions	\$ 1,103,777	\$ 1,103,777	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	6.0	6.0	0.0	0.0

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	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Executive Council of Physical Therapy & Occ Therapy Ex				
Total, Outstanding Items / Tentative Decisions	\$ 144,984	\$ 144,984	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	2.0	2.0	0.0	0.0
Board of Plumbing Examiners				
Total, Outstanding Items / Tentative Decisions	\$ 292,800	\$ 292,800	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	2.0	2.0	0.0	0.0
Board of Podiatric Medical Examiners				
Total, Outstanding Items / Tentative Decisions	\$ 18,228	\$ 18,228	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0
Board of Examiners of Psychologists				
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0
Racing Commission				
Total, Outstanding Items / Tentative Decisions	\$ 933,595	\$ 933,595	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	8.3	8.3	0.0	0.0

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	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Real Estate Commission				
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0
State Securities Board				
Total, Outstanding Items / Tentative Decisions	\$ 790,362	\$ 790,362	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	5.0	5.0	0.0	0.0
Public Utility Commission				
Total, Outstanding Items / Tentative Decisions	\$ 58,426,902	\$ 58,426,902	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	26.9	26.9	0.0	0.0
Office of Public Utility Counsel				
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0
Board of Veterinary Medical Examiners				
Total, Outstanding Items / Tentative Decisions	\$ 536,180	\$ 536,180	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	3.0	3.0	0.0	0.0
Special Provisions to Article VIII				
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0

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	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Total, Outstanding Items / Tentative Decisions	\$ 75,822,059	\$ 75,822,059	\$ -	\$ -
COST-OUT ADJUSTMENTS				
			\$ -	\$ -
Technical Adjustments:				
			\$ -	\$ -
Agency Requests:				
			\$ -	\$ -
Total Cost-out Adjustments			\$ -	\$ -
Total GR & GR-Ded Adopted Items less Cost-out Adjust			\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	135.2	135.7	0.0	0.0

Article VIII, Regulatory State Office of Administrative Hearings Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
NONE				
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
NONE				
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0

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LBB Analyst: Emily Hoffman

Article VIII, Regulatory Board of Chiropractic Examiners Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
NONE				
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
1. Increase General Revenue funding and authority for 2.0 FTEs in the licensing division a. \$23,398 each Fiscal Year in Salaries and Wages - Administrative Assistant III b. \$33,756 each Fiscal Year in Salaries and Wages - Administrative Assistant III	\$ 114,308	\$ 114,308		
2. Increase authority for 2.0 FTEs in the licensing division. This item is contingent upon not receiving the funding for Item #1, above.	\$ -	\$ -		
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ 114,308	\$ 114,308	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	2.0	2.0	0.0	0.0

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LBB Analyst: Clifford Sparks

Article VIII, Regulatory Board of Dental Examiners Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
1. Update the performance measure target for the Number of New Licenses Issued to Dentists from 700 in fiscal year 2012 and 730 in fiscal year 2013 to 550 in fiscal year 2012 and 575 in fiscal year 2013.	\$	-	\$	-
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
NONE				
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$	-	\$	-
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0

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LBB Analyst: Emily Hoffman

Article VIII, Regulatory Funeral Service Commission Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
1. Update the performance measure target for Number of Individual Licenses Renewed from 2,550 each fiscal year to 2,400 each fiscal year	\$ -	\$ -		
2. Update the performance measure target for Number of New Licenses Issued to Facilities from 75 each fiscal year to 100 each fiscal year	\$ -	\$ -		
3. Update the performance measure target for Number of Facility Licenses Renewed from 1,325 each fiscal year to 1,400 each fiscal year	\$ -	\$ -		
4. Update the performance measure target for Total Number of Individuals Licensed from 4,550 each fiscal year to 4,400 for 2012 and 4,500 for 2013	\$ -	\$ -		
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
NONE				
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0

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 LBB Analyst: Nora Velasco

Article VIII, Regulatory Board of Professional Geoscientists Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
NONE				
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
NONE				
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0

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LBB Analyst: Clifford Sparks

Article VIII, Regulatory Health Professions Council Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Technical Adjustments:				
NONE				
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
NONE				
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0

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LBB Analyst: Christy Havel

Article VIII, Regulatory Office of Injured Employee Counsel Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
1. Update the performance measure target for Percentage of Texas Department of Insurance Administrative Dispute Proceedings in which an Ombudsman assisted an Unrepresented Injured Employee from 37% each fiscal year to 33% each fiscal year.	\$	-	\$	-
2. Update the performance measure target for Number of Benefit Review Conferences with Ombudsman Assistance from 3,515 each fiscal year to 3,145 each fiscal year.	\$	-	\$	-
3. Update the performance measure target for Number of Contested Case hearings with Ombudsman Assistance from 1,791 each fiscal year to 1,602 each fiscal year.	\$	-	\$	-
4. Update the performance measure target for Number of Injured Employees Prepared for an Appeal by an Ombudsman from 522 each fiscal year to 468 each fiscal year.	\$	-	\$	-
5. Update the performance measure target for Percentage of Issues Raised at Contested Case Hearings where the Injured Employee Prevailed when Assisted by an Ombudsman from 36% each fiscal year to 32% each fiscal year.	\$	-	\$	-

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Article VIII, Regulatory Office of Injured Employee Counsel Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
6. Update the performance measure target for Percentage of Issues Raised on Appeal Where the Injured Employee Prevailed when Assisted by an Ombudsman from 33% each fiscal year to 30% each fiscal year.	\$ -	\$ -		
<u>Performance Review & Other Budget Recommendations:</u>				
NONE				
<u>Agency Requests:</u>				
1. Restoration of General Revenue-Dedicated Fund 36 for travel expenditures across all programs. (\$50,000 each fiscal year)	\$ 100,000	\$ 100,000		
2. Increase General Revenue - Dedicated Fund 36 funding and authority for 6.0 FTEs to restore the customer service program to the fiscal years 2010-11 funding level. (\$158,477 for salaries and 6.0 FTEs each fiscal year)	\$ 316,954	\$ 316,954		
3. Increase General Revenue - Dedicated Fund 36 funding to restore operational resources for outreach materials, employee certifications, and presentation to the fiscal years 2010-11 funding level. (\$155,000 each fiscal year)	\$ 310,000	\$ 310,000		

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Article VIII, Regulatory Office of Injured Employee Counsel Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
4. Increase General Revenue - Dedicated Fund 36 funding to restore travel funds to the fiscal years 2010-11 funding level. (\$40,000 each fiscal year)	\$ 80,000	\$ 80,000		
5. Increase General Revenue - Dedicated Fund 36 funding to restore professional fees and services for medical consultants, expert witness testimony, conference speakers, and review services to the fiscal years 2010-11 funding level. (\$35,000 each fiscal year)	\$ 70,000	\$ 70,000		
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ 876,954	\$ 876,954	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	6.0	6.0	0.0	0.0

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Article VIII, Regulatory Department of Insurance Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
1. Edit Rider 19. Contingency for Estimation of Cost Related to an Insurance Exchange to list HB 636.	\$	-	\$	-
2. Edit Rider 20 Interagency Agreement to add parentheses around "other than that of the Executive Director."	\$	-	\$	-
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
1. Increase funding in an amount equivalent to the 5 percent of the agency's 2010-11 appropriations associated with insurance regulation and the agency's FTE cap. a. \$3,635,406 in General Revenue - Insurance Maintenance Tax. b. \$1,970,498 in General Revenue-Dedicated Fund 36. c. 38.0 FTEs across all programs.	\$	5,605,904	\$	5,605,904

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Article VIII, Regulatory Department of Insurance Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
2. Increase funding and the FTE cap for the administrative attachment of the Texas Commission on Fire Protection. a. \$235,245 in General Revenue - Insurance Maintenance Tax in fiscal year 2012. b. \$226,477 in General Revenue - Insurance Maintenance Tax in fiscal year 2013. c. 1.0 FTE each year of the 2012-13 biennium. (Item not Included in Summary of Recommendations)	\$ 461,722	\$ 461,722		
3. Unexpended Balance Authority within the Biennium for the Healthy Texas Premium Stabilization Fund. Rider 23 grants unexpended balance authority not to exceed \$34,829,000 across the biennium for the Healthy Texas Fund. The agency's requested rider would allow the agency to carry any unexpended balances in the Healthy Texas Premium Stabilization Fund forward from 2012 to 2013.	\$ -	\$ -		
4. Add a new rider, Fire Safety Cigarette's Penalties, that would appropriate an amount not to exceed \$100,000 each fiscal year out of GR-Dedicated Fire Prevention and Public Safety Account No. 5138 to the Texas Department of Insurance. Additional appropriations would provide the TDI's State Fire Marshal's office with additional funding to support fire safety and prevention programs. (Item not Included in Summary of Recommendations)	\$ 200,000	\$ 200,000		

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Article VIII, Regulatory Department of Insurance Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
5. Add a new rider, Medical Fee Disputes, that would appropriate \$2,100,000 in fiscal year 2012 out of GR Dedicated, Texas Department of Insurance Operating Fund Account No. 036 to the Department of Insurance - Division of Workers' Compensation for the purpose of financing the cost of appeals of medical disputes, including appeals handled at the State Office of Administrative Hearings. The agency requests that any unexpended balances at the end of August 31, 2012 would be carried forward into fiscal year 2013. (Item not Included in Summary of Recommendations)	\$ 2,100,000	\$ 2,100,000		
<u>Workgroup Rider and Program Revisions and Additions:</u>				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ 8,367,626	\$ 8,367,626	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	39.0	39.0	0.0	0.0

Article VIII, Regulatory Office of Public Insurance Counsel Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
NONE				
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
NONE				
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0

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LBB Analyst: Nora Velasco

Article VIII, Regulatory Board of Professional Land Surveying Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
NONE				
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
1. Increase General Revenue for Office Computers a. \$2,600 in 2012-13 to replace 2 desktops (\$1,300 each)	\$ 2,600	\$ 2,600		
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ 2,600	\$ 2,600	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0

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Article VIII, Regulatory Department of Licensing and Regulation Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
1. Update the performance measure target for the Inspection Coverage Rate to reflect from 92% each fiscal year to 86% each fiscal year.	\$ -	\$ -		
2. Update the performance measure target for the Total Number of Architectural Barrier Inspections Completed by Agency and Third Party Inspectors from 130,634 each fiscal year to 16,417 in fiscal year 2012 and 16,827 in fiscal year 2013.	\$ -	\$ -		
3. Update the performance measure target for the Total Number of Inspections Completed from 123,925 in fiscal year 2012 and 123,164 in fiscal year 2013 to 121,925 in fiscal year 2012 and 123,164 in fiscal year 2013.	\$ -	\$ -		
4. Update the performance measure target for the Number of Complaints Resolved from 9,981 in fiscal year 2012 and 10,713 in fiscal year 2013 to 9,133 for fiscal year 2012 and 9,803 for fiscal year 2013.	\$ -	\$ -		
5. Update the performance measure target for the Number of Jurisdictional Complaints Received from 11,892 in fiscal year 2012 and 12,034 in fiscal year 2013 to 10,871 in fiscal year 2012 and 10,911 in fiscal year 2013.	\$ -	\$ -		

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LBB Analyst: Clifford Sparks

Article VIII, Regulatory Department of Licensing and Regulation Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Performance Review & Other Budget Recommendations:</u>				
NONE				
<u>Agency Requests:</u>				
1. Increase General Revenue funding and the FTE cap by 4.0 FTEs each year for 4.0 Investigator positions. a. Salaries and wages \$423,024 (\$52,878 each year per position) b. Other operating expenses \$23,940	\$ 446,964	\$ 446,964		
2. Restoration of General Revenue funding for a tow truck drop fee study required by HB 2571 for the Licensing and Regulation of Towing Companies. The study authorizes the Department of Licensing and Regulation to assess the maximum amount of fees charged for towing.	\$ 80,000	\$ 80,000		
3. Increase General Revenue to provide for additional Data Consolidation Service Contract costs.	\$ 428,455	\$ 428,455		
4. Add a rider and increase General Revenue funding by \$30,000 for each event generating gross receipts in excess of \$2,000,000 for an undetermined number of events for Combative Sports Regulation to offset costs of regulating combative sports events.	\$ 30,000	\$ 30,000		

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Article VIII, Regulatory Department of Licensing and Regulation Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
<u>Workgroup Rider and Program Revisions and Additions:</u>				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ 985,419	\$ 985,419	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalentents / Tentative Decisions	4.0	4.0	0.0	0.0

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Article VIII, Regulatory Texas Medical Board Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
1. Update the performance measure target for Number of New Licenses Issued to Individuals (Physicians) from 3,273 in fiscal year 2012 and 3,311 in fiscal year 2013 to 2,923 in fiscal year 2012 and 2,961 in fiscal year 2013.	\$	-	\$	-
2. Update the performance measure target for Number of New Licenses Issued to Individuals (Acupuncture) from 72 each fiscal year to 64 each fiscal year.	\$	-	\$	-
3. Update the performance measure target for Number of New Licenses Issued to Individuals (Physician Assistant) from 538 each fiscal year to 477 each fiscal year.	\$	-	\$	-
4. Update the performance measure target for Number of New Licenses Issued to Individuals (Surgical Assistant) from 24 each fiscal year to 13 each fiscal year.	\$	-	\$	-
5. Update the performance measure target for Number of Licenses Renewed (Individuals) (Physicians) from 38,040 in fiscal year 2012 and 39,141 in fiscal year 2013 to 37,763 in fiscal year 2012 and 38,802 in fiscal year 2013.	\$	-	\$	-
6. Update the performance measure target for Number of Licenses Renewed (Individuals) (Acupuncture) from 945 in fiscal year 2012 and 950 in fiscal year 2013 to 934 in fiscal year 2012 and 939 in fiscal year 2013.	\$	-	\$	-

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Article VIII, Regulatory Texas Medical Board Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
7. Update the performance measure target for Number of Licenses Renewed (Individuals) (Physician Assistant) from 5,652 in fiscal year 2012 and 5,740 in fiscal year 2013 to 5,637 in fiscal year 2012 and 5,717 in fiscal year 2013.	\$ -	\$ -		
8. Update the performance measure target for Number of Licenses Renewed (Individuals) (Surgical Assistant) from 174 in fiscal year 2012 and 184 in fiscal year 2013 to 164 in fiscal year 2012 and 174 in fiscal year 2013.	\$ -	\$ -		
9. Update the performance measure target for Average Number of Days for Individual License Issuance - Physicians from 44 each fiscal year to 50 each fiscal year.	\$ -	\$ -		
10. Update the performance measure target for Percent of Complaints Resulting in Disciplinary Action (Physician) from 18 percent each fiscal year to 15 percent each fiscal year.	\$ -	\$ -		
11. Update the performance measure target for Percent of Complaints Resulting in Disciplinary Action (Acupuncture) from 18 percent each fiscal year to 15 percent each fiscal year.	\$ -	\$ -		
12. Update the performance measure target for Percent of Complaints Resulting in Disciplinary Action (Physician Assistant) from 18 percent each fiscal year to 15 percent each fiscal year.	\$ -	\$ -		

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		Outstanding Items for Consideration		Tentative Workgroup Decisions	
		Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
Article VIII, Regulatory Texas Medical Board Exceptional Items		GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
13.	Update the performance measure target for Percent of Complaints Resulting in Disciplinary Action (Surgical Assistant) from 18 percent each fiscal year to 15 percent each fiscal year.	\$ -	\$ -		
14.	Update the performance measure target for the Number of Complaints Resolved (Physicians) from 2,400 each fiscal year to 2,000 each fiscal year.	\$ -	\$ -		
15.	Update the performance measure target for the Number of Complaints Resolved (Physician Assistant) from 85 each fiscal year to 65 each fiscal year.	\$ -	\$ -		
16.	Update the performance measure target for the Average Time for Complaint Resolution (Physician) (Days) from 260 each fiscal year to 330 each fiscal year.	\$ -	\$ -		
<u>Performance Review & Other Budget Recommendations:</u>					
	NONE				

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Article VIII, Regulatory Texas Medical Board Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Agency Requests:</u>				
1. Increase General Revenue funding and FTE cap authority for 3.5 FTEs for the Physician Health Program - Includes 2.0 new FTEs and 1.5 FTEs (\$184,807 each year) a. Salaries and wages (\$162,000 each year) 1.0 FTE - Manager II - (\$60,000 each year) 2.0 FTE - Investigator IV (\$80,000 each year) 0.5 FTEs - Investigator IV (\$22,000 each year) b. other personnel costs (\$980 in 2012 and \$680 in 2013) c. consumable supplies (\$2,250 each year) d. utilities (\$1,500 each year) e. travel (\$12,520 in 2012 and \$12,820 in 2013) f. rent (\$2,000 each year) g. other operating expenses (\$3,557 each year)	\$ 369,614	\$ 369,614		

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Article VIII, Regulatory Texas Medical Board Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
2. Increase Full-Time-Equivalent (FTE) cap and Other Funds for licensing and enforcement division by \$302,550 in 2012 and \$302,528 in 2013 to restore FTEs included in Item 3 (a) below through a contingent revenue rider requiring the agency to cover increases by generating the revenue. Contingent upon the Texas Medical Board generating sufficient funds through grants and additional appropriated receipts, the FTE cap would increase by 8.0 FTEs each fiscal year.	\$ -	\$ -		
3. Increase the FTE cap by 8.0 FTEs and General Revenue by \$642,000 for the restoration of the 5 percent reduction - (\$321,000 in 2012 and \$321,000 in 2013) a. salaries and wages (\$302,550 in 2012 and \$302,528 in 2013) 3.0 FTEs - License and Permit Specialist II - (\$31,833 each year) 1.0 FTE - Human Resource Assistant (\$25,150 each year) 2.0 FTEs - Investigator IV (\$40,400 each year) 2.0 FTEs - Investigator V (\$50,550 each year) b. professional fees and services (\$18,461 in 2012 and \$18,461 in 2013)	\$ 642,000	\$ 642,000		

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Article VIII, Regulatory Texas Medical Board Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Workgroup Rider and Program Revisions and Additions:</u>				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ 1,011,614	\$ 1,011,614	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalentents / Tentative Decisions	11.5	11.5	0.0	0.0

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Article VIII, Regulatory Board of Nursing Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
NONE				
Performance Review & Other Budget Recommendations:				
1. Include a new rider in the 2012-13 General Appropriations Bill to appropriate new surcharge revenue to the agency to administer a tiered prescriptive authority established in new legislation with an additional 1.0 FTE each year contingent on the enactment of the legislation and the agency generating sufficient revenue to cover the costs of implementation.	\$ 128,349	\$ 128,349		
Agency Requests:				
1. Increase General Revenue funding and FTE cap by 7.0 for the restoration of the 5 percent reduction in funding from fiscal years 2010-11. a. Salaries and wages - \$398,039 3.0 Enforcement Investigator positions - \$212,937 2.0 Licensing Administrative Assistant positions - \$122,662 1.0 Education Nurse Consultant position - \$10,000 1.0 Enforcement Administrative Assistant position - \$52,440 b. Other operating expenses Professional fees and services - \$71,500 Consumable supplies - \$10,000 Travel - \$10,000 Other operating expenses - \$183,166	\$ 672,705	\$ 672,705		

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Article VIII, Regulatory Board of Nursing Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
2. Increase General Revenue funding for increased litigation costs. a. Expert Witness Costs - \$200,000 b. Witness Travel Costs and Transcripts - \$100,000	\$ 300,000	\$ 300,000		
3. Increase General Revenue funding for additional staff in Enforcement, Licensing and Advaced Practice Nursing - includes 11.0 FTEs. a. 5.0 FTEs - Investigator III - \$214,410 each year b. 1.0 FTEs - Attorney I - \$60,750 each year c. 1.0 FTEs - Legal Assistant II - \$45,454 each year d. 1.0 FTEs - Administrative Assistant III - \$36,004 each year e. 2.0 FTEs - Licensing and Permit Specialist II - \$76,328 each year f. 1.0 FTEs - Nurse Practitioner - \$89,278 each year	\$ 1,044,448	\$ 1,044,448		
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ 2,145,502	\$ 2,145,502	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	19.0	19.0	0.0	0.0

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Article VIII, Regulatory Optometry Board Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
NONE				
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
1. Increase General Revenue for funding reduced in recommendations a. \$12,000 each year and authority for 0.5 FTE for an Administrative Assistant I b. \$5,000 each year in merit raises for classified staff positions c. \$2,500 each year for out-of-state travel to national meeting of Optometry Boards d. \$2,100 each year in training reimbursements for staff e. \$1,504 each year for software upgrades and office equipment	\$ 46,208	\$ 46,208		
2. Increase General Revenue for staff salary increases for 3 classified positions	\$ 10,000	\$ 10,000		
3. Increase General Revenue for database programming in 2012	\$ 3,000	\$ 3,000		
4. Increase General Revenue funding and authority for 0.5 FTE Administrative Assistant I (\$12,000) in 2013	\$ 12,000	\$ 12,000		

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Article VIII, Regulatory Optometry Board Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ 71,208	\$ 71,208	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalentents / Tentative Decisions	0.5	1.0	0.0	0.0

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	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Article VIII, Regulatory Board of Pharmacy Exceptional Items				
<u>Technical Adjustments:</u>				
NONE				
<u>Performance Review & Other Budget Recommendations:</u>				
NONE				

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Article VIII, Regulatory Board of Pharmacy Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Agency Requests:</u>				
1. Increase General Revenue and capital budget authority for items reduced in the recommendations: a. \$58,500 - Replacement of 3 vehicles at \$19,500 each b. \$22,000 - Replacement of laptops (3 in FY2012, 7 in FY2013) c. \$12,000 - Replacement of 12 electronic notebooks (12 in FY2013) d. \$28,600 - Replacement of desktop computers (17 in FY2012, 9 in FY2013) e. \$8,200 - Software (Anti Virus, Anti Spam, Firewall Maintenance) f. \$2,000 - Purchase of 2 printers g. \$9,000 - Replacement of web server h. \$12,000 - Primary domain controller i. \$9,250 - Increase Vehicle Maintenance j. \$19,690 - Peer Assistance Program k. \$143,639 - Testing of Compounded Products l. \$19,802 - Newsletter Printing and Postage m. \$30,046 - Training and Registration Fees n. \$37,200 - Travel for Board and Staff o. \$5,752 - Increased transfer to the Health Professions Council	\$ 417,679	\$ 417,679		

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		Outstanding Items for Consideration		Tentative Workgroup Decisions	
		Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
Article VIII, Regulatory Board of Pharmacy Exceptional Items		GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
2.	Increase General Revenue funding to reclassify the Chief Investigator from state classification Manager IV to Manager V, increasing salary from \$61,254 to \$70,000 per year (\$8,746 per year)	\$ 17,492	\$ 17,492		
3.	Increase General Revenue funding, capital budget authority, and authority for 6.0 FTEs to maintain services for an increasing licensee population: <ul style="list-style-type: none"> a. \$507,528 - Salaries and Wages <ul style="list-style-type: none"> i. \$152,584 - 2.0 FTE - Field Investigator IV (\$38,146 each annually) ii. \$122,508 - 1.0 FTE - Attorney IV (\$61,254 annually) iii. \$87,346 - 1.0 FTE - Network Specialist III (\$43,673 annually) iv. \$81,632 - 1.0 FTE - Legal Assistant III (\$40,816 annually) v. \$63,458 - 1.0 FTE - Administrative assistant IV (\$31,729 annually) b. \$108,704 - Other operating Expenses c. \$13,374 - Capital budget and funding for new computers d. \$39,000 - Funding for two new vehicles (\$19,500 each) 	\$ 668,606	\$ 668,606		

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Article VIII, Regulatory Board of Pharmacy Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
4. The agency is requesting that the Executive Director be added to Article IX, Sec.3.05 (c) Schedule of Exempt positions to give the Board the authority to set the Executive Director's salary within the Group 4 range of \$106,500 - \$167,500. The agency is not requesting any additional funding for this item.	\$ -	\$ -		
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ 1,103,777	\$ 1,103,777	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	6.0	6.0	0.0	0.0

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Article VIII, Regulatory Executive Council of Physical Therapy & Occupational Therapy Examiners Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
NONE				
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
1. Increase General Revenue funding and authority for 2.0 FTEs a. \$39,216 each Fiscal Year (Salaries and Wages: \$37,056; Other Personnel Costs: \$2,160) - Administrative Technician III b. \$33,276 each Fiscal Year (Salaries and Wages: \$31,836; Other Personnel Costs: \$1,440) - Accounting Technician II	\$ 144,984	\$ 144,984		
2. Increase authority for 2.0 FTEs. This item is contingent upon not receiving the funding for Item #1, above.	\$ -	\$ -		
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ 144,984	\$ 144,984	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	2.0	2.0	0.0	0.0

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	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Article VIII, Regulatory Board of Plumbing Examiners Exceptional Items				
<u>Technical Adjustments:</u>				
1. Update the performance measure target for the Number of New Licenses Renewed from 2,000 in each fiscal year to 1,000 in fiscal year 2012 and 1,200 in fiscal year 2013.	\$	-	\$	-
<u>Performance Review & Other Budget Recommendations:</u>				
NONE				

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Article VIII, Regulatory Board of Plumbing Examiners Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Agency Requests:				
1. Increase General Revenue to provide 2 Field Representatives/Investigators in Enforcement from a partial restoration of reductions taken in 2010-11 which includes an increase in the FTE cap by 2.0 each fiscal year. a. \$180,000 - Salaries (\$45,000 for each Field Representative/Investigator each year) b. \$46,000 - 2 Vehicles (\$23,000 each) in 2012 c. \$8,000 - Fuels d. \$4,800 - Telecommunications e. \$20,000 - Travel f. \$4,000 - Consumable Supplies g. \$7,000 - Other Operating Expenses (2 laptops (\$1,400 each), 2 printers (\$250 each), 2 fax machines (\$250 each), 2 digital cameras (\$350 each), and training fees (\$500)	\$ 269,800	\$ 269,800		
2. Increase General Revenue for the purchase of a replacement vehicle in 2012-13 biennium.	\$ 23,000	\$ 23,000		
Workgroup Rider and Program Revisions and Additions:				
NONE				

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	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
Article VIII, Regulatory Board of Plumbing Examiners Exceptional Items	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Total, Exceptional Items / Tentative Decisions	\$ 292,800	\$ 292,800	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	2.0	2.0	0.0	0.0

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Article VIII, Regulatory Board of Podiatric Medical Examiners Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
NONE				
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
1. Increase General Revenue for restoration of funding for reimbursement of travel expenses to board meetings	\$ 6,000	\$ 6,000		
2. Increase General Revenue for retirement funds for payout of Staff Services Officer's estimated 2-3 months of vacation time upon pending retirement in 2013	\$ 12,228	\$ 12,228		
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ 18,228	\$ 18,228	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0

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Article VIII, Regulatory Board of Examiners of Psychologists Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
1. Update the performance measure target for Number of Jurisdictional Complaints Received from 220 each fiscal year to 190 each fiscal year due to the reductions in funding	\$	-	\$	-
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
NONE				
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$	-	\$	-
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0

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 Representative Darby, Chair, Subcommittee on Articles VI, VII, and VIII
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Decisions as of 2/18/11 at 10:00 am

LBB Analyst: Christy Havel

Article VIII, Regulatory Racing Commission Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
1. Edit Rider 7 Contingent Appropriation: New Horse Racetrack and Accredited Texas Bred Program to add the Biennial Revenue Estimate amounts. Change \$9,246,234 in fiscal year 2012 to \$8,606,000 in fiscal year 2012 and change \$9,184,388 in fiscal year 2013 to \$8,454,000 in fiscal year 2013.	\$	-	\$	-
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
1. Restoration of General Revenue-Dedicated Funding and authority for 1.0 FTE to restore the assistant to the general counsel.	\$	76,800	\$	76,800
2. Restoration of General Revenue-Dedicated Funding and authority for 1.0 FTE to restore 0.5 FTE licensing technicians at two racetracks.	\$	67,034	\$	67,034
3. Restoration of General Revenue-Dedicated Funding and authority for 3.0 FTEs to restore the onsite auditors to oversee the pari-mutuel wagering at the racetracks.	\$	244,714	\$	244,714

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Article VIII, Regulatory Racing Commission Exceptional Items		Outstanding Items for Consideration		Tentative Workgroup Decisions	
		Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
4.	Restoration of General Revenue-Dedicated Funding and authority for 1.5 FTEs to restore additional information resources staff in the agency's central office.	\$ 170,927	\$ 170,927		
5.	Restoration of General Revenue-Dedicated Funding for computer replacement and software upgrades.	\$ 67,600	\$ 67,600		
6.	Greyhound Live Performances Beyond Base Estimates Rider. Agency requests a contingency rider appropriating additional General Revenue - Dedicated funds to the agency and increasing the staffing levels by 0.8 FTEs contingent on an increase in greyhound live performances. Estimating 10 additional performances.	\$ 121,876	\$ 121,876		
7.	New Contingency Rider Request: Horse Live Race Days Beyond Base Estimates. Agency requests a contingency rider appropriating additional General Revenue-Dedicated funds to the agency and increasing the staffing levels by 1.0 FTE contingent on an increase in horse race days. Estimating 14 additional race days.	\$ 184,644	\$ 184,644		

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LBB Analyst: Christy Havel

		Outstanding Items for Consideration		Tentative Workgroup Decisions	
		Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
Article VIII, Regulatory Racing Commission Exceptional Items		GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
8.	New Rider Request: Live and Simulcast Race Calendar Estimates. Agency requests a new informational rider listing the expected number of live races and simulcast races each year.	\$ -	\$ -		
9.	Edit Rider 7 Contingent Appropriation: New Horse Racetrack and Accredited Texas Bred Program to include reopened horse racetracks. (Item not Included in Summary of Recommendations)	\$ -	\$ -		
<u>Workgroup Rider and Program Revisions and Additions:</u>					
	NONE				
Total, Exceptional Items / Tentative Decisions		\$ 933,595	\$ 933,595	\$ -	\$ -
		FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions		8.3	8.3	0.0	0.0

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LBB Analyst: Nora Velasco

Article VIII, Regulatory Real Estate Commission Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
1. Update the performance measure target for Percent of Licensees Who Renew Online from 85 percent in fiscal year 2013 to 83 percent in fiscal year 2013.	\$ -	\$ -		
2. Update the performance measure target for Percent of New Licenses Issued Online from 77 percent in fiscal year 2013 to 75 percent in fiscal year 2013.	\$ -	\$ -		
3. Update the performance measure target for Number of New Licenses Issued to Individuals from 20,500 in fiscal year 2013 to 20,000 in fiscal year 2013.	\$ -	\$ -		
4. Update the performance measure target for Percentage of New Individual Licenses Issued Within Ten Days from 95 percent each fiscal year to 90 percent each fiscal year.	\$ -	\$ -		
5. Update the performance measure target for Percentage of Individual License Renewals Issued within Seven Days from 97 percent each fiscal year to 95 percent each fiscal year.	\$ -	\$ -		
6. Update the performance measure target for Number of Complaints Resolved from 2,500 each fiscal year to 2,100 each fiscal year.	\$ -	\$ -		

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LBB Analyst: Nora Velasco

Article VIII, Regulatory Real Estate Commission Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Performance Review & Other Budget Recommendations:</u>				
NONE				
<u>Agency Requests:</u>				
NONE				
<u>Workgroup Rider and Program Revisions and Additions:</u>				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0

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LBB Analyst: Clifford Sparks

Article VIII, Regulatory State Securities Board Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
1. Update the performance measure target for the Percentage of Texas Dealers and Investment Advisers inspected from 20% each fiscal year to 10% each fiscal year.	\$ -	\$ -		
2. Update the performance measure target for the Number of Inspections Conducted from 235 each fiscal year to 225 each fiscal year.	\$ -	\$ -		
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
1. Restoration of General Revenue funding in an amount equivalent to information technology expenditures in 2010-11 with capital budget authority. a. Information Technology (\$84,276): 34 Desktops for \$41,922 (17 each fiscal year \$1,233 each) 18 Laptops for \$26,208 (9 each fiscal year, \$1,456 each) 2 Servers for 14,000 (1 each fiscal year, \$7,000 each) 5 Monitors for \$1,195 (\$239 each) 3 Printers for \$951 (\$317 each) b. Other unspecified operating costs (\$95,274)	\$ 179,550	\$ 179,550		

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LBB Analyst: Clifford Sparks

Article VIII, Regulatory State Securities Board Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
2. Increase General Revenue funding and provide 5.0 FTEs each year with a Contingency Appropriation: State Regulatory Response Rider to provide additional funding and positions if additional resources are required to maintain adequate regulation of the industry. a. Salaries and wages \$420,000 5 FTEs (5-Financial Examiner I at \$42,000 each year) b. Other operating expenses for \$190,812 Professional Fees and Services for \$5,000 Consumable Supplies for \$5,500 Utilities for \$6,500 Travel for \$55,662 Rent-Building for \$33,000 Rent-Machine and Other \$3,500 Other Operating Expense for \$70,000 Capital Expenditures for \$11,650	\$ 610,812	\$ 610,812		
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ 790,362	\$ 790,362	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	5.0	5.0	0.0	0.0

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LBB Analyst: Rachel Niven

Article VIII, Regulatory Public Utility Commission Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
1. Update Rider 8: Allocation of System Benefit Account with estimates from the Comptroller's BRE: change the maximum statutory assessment to \$153,858,000 in 2012 and \$155,887,000 in 2013 from \$145,609,908 in 2012 and \$149,068,148 in 2013. Change the estimated balance as of August 31, 2011 to \$623,440,000 from \$729,244,976 and change the estimated interest balance for the biennium to \$19,869,000 from \$21,243,371. Change the estimate of the total account balance available for appropriation for 2012-13 to \$933,185,000 from \$916,056,741.	\$	-	\$	-
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
1. Increase agency FTE cap by 9.3 FTEs from 168.7 in 2012 and 161.3 in 2013 to 178.0 in 2012 and 170.6 in 2013. This item is contingent upon not receiving the funding for items #2-4 below.	\$	-	\$	-

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LBB Analyst: Rachel Niven

	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1		Adopted	
	<u>2012-13 Biennial Total</u>		<u>2012-13 Biennial Total</u>	
Article VIII, Regulatory Public Utility Commission Exceptional Items	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
2. Restoration of General Revenue-Dedicated funding and authority for 8.2 FTEs per year at 2010-2011 funding levels for Electric Market Oversight Contracts and Administration. a. \$288,000 - 2.0 Economist IV at \$72,000 each per year b. \$276,000 - 2.0 Utility Specialist IV at \$69,000 each per year c. \$174,240 - 1.2 Attorney IV at \$72,600 each per year d. \$87,999 - 1.0 Investigator IV at \$43,999 in FY2012 and \$44,000 in FY2013 e. \$276,000 - 2.0 Enforcement Analyst IV at \$69,000 each per year	\$ 1,102,239	\$ 1,102,239		

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Article VIII, Regulatory Public Utility Commission Exceptional Items		Outstanding Items for Consideration		Tentative Workgroup Decisions	
		Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
3.	Restoration of General Revenue funding and authority for 17.6 FTEs per year at 2010-2011 funding levels. The amount requested is for salaries and wages for the following positions: a. \$136,000 - 1.0 Financial Examiner V at \$68,000 b. \$260,000 - 2.0 Economist III at \$65,000 each c. \$140,000 - 1.0 Engineering Specialist IV at \$70,000 d. \$128,000 - 1.0 Utility Specialist III at \$64,000 e. \$260,000 - 2.0 Enforcement Analyst III at \$65,000 each f. \$341,983 - 2.6 Attorney II at \$65,766 each g. \$156,000 - 2.0 Customer Service Representative III at \$39,000 each h. \$136,000 - 1.0 Utility Specialist III at \$68,000 i. \$176,000 - 2.0 Investigator IV at \$44,000 j. \$204,000 - 2.0 Accountant IV at \$51,000 each k. \$119,998 - 1.0 Systems Analyst IV at \$59,999	\$ 2,057,981	\$ 2,057,981		
4.	Restoration of General Revenue-Dedicated funding and authority for 1.1 FTEs per year at 2010-2011 funding levels for Customer Education a. \$101,200 - 1.1 Information Specialist III at \$46,000 each per year	\$ 101,200	\$ 101,200		

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Article VIII, Regulatory Public Utility Commission Exceptional Items		Outstanding Items for Consideration		Tentative Workgroup Decisions	
		Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
5.	Restoration of General Revenue-Dedicated funding for contracted educational outreach services to 2010-2011 levels for Customer Education	\$ 273,800	\$ 273,800		
6.	Restoration of General Revenue-Dedicated funding for the Low-Income Discount Program to 2010-2011 funding levels.	\$ 54,891,682	\$ 54,891,682		
7.	Reclassification of Executive Director position from Group 4 to Group 5 with a salary cap of \$145,000 per year.	\$ -	\$ -		
<u>Workgroup Rider and Program Revisions and Additions:</u>					
	NONE				
Total, Exceptional Items / Tentative Decisions		\$ 58,426,902	\$ 58,426,902	\$ -	\$ -
		FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions		26.9	26.9	0.0	0.0

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LBB Analyst: Rachel Niven

Article VIII, Regulatory Office of Public Utility Counsel Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Technical Adjustments:</u>				
NONE				
<u>Performance Review & Other Budget Recommendations:</u>				
NONE				
<u>Agency Requests:</u>				
NONE				
<u>Workgroup Rider and Program Revisions and Additions:</u>				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0

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LBB Analyst: Rachel Niven

Article VIII, Regulatory Board of Veterinary Medical Examiners Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
NONE				
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
1. Professional Fees and Services - Additional funding to prepare State Office of Administrative Hearings cases	\$ 20,000	\$ 20,000		
2. Travel - Board Member Travel and Enforcement Compliance Inspections	\$ 71,368	\$ 71,368		
3. Increase General Revenue funding and authority for 2.0 FTEs for two investigator positions	\$ 151,842	\$ 151,842		
4. Increase General Revenue funding and authority for 1.0 FTEs for one administrative position	\$ 46,200	\$ 46,200		
5. Increase General Revenue funding for the cost of settling Arnet v. TSBVME	\$ 70,000	\$ 70,000		
6. Increase General Revenue funding for merit increases for all staff	\$ 174,306	\$ 174,306		
7. Increase General Revenue funding for consumables	\$ 2,464	\$ 2,464		
Workgroup Rider and Program Revisions and Additions:				
NONE				

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	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 <u>2012-13 Biennial Total</u>		Adopted <u>2012-13 Biennial Total</u>	
Article VIII, Regulatory Board of Veterinary Medical Examiners Exceptional Items	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Total, Exceptional Items / Tentative Decisions	\$ 536,180	\$ 536,180	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	3.0	3.0	0.0	0.0

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LBB Analyst: Emily Hoffman

Article VIII, Regulatory Special Provisions to Article VIII Exceptional Items	Outstanding Items for Consideration		Tentative Workgroup Decisions	
	Items Not Included in HB 1 2012-13 Biennial Total		Adopted 2012-13 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:				
NONE				
Performance Review & Other Budget Recommendations:				
NONE				
Agency Requests:				
NONE				
Workgroup Rider and Program Revisions and Additions:				
NONE				
Total, Exceptional Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -
	FY 2012	FY 2013	FY 2012	FY 2013
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0