

Rider Comparison Packet

Conference Committee on Senate Bill 1

2014-15 General Appropriations Bill

Article VII - Business and Economic Development

ARTICLE VII - BUSINESS AND ECONOMIC DEVELOPMENT
332 Department of Housing and Community Affairs
DIFFERENCES ONLY

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- 16. Transfer of the Veterans Housing Assistance Program.** Out of funds appropriated above, in Strategy A.1.3, Housing Trust Fund, the Texas Department of Housing and Community Affairs shall establish an Interagency Contract to provide 10 percent, not to exceed \$4,300,110 for the 2014-15 biennium (\$4,200,110 for grants and \$100,000 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.

- 16. Low Income Manufacturing Housing Down Payment Grant Assistance.** Out of funds appropriated above in Strategy A.1.3, Housing Trust Fund, \$250,000 each fiscal year in General Revenue is appropriated to the Department of Housing and Community Affairs to provide down payment grant assistance to eligible low income households purchasing a manufactured home for the purpose of acquiring safe, decent, and sanitary affordable housing.

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14. Contingent Revenue. Out of the amounts appropriated above in Goal B, Enforce Bingo Laws, \$3,983,744 in fiscal year 2015 and amounts appropriated in fiscal year 2015 in Rider 8, Local Bingo Prize Fees, Rider 15, Appropriation to Reimburse the Lottery Dedicated Fund for the Cost of Bingo Indirect Costs, and Rider 16, Bingo Third Party Reimbursements, are contingent upon to the Texas Lottery Commission assessing or increasing fees sufficient to generate, during the 2014-15 biennium, \$2,813,912 in excess of \$5,913,000 (Object Code 3152), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2014 and 2015. Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above includes 47.0 FTEs in fiscal year 2015 contingent upon the Texas Lottery Commission generating the amount of revenue indicated above. The Texas Lottery Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas Lottery Commission's minutes and other information supporting the estimated revenues to be generated for the 2014-15 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. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of \$2,474,876 and other direct and indirect costs (estimated to be \$339,036 for the 2014-15 biennium).

15. Appropriation to Reimburse the Lottery Dedicated Fund for the Cost of Bingo Indirect Costs. In addition to the amounts appropriated above in Goal B, Enforce Bingo Laws, the Texas Lottery Commission is appropriated \$1,500,000 in fiscal year 2014 and \$1,500,000 in fiscal year 2015 in General Revenue funds to reimburse the General Revenue-Dedicated Lottery Account for the cost of indirect support provided to the Bingo program. The Texas Lottery Commission shall deposit the General Revenue Funds appropriated in this rider to the credit of the General Revenue-Dedicated Lottery Account at the beginning of each fiscal year.

14. Contingent Revenue. Out of the amounts appropriated above to the Lottery Commission in Strategy B.1.3, Bingo Law Compliance Field Operations, the amount of \$612,438 in 2014 and \$612,438 in 2015 in General Revenue are contingent upon the Lottery Commission assessing or increasing fees sufficient to generate, during the 2014-15 biennium, \$1,563,912 in excess of \$5,913,000 (Object Code 3152), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2014 and 2015. Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above includes 14.0 FTEs in each fiscal year contingent upon the Lottery Commission generating the amount of revenue indicated above. 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 2014-15 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. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of \$1,224,876 and other direct and indirect costs (estimated to be \$339,036 for the 2014-15 biennium).

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- 16. Bingo Third Party Reimbursements.** In addition to the amounts appropriated above in Goal B, Enforce Bingo Laws, the Texas Lottery Commission is appropriated out of the General Revenue Fund, third party reimbursements (estimated to be \$60,000 in fiscal year 2014 and \$60,000 in fiscal year 2015) collected by the Bingo division in accordance with Texas Occupations Code Section 2001.205(b), 2001.209(b), 2001.437(e), and 2001.560(d).

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608 Department of Motor Vehicles
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Senate

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- 6. Funding for Signs at Regional Office Buildings.** Out of funds appropriated above to the Department of Motor Vehicles in Strategy A.1.1, Titles, Registrations, and Plates, the amount of \$50,000 shall be used to purchase new signs for the exterior of the Department of Motor Vehicles' regional office buildings.

- 6. TexasSure Reimbursement.** Out of the amounts appropriated above in Strategy A.1.1, Titles, Registrations, and Plates, from State Highway Fund No. 006, the Department of Motor Vehicles shall establish an Interagency Contract to transfer \$4,995,930 in fiscal year 2014 and \$5,151,575 in fiscal year 2015 from fees collected pursuant to Transportation Code § 502.1715 to the Department of Insurance for the purpose of on-going maintenance of the TexasSure Motor Vehicle Responsibility Verification program.

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- 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", "Transportation Items", and "Acquisition of Capital Equipment and Items" may be used to lease rather than purchase such capital budget items, 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. The report shall identify any changes to the amounts budgeted for items listed below, including but not limited to appropriations transfers into or out of each item, actual or anticipated lapses of capital budget appropriations, expenditures for additional capital budget items not listed below, and any unexpended balances of capital budget appropriations for fiscal year 2014 that are not lapsed and are appropriated in fiscal year 2015 pursuant to Article IX, Sec. 14.03, of this Act.

3. Transfer Authority.

- a. Subject to the prior written approval of the Legislative Budget Board, 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, and C.1.3, Contracted Routine Maintenance. In addition, subject to the prior written approval of the Legislative Budget Board, appropriations may be transferred in any

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- 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. Capital budgeted funds listed below under "Acquisition of Information Resource Technologies", "Transportation Items", and "Acquisition of Capital Equipment and Items" may be used to lease rather than purchase such capital budget items, 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. The report shall identify any changes to the amounts budgeted for items listed below, including but not limited to appropriations transfers into or out of each item, actual or anticipated lapses of capital budget appropriations, expenditures for additional capital budget items not listed below, and any unexpended balances of capital budget appropriations for fiscal year 2014 that are not lapsed and are appropriated in fiscal year 2015 pursuant to Article IX, Sec. 14.03, of this Act.

3. Transfer Authority.

- a. Pursuant to the appropriation transfer provisions in Article IX, Sec. 14.01, of this Act, 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, and C.1.3, Contracted Routine Maintenance. In addition, subject to Article IX, Sec. 14.01, of this Act, appropriations may be transferred among Strategies

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amount among 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, and C.1.3, Contracted Routine Maintenance.

- b. No appropriations may be transferred into, among, or out of the strategies identified in subsection (a) of this rider unless the Department of Transportation submits a request to the Legislative Budget Board, in a format prescribed by the Legislative Budget Board, that provides information regarding the purposes and the projected impact of the transfers on transportation projects and future appropriation needs; and the Legislative Budget Board issues written approval. The request shall be considered to be approved unless the Legislative Budget Board 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 to transfer appropriations 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.

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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, and B.1.3, Construction Grants & Services. No appropriations may be transferred out of any Strategy identified in this subsection to any strategy not identified in this subsection without prior authorization from the Legislative Budget Board.

- b. Notwithstanding subsection (a), and with the exception of transfers among Strategies C.1.1, Existing Maintenance Contracts, C.1.2, New Maintenance Contracts, or C.1.3, Contracted Routine Maintenance, no more than five percent of the amount appropriated for a fiscal year in C.1.1, Existing Maintenance Contracts, C.1.2, New Maintenance Contracts, or C.1.3, Contracted Routine Maintenance, may be transferred to another Strategy identified in subsection (a) without prior authorization from the Legislative Budget Board.
- c. Subject to Article IX, Sec. 14.01, of this Act, appropriations may be transferred among Strategies in Goal F, Indirect Administration. Except for transfers among strategies within Goal F, Indirect Administration, no appropriations may be transferred from any Strategy into Strategies in Goal F, Indirect Administration, without prior authorization from the Legislative Budget Board.
- d. The Department of Transportation may submit to the Legislative Budget Board a request to exceed the appropriation transfer limitations specified by this rider, in a format prescribed by the Legislative Budget Board, that provides information regarding the purposes and the projected impact of the transfers on transportation projects and future appropriation needs. A request submitted under this provision shall be considered to be approved unless the Legislative Budget Board 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 to transfer appropriations 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. Additional information requested by the Legislative Budget Board regarding a request submitted by the Department of Transportation

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pursuant to this rider shall be provided in a timely manner. Notwithstanding any provision to the contrary in this subsection, the Legislative Budget Board is authorized to suspend the approval of a request at any time pending the receipt of additional information requested of the Department of Transportation.

17. Bond Programs. The Department of Transportation:

17. 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

- 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;
 - (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; and
 - (4) in addition to the estimated amounts of Texas Mobility Fund Bond Proceeds listed above, any proceeds of additional bonds issued by the Texas Transportation

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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.

Commission in a fiscal year or biennium that are in compliance with a Comptroller's certification as defined in Chapter 201, Subchapter M, Transportation Code.

- 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.
- e. in accordance with Section 49-p of Article III of the Texas Constitution and State law, the Department is hereby appropriated, and in compliance with the bond resolutions authorized to transfer, during each year of the biennium the funds out of the General Revenue Fund as may be necessary to make payments when due on any bonds, notes, other obligations or credit agreements issued or entered into by the Commission. Prior to the expenditure of funds appropriated out of the General Revenue Fund, the Department shall utilize any balances available in interest and sinking funds for such purpose. The Department is also hereby appropriated all amounts available in such interest and sinking funds, including any unexpended balances in these funds, for making payments when due on any such bonds, notes, other obligations or credit agreements.

- 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.
- e. in accordance with Section 49-p of Article III of the Texas Constitution and State law, the Department is hereby appropriated, and in compliance with the bond resolutions authorized to transfer, during each year of the biennium the funds out of the General Revenue Fund as may be necessary to make payments when due on any bonds, notes, other obligations or credit agreements issued or entered into by the Commission. Prior to the expenditure of funds appropriated out of the General Revenue Fund, the Department

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shall utilize any balances available in interest and sinking funds for such purpose. The Department is also hereby appropriated all amounts available in such interest and sinking funds, including any unexpended balances in these funds, for making payments when due on any such bonds, notes, other obligations or credit agreements.

- f. in accordance with Section 49-o of Article III of the Texas Constitution and Section 201.973 of Chapter 201, Transportation Code, the department is authorized to pay debt service payments for notes issued or money borrowed on funds contained in the Texas Rail Relocation and Improvement Fund No. 0306 from money in that fund.

- 22. Comprehensive Development Agreements.** The Department of Transportation may not expend any funds appropriated by this Act to enter into a comprehensive development agreement or any agreement granting a private entity the right to finance, operate, and/or collect revenue from a toll project, 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.

- 22. Comprehensive Development Agreements.**
- a. The Department of Transportation may not expend any funds appropriated by this Act to enter into a comprehensive development agreement or any agreement granting a private entity the right to finance, operate, and/or collect revenue from a toll project, unless 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 the Legislative Budget Board issues a written approval.
 - b. The staff of the Legislative Budget Board shall conclude its review of a request submitted by the Department of Transportation pursuant to subsection (a) and forward its review of the request to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor no later than 30 days from the date the request is received by Legislative Budget Board staff. A request submitted by the Department of Transportation pursuant to subsection (a) shall be considered to be approved unless the Legislative Budget Board issues a written disapproval within 45 days of the date the request is received by Legislative Budget Board staff.

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- c. Additional information requested by the Legislative Budget Board regarding a request submitted by the Department of Transportation pursuant to subsection (a) shall be provided in a timely manner. Notwithstanding subsection (b), the Legislative Budget Board is authorized to suspend the approval of a request at any time pending the receipt of additional information requested of the Department of Transportation.

23. Limitation on Expenditures for Contracts.

23. 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.

- 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.

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- 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.

27. 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 to carry out the functions of the department, specifically including implementing Chapter 91, Transportation Code. The Department of Transportation may spend no more than \$500,000 in

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- 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.
- c. The staff of the Legislative Budget Board shall conclude its review of a request submitted by the Department of Transportation pursuant to subsection (b) and forward its review of the request to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor no later than 30 days from the date the request is received by Legislative Budget Board staff. A request submitted by the Department of Transportation pursuant to subsection (b) shall be considered to be approved unless the Legislative Budget Board issues a written disapproval within 45 days of the date the request is received by Legislative Budget Board staff.
- d. Additional information requested by the Legislative Budget Board regarding a request submitted by the Department of Transportation pursuant to subsection (b) shall be provided in a timely manner. Notwithstanding subsection (c), the Legislative Budget Board is authorized to suspend the approval of a request at any time pending the receipt of additional information requested of the Department of Transportation.

27. 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 to carry out the functions of the department, specifically including implementing Chapter 91, Transportation Code. The Department of Transportation may spend no more than \$500,000 in

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a fiscal year for implementing Chapter 91, Transportation Code, from funds appropriated by this rider.

- 35. Federal Funding for the Texas Rail Plan.** The Department of Transportation shall make it a top priority to seek, obtain, maximize, and expend federal funding for rail and other related multi-modal transportation funding, including rail relocation and improvement funds from the Federal Highway Administration, Federal Railroad Administration, and Federal Transit Administration. Contingent upon the availability and receipt of federal rail and other related federal multi-modal funds to the State, such federal funds are appropriated to the Texas rail relocation and improvement fund for implementation of the Texas Rail Plan. To the extent that such federal funding is identified, but requires the matching by or commitment of state dollars, an amount not to exceed \$50 million is allocated, for fiscal years 2014 and 2015, to the Texas rail relocation and improvement fund for such purpose from any amounts appropriated above to the Texas Department of Transportation that are not constitutionally dedicated for some other purpose. No amount of appropriations made to the Department of Transportation out of state funds may be allocated to the Texas rail relocation and improvement fund pursuant to the provisions of this rider unless the Department of Transportation submits a request to the Governor and the Legislative Budget Board that identifies the source of funds and items of appropriation from which the funds would be allocated and the Governor and the Legislative Budget Board issue written approval for the allocation.
- 39. Additional Appropriations Made for New Construction and New Maintenance.** Any funds appropriated above to the Department of Transportation in Strategy B.1.2, New Construction Contracts, in excess of \$1,227,237,786 or in Strategy C.1.2, New Maintenance Contracts, in excess of \$2,232,031,621 for the 2014-15 biennium shall be used to fund projects that will relieve congestion, enhance bridge and roadway safety, and connect the state's population centers, specifically as follows:

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a fiscal year for passenger rail projects authorized under the provisions of Chapter 91, Transportation Code, from funds appropriated by this rider.

- 35. Federal Funding for the Texas Rail Plan.** The Department of Transportation shall make it a top priority to seek, obtain, maximize, and expend federal funding for rail and other related multi-modal transportation funding, including rail relocation and improvement funds from the Federal Highway Administration, Federal Railroad Administration, and Federal Transit Administration. Contingent upon the availability and receipt of federal rail and other related federal multi-modal funds to the State, such federal funds are appropriated to the Department of Transportation.

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- a. to acquire right of way, conduct feasibility studies and project planning, and outsource engineering work for the most congested roadway segments in each of the four most congested regions of the state that are included in the 50 most congested roads in the state as listed on the State's Top 100 Most Congested Roadways list as of January 1, 2013, using the formula used to allocate funds among the Transportation Management Areas in Category 2, Metropolitan and Urban Area Corridor Projects, in the department's Unified Transportation Program;
- b. to develop and construct the necessary bridge elements as determined by the Texas Transportation Commission;
- c. to fund metropolitan and urban mobility projects, using the formula used to allocate funds in Category 2, Metropolitan and Urban Area Corridor Projects, in the department's Unified Transportation Program;
- d. to fund statewide connectivity projects selected by the Texas Transportation Commission;
and
- e. to fund rehabilitation and safety projects using the formula used to allocate funds in Category 1, Preventive Maintenance and Rehabilitation, in the department's Unified Transportation Program.

- 41. **Contingency for Travel Information Center Appropriations.** Contingent upon the enactment of legislation authorizing an alternative method of funding for the cost of operating Travel Information Centers or authorizing Travel Information Centers to be operated by an entity other than the Department of Transportation, State Highway Fund appropriations to Strategy D.3.1, Travel Information, are reduced by \$3.5 million in fiscal year 2015 and, if the effective date of the legislation is on or before September 1, 2013, by \$3.5 million in fiscal year 2014. Contingent upon the enactment of legislation authorizing Travel Information Centers to

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be operated by an entity other than the Department of Transportation, the "Number of Full-Time Equivalents (FTE)" figure above is reduced by 58.0 FTEs in fiscal year 2015.

42. Allocation for Emergency and First Responder Airport Facilities. Out of amounts appropriated above to the Department of Transportation, an amount not to exceed \$5 million out of any available funding source for the 2014-15 biennium may be used to assist in airport runway expansion for airport facilities used by the Department of Public Safety for emergency and first responders, including facilities where Department of Public Safety aircraft are used for staging and storage purposes.

42. Debt Reduction Report. It is the intent of the Legislature that the Texas Transportation Commission and the Department of Transportation look for any and all opportunities for savings that may be accomplished for the department and the state from efforts to refinance, restructure, defease, or obtain refunds of the outstanding bond indebtedness issued for its transportation programs under terms and conditions that the commission finds to be in the best interest of the state. The department shall report to the Governor, Lieutenant Governor, Speaker of the House, and the Legislature annually on the outcomes of these efforts with the first report due on or before August 31, 2014.

43. Study on Transportation Technology. Out of the funds appropriated above, the Department of Transportation, as it determines appropriate and feasible, shall examine and evaluate innovative transportation technologies for purposes of cost savings, reducing traffic congestion, promoting safety, and increasing economic productivity.

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26. Professional Development Partnerships for Early Childhood Education. Out of federal Child Care Development Funds (CCDF) appropriated above, the Texas Workforce Commission shall transfer via interagency contract \$1,000,000 in fiscal year 2014 and \$1,000,000 in fiscal year 2015 to the Texas Education Agency to fund the management of early childhood education partnerships 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.

26. Professional Development Partnerships for Early Childhood Education. Child Care Development Funds (CCDF) appropriated above, the Texas Workforce Commission may transfer via interagency contract not more than \$150,000 in fiscal year 2014 and not more than \$150,000 in fiscal year 2015 to the Texas Education Agency to fund the management of early childhood education partnerships 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.

30. Professional Development for Early Childhood Education. Out of federal Child Care Development Funds (CCDF) appropriated above, the Texas Workforce Commission shall dedicate \$850,000 in fiscal year 2014 and \$850,000 in fiscal year 2015 for programs that encourage increased participation in continuing professional development for early childhood professionals. Funding may be used to fund teacher training programs, programs that lead to a national credential in early childhood education, or work-study programs in child care. Funding may also be used for pilot programs that utilize tools for individualized instruction coupled with professional development components that support ongoing learning for teachers.