

Issue Docket

Conference Committee on House Bill 1

2016-17 General Appropriations Bill

Article VI - Natural Resources

ARTICLE VI - NATURAL RESOURCES
ISSUE DOCKET
Conference Committee on General Appropriations Bill

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
<u>551 DEPARTMENT OF AGRICULTURE</u>						
	VI-1		VI-1			
Number of Full-Time-Equivalents (FTEs)	685.0	685.0	687.0	687.0		See Strategy B.1.3, Agricultural Commodity Regulation, below
A.1.3, INTEGRATED PEST MANAGEMENT	\$ 9,440,116	\$ 9,585,044	\$ 9,460,852	\$ 9,605,781	\$ 41,473	Senate provides new fee-generated General Revenue for plant health and organic cost recovery programs.
A.1.4, CERTIFY PRODUCE	\$ 169,726	\$ 169,858	\$ 183,664	\$ 183,796	\$ 27,876	Senate provides new fee-generated General Revenue for the Texas Cooperative Inspection cost recovery program.
B.1.3, AGRICULTURAL COMMODITY REGULATION	\$ 1,302,621	\$ 1,301,108	\$ 1,481,592	\$ 1,480,079	\$ 357,942	Senate provides General Revenue and 2.0 FTEs for a new fraud investigations team.
D.2.1, NUTRITION ASSISTANCE	\$ 407,432,706	\$ 404,432,884	\$ 409,232,706	\$ 403,232,884	\$ 600,000	House provides \$1,900,000 in General Revenue for the following: a. \$1,400,000 for the Brighter Bites program

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
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						b. \$500,000 for the Home Delivered Meals Grant program (see also Rider #29)
						Senate provides \$2,500,000 for the Surplus Agricultural Product Grant program.
E.1.1, RESEARCH AND DEVELOPMENT	\$ 806,400	\$ -	\$ 884,192	\$ -	\$ 77,792	Senate provides General Revenue for research programs intended to increase production of specific agricultural commodities.
F.1.2, RURAL HEALTH	\$ 4,863,092	\$ 4,874,368	\$ 4,966,477	\$ 4,977,752	\$ 206,769	Senate provides General Revenue for rural health programs.
Capital Budget	VI-4, Rider #2 Rider Packet, page VI-1		VI-4, Rider #2 Rider Packet, page VI-1			House provides transferability of capital budget appropriations subject to Article IX provisions.
						Senate provides unlimited transferability up to an aggregate total of 125 percent of capital budget appropriations.
Unexpended Balances Within the Biennium			VI-5, Rider #6 Rider Packet, page VI-1			Senate provides unexpended balance authority within the biennium.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
Food and Nutrition Programs	VI-6, Rider #8 Rider Packet, page VI-1		VI-6, Rider #9 Rider Packet, page VI-1			Senate provides a rider that clarifies that funding in Strategy D.1.1, Support Nutrition Programs, includes not only administration appropriations but also appropriations for the Fresh Fruit and Vegetable Program. Also, Senate version includes an incremental increase of \$700,000 in federal funds to reflect a Schedule Optimization Software capital budget item.
Equine Incentive Program	VI-6, Rider #14 Rider Packet, page VI-2		VI-6, Rider #15 Rider Packet, page VI-2			Senate provides unexpended balance authority within the biennium.
Zebra Chip Research	VI-7, Rider #16 Rider Packet, page VI-2		VI-7, Rider #17 Rider Packet, page VI-2			Senate provides unexpended balance authority within the biennium.
Appropriation: Home Delivered Meals Grant Program	VI-10, Rider #29 Rider Packet, page VI-2					House includes a rider to designate appropriations for the Home Delivered Meals Grant program.
See also Article XI	See also Article XI, House page XI-18		See also Article XI, Senate page XI-13			
	:		:			

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
<u>554 ANIMAL HEALTH COMMISSION</u>						
	VI-10		VI-10			
Number of Full-Time-Equivalents (FTEs)	171.0	171.0	183.2	184.2		See Strategy A.1.1, Field Operations, below.
Schedule of Exempt Positions	136,904	136,904	123,624	123,624		House provides \$13,280 in additional authority for the Executive Director salary.
A.1.1, FIELD OPERATIONS	\$ 8,508,042	\$ 8,524,899	\$ 10,065,267	\$ 9,252,624	\$ 2,284,950	Senate provides a net of an additional \$2,284,950 for the following items: a. \$1,671,737 in General Revenue and 12.2 FTE positions to establish an additional regional office in the border region to improve response to cattle fever tick and other disease issues. b. \$619,853 in General Revenue to replace 25 vehicles exceeding 130,000 miles
Unexpended Balances Within the Biennium			VI-12, Rider #3 Rider Packet, page VI-3			Senate includes a rider appropriating unexpended and unobligated balances from fiscal year 2016 to fiscal year 2017 for the same purposes.
See also Article XI	See also Article, House page XI-19		See also Article, Senate page XI-9			

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
<u>582 COMMISSION ON ENVIRONMENTAL QUALITY</u>		VI-13		VI-13		
Cross-Strategy Issue No. 1-- Targeted Salary Increase						Senate provides \$2,000,000 from General Revenue and several General Revenue-Dedicated accounts to increase pay levels for various specialized employees including accountants, attorneys, auditors, chemists, contract specialists, electronic technicians, engineers, engineering specialists, geoscientists, hydrologists, planners, systems analysts, and administrators.
Cross-Strategy Issue No. 2-- Water Operational Funding						Senate provides \$919,066 in General Revenue and 5.0 FTEs for water programs to conduct additional water availability modeling, water rights permit processing, and technical support and analysis relating to the drought.
Number of Full-Time-Equivalents (FTEs)	2,767.2	2,767.2	2,764.2	2,764.2		See Strategy A.1.1, Air Quality Assessment and Planning; Strategy A.2.2, Water Quality Permitting; and Strategy B.1.1, Safe Drinking Water below.

Agency/Item	House		Senate		Biennial Difference	Explanation
	2016	2017	2016	2017		
Schedule of Exempt Positions	205,556	205,556	175,944	175,944		House provides \$29,612 in additional authority for the Executive Director salary.
A.1.1, AIR QUALITY ASSESSMENT AND PLANNING (Excluding LIRAP and TERP)	\$ 43,535,845	\$ 35,722,007	\$ 44,428,330	\$ 34,179,992	\$ 649,530	House provides \$3,124,030 out of the General Revenue-Dedicated Operating Permit Fee Account No. 5094 and 8.0 FTEs for air monitoring to respond to new standards for sulfur dioxide emissions promulgated by the U.S. Environmental Protection Agency. Senate provides: a. \$2,074,500 out of the General Revenue-Dedicated Clean Air Account No. 151 for air quality planning in near-nonattainment areas (see also Senate Rider #7). b. See Cross-Strategy Issue No. 1-- Senate adds \$400,000.
LIRAP (Including Article IX appropriations)	\$ 48,296,728	\$ 48,296,728	\$ 48,296,728	\$ 48,296,728	\$0	Senate provides an increase of \$81,263,000 out of the General Revenue-Dedicated Clean Air Account No. 151 for the Air Check Texas / Low-Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP) and Local Initiatives Projects (see also Senate Rider #23). House provides equal funding in Article IX, Section 18.06(a).

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
TERP (Including Article IX Appropriations)	\$ 118,124,884	\$ 118,138,163	\$ 118,124,884	\$ 118,138,163	\$0	Senate provides an increase of \$80,984,000 out of the of General Revenue-Dedicated Texas Emissions Reduction Plan (TERP) Account No. 5071 for TERP grants and administration (see also Senate Rider #24). House provides equal funding in Article IX, Sec. 18.06(a).
A.1.2, WATER ASSESSMENT AND PLANNING	\$ 27,544,319	\$ 26,884,398	\$ 27,809,581	\$ 27,149,660	\$ 530,524	Senate provides: a. See Cross-Strategy Issue No. 1-- \$200,000. b. See Cross-Strategy Issue No. 2-- \$330,524.
A.2.1, AIR QUALITY PERMITTING	\$ 14,836,932	\$ 14,836,963	\$ 15,006,932	\$ 15,006,963	\$ 340,000	See Cross-Strategy Issue No. 1.
A.2.2, WATER RESOURCE PERMITTING	\$ 15,517,656	\$ 15,023,825	\$ 15,397,490	\$ 14,892,659	\$ 251,332	Senate provides: a. See Cross-Strategy Issue No. 1-- \$100,000. b. See Cross Strategy Issue No. 2-- \$151,332 and 3.0 FTEs.
A.2.3, WASTE MANAGEMENT AND PERMITTING	\$ 9,515,066	\$ 9,550,145	\$ 9,605,066	\$ 9,640,145	\$ 180,000	See Cross-Strategy Issue No. 1.
B.1.1, SAFE DRINKING WATER	\$ 13,495,174	\$ 12,594,964	\$ 13,948,211	\$ 13,001,801	\$ 859,874	Senate provides: a. See Cross-Strategy Issue No. 1--\$100,000.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
C.1.1, FIELD INSPECTIONS & COMPLAINTS	\$ 45,800,391	\$ 44,804,883	\$ 45,265,301	\$ 44,924,883	\$ 415,090	<p>b. See Cross-Strategy Issue No. 2--\$759,874 and 2.0 FTEs.</p> <p>House provides \$655,090 from several General Revenue accounts for the purchase of Optical Gas Imaging Cameras to enable the agency to detect emissions that would otherwise go undetected.</p> <p>Senate provides:</p> <p>a. See Cross-Strategy Issue No. 1--\$60,000.</p> <p>b. See Cross-Strategy Issue No. 2--\$180,000.</p>
C.1.2, ENFORCEMENT & COMPLIANCE SUPPORT	\$ 12,788,461	\$ 12,788,461	\$ 12,858,461	\$ 12,858,461	\$ 140,000	See Cross-Strategy Issue No. 1.
D.1.1, STORAGE TANK ADMIN & CLEANUP	\$ 19,667,227	\$ 19,630,171	\$ 19,737,227	\$ 19,700,171	\$ 140,000	See Cross-Strategy Issue No. 1.
D.1.2, HAZARDOUS MATERIALS CLEANUP	\$ 21,843,469	\$ 21,934,559	\$ 21,943,469	\$ 22,034,559	\$ 200,000	See Cross-Strategy Issue No. 1.
F.1.1, CENTRAL ADMINISTRATION	\$ 18,569,354	\$ 18,569,354	\$ 18,639,354	\$ 18,639,354	\$ 140,000	See Cross-Strategy Issue No. 1.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
Appropriation: Air Quality Planning	VI-18, Rider #7 Rider Packet, page VI-4		VI-18, Rider #7 Rider Packet, page VI-4			Senate version adds the Killeen-Temple area as an eligible recipient of funding for air quality planning activities in areas near nonattainment for air quality standards. Senate version also requires that the agency allocate \$350,000 to each area, and that remaining funds be allocated to each area based on population in excess of 350,000.
Unexpended Balances within the Biennium			VI-20, Rider #18 Rider Packet, page VI-4			Senate includes rider providing unexpended balance authority within the biennium for unobligated and unexpended balances remaining as of August 31, 2016 to be used in fiscal year 2017.
Barnett Shale Permit By Rule Study	VI-22 , Rider #25 Rider Packet, page VI-4					House includes rider prohibiting the agency from expending funds to implement a rule extending the Barnett Shale Permit By Rule provisions to areas outside those counties affected by the rule until after August 31, 2017 and until the agency completes a study on the economic impact of extending the rule.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
Appropriation: Expedited Processing of Permit Applications	VI-23 , Rider #29 Rider Packet, page VI-5					House includes rider providing that \$525,000 out of the Clean Air Account No. 151 is for contract labor, overtime and compensatory pay, or other costs incurred to support the expedited permit process. The rider also provides authority to the agency to compensate employees who work in excess of their regularly scheduled hours at a rate twice their normal hourly rate. In addition, the rider exempts the agency from Article IX FTE limitations for expedited permit process contract workers.
See also Article XI	See also Article XI, House, page XI-19		See also Article XI, Senate page XI-9			

Agency/Item	House		Senate		Biennial Difference	Explanation
	2016	2017	2016	2017		
<u>305 GENERAL LAND OFFICE AND VETERANS' LAND BOARD</u>						
Cross-Strategy Issue – Interagency Contract with the Texas Parks and Wildlife Department for Coastal Erosion Projects.	VI-23		VI-23			House Technical Correction includes \$132,912 in General Revenue-Dedicated Coastal Protection Account No. 27 and \$18,316 in General Revenue-Dedicated Coastal Public Lands Account No. 450 (\$151, 228 in All Funds), offset by a corresponding amount in Interagency Contracts (IAC), relating to the IAC between the Texas Parks and Wildlife Department and GLO to manage coastal erosion projects. GLO included an incremental increase in IAC amounts in its baseline request.
Number of Full-Time- Equivalents (FTEs)	658.2	658.2	649.2	649.2		The increases are in Strategy A.1.4, Coastal and Uplands Leasing (\$18,316), Strategy B.1.1, Coastal Management (\$80,590); and Strategy B.1.2, Coastal Erosion Control Grants (\$52,322). Senate includes these amounts in IAC funds. See Strategy D.1.1, Rebuild Housing, below.

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	2016	2017	2016	2017		
A.1.4, COASTAL AND UPLANDS LEASING	\$ 4,259,400	\$ 4,208,168	\$ 4,352,901	\$ 4,236,093	\$ 121,426	a. See Cross-Strategy Issue. b. Senate provides \$121,426 from the Permanent School Fund No. 44 for the agency's preferred threshold for vehicle replacement when a vehicle's mileage reaches 100,000.
B.1.1, COASTAL MANAGEMENT	\$ 12,681,629	\$ 3,775,300	\$ 12,681,629	\$ 3,775,300	\$ -	See Cross-Strategy Issue.
B.1.2, COASTAL EROSION CONTROL GRANTS	\$ 21,554,485	\$ 11,646,220	\$ 15,754,002	\$ 11,646,220	\$ 5,800,483	a. House provides \$4,464,352 from General Revenue and \$1,336,131 from Interagency Contracts for the closure of Rollover Pass on the Bolivar Peninsula. (See House Rider #19.) Senate directs the agency to spend \$1,336,131 out of funds appropriated from Interagency Contract between the Texas Parks and Wildlife Department and GLO to manage coastal erosion projects. (See Senate Rider #21.)
B.2.1, OIL SPILL RESPONSE	\$ 5,118,459	\$ 4,877,562	\$ 5,309,959	\$ 5,029,062	\$ 343,000	b. See Cross-Strategy Issue. Senate provides General Revenue-Dedicated Coastal Protection Account No. 27 funding for the agency's preferred threshold for vehicle replacements when a vehicle's mileage reaches 100,000.

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	2016	2017	2016	2017		
C.1.1, VETERANS' LOAN PROGRAMS	\$ 12,307,799	\$ 12,303,872	\$ 12,307,799	\$ 12,316,622	\$ 12,750	Senate provides Veterans Land Program No. 522 (Other Funds) funding for the agency's preferred threshold for vehicle replacements when a vehicle's mileage reaches 100,000.
D.1.1, REBUILD HOUSING	\$ 226,888,672	\$ 65,118,627	\$ 227,242,518	\$ 65,472,473	\$ 707,692	Senate provides General Revenue to retain 4.0 FTEs contingent upon notification that federal funds for disaster recovery have been depleted. Nine FTEs that were not retained were reduced from the FTE cap. (House retained 13.0 FTEs with no funding.)
Capital Budget	VI-26, Rider #2 Rider Packet, page VI-6		VI-25, Rider #2 Rider Packet, page VI-6			House provides transferability of capital budget appropriations subject to Article IX provisions.
Transfer Authority			VI-26, Rider #5 Rider Packet, page VI-6			Senate provides unlimited transferability up to an aggregate total of 125 percent of capital budget appropriations.
Unexpended Balances Within the Biennium			VI-27, Rider #7 Rider Packet, page VI-6			Senate provides unlimited transferability of appropriations between strategies.
						Senate provides unexpended balance authority within the biennium.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
Closure of Rollover Pass / Closure of a Man-Made Pass	VI-29, Rider #19 Rider Packet, page VI-6		VI-28, Rider #21 Rider Packet, page VI-6			House provides a rider requiring \$4,464,352 from General Revenue and \$1,336,131 from Interagency Contracts in Strategy B.1.2, Coastal Erosion Control Grants to be used for the closure of Rollover Pass on the Bolivar Peninsula.
Contingency Appropriation for Disaster Recovery Program			VI-28, Rider #22 Rider Packet, page VI-6			Senate provides a rider requiring \$1,336,131 from Interagency Contracts in Strategy B.1.2, Coastal Erosion Control Grants, to be used to complete the closure or modification of a man-made pass.
See also Article XI	See also Article XI, House page XI-19		See also Article XI, Senate page XI-10			See Senate funding in Strategy D.1.1, Rebuild Housing.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
<u>535 LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT COMMISSION</u>		VI-29		VI-29		
No Issues						

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
<u>802 PARKS AND WILDLIFE DEPARTMENT</u>		VI-30		VI-30		
Cross-Strategy Issue - Allocation of all available Sporting Goods Sales (SGST) Tax revenue						<p>House provides \$47,661,222 contingent upon the enactment of HB 300 or similar legislation removing the statutory allocations to four General Revenue-Dedicated accounts, including:</p> <ul style="list-style-type: none"> a. \$24,000,000 from the SGST transfer to the State Parks Account No. 64. b. \$8,432,374 from the SGST transfer to the Texas Recreation and Parks Account No. 467. c. \$5,621,582 from the SGST transfer to the Large County and Municipality Recreation and Parks Account No. 5150. d. \$9,607,266 from the SGST transfer to the Conservation and Capital Account No. 5004. <p>Senate provides \$47,661,222 in direct appropriations, including:</p>

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	2016	2017	2016	2017		
						a. \$28,614,170 from the SGST transfer to the Texas Recreation and Parks Account No. 467. b. \$19,047,052 from the SGST transfer to the Large County and Municipality Recreation and Parks Account No. 5150. (See also Parks and Wildlife Sporting Goods Sales Tax Comparison on Page 27)
Number of Full-Time-Equivalents (FTEs)	3,120.2	3,120.2	3,160.2	3,160.2		See strategies A.2.3, Coastal Fisheries Management; B.1.1, State Park Operations; and C.1.1, Enforcement Programs, below.
Schedule of Exempt Positions	195,749	195,749	180,000	180,000		House provides \$15,749 each year in additional authority for the Executive Director's salary to align with 90 percent of market average as determined by the State Auditor's Office. House did not provide additional appropriations for this purpose.
Appropriations Made in Riders:						
Sporting Goods Sales Tax Contingency	\$ 23,431,110	\$ 24,230,112	\$ -	\$ -	\$ 47,661,222	See Cross-Strategy Issue and Strategy B.2.1.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
Revenue Collections Above the Comptroller's Biennial Revenue Estimate for Aquatic Invasive Species and State Park Maintenance	\$ -	\$ -	\$ 4,500,000	\$ 4,500,000	\$ 9,000,000	Senate includes Rider #27 appropriating revenue collected in excess of the Biennial Revenue Estimate to the Game, Fish, and Water Safety Account No. 9 in an amount not to exceed \$2,500,000 each fiscal year to be used for aquatic invasive species management and to the State Parks Account No. 64 in an amount not to exceed \$2,000,000 each year for state park maintenance projects.
A.1.1, WILDLIFE CONSERVATION	\$ 22,042,499	\$ 22,028,692	\$ 21,516,720	\$ 21,502,913	\$ 1,051,558	House provides Game, Fish, and Water Safety Account No. 9 funding for Interagency Contracts with Texas A&M AgriLife Extension Services for Northern Bobwhite Quail research. See also Rider #37.
A.2.1, INLAND FISHERIES MANAGEMENT	\$ 13,252,829	\$ 13,101,829	\$ 13,771,729	\$ 13,504,729	\$ 921,800	House provides \$3,967,000 in All Funds for: <ul style="list-style-type: none"> a. \$367,000 from the Game, Fish, and Water Safety Account No. 9 for Inland Fisheries capital projects. b. \$3,600,000 in General Revenue for aquatic invasive species management. Senate provides \$4,888,800 from Unclaimed Refunds of Motorboat Fuel Tax for aquatic invasive species management.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
A.2.2, INLAND HATCHERIES OPERATIONS	\$ 5,564,733	\$ 5,715,733	\$ 5,317,733	\$ 5,329,733	\$ 633,000	House provides Game, Fish, and Water Safety Account No. 9 funding for Inland Hatcheries Capital Projects.
A.2.3, COASTAL FISHERIES MANAGEMENT	\$ 12,047,635	\$ 11,438,319	\$ 12,151,964	\$ 11,761,343	\$ 427,353	House provides \$600,000 from the Game, Fish, and Water Safety Account No. 9 for Coastal Fisheries Capital Projects. Senate provides \$1,027,353 in All Funds for: a. \$590,848 from the Game, Fish, and Water Safety Account No. 9 and 4.0 FTEs for coastwide habitat monitoring. b. \$111,200 from Unclaimed Refunds of Motorboat Fuel Tax for aquatic invasive species management. c. \$325,305 from the Game, Fish, and Water Safety Account No. 9 for oyster reef restoration and enhancement.
B.1.1, STATE PARK OPERATIONS	\$ 74,959,434	\$ 77,748,747	\$ 77,429,580	\$ 78,340,835	\$ 3,062,234	House provides \$6,684,838 in all funds for: a. \$2,119,840 from the State Parks Account No. 64 for State Parks business system service contracts.

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	2016	2017	2016	2017		
B.1.2, PARKS MINOR REPAIR PROGRAM	\$ 4,945,315	\$ 4,945,315	\$ 3,714,917	\$ 6,175,713	\$	<p>b. \$4,564,998 from the Sporting Goods Sales Tax transfer to the State Parks Account No. 64 for State Parks facilities management and upkeep.</p> <p>Senate provides \$9,747,072 in all funds for:</p> <p>a. \$5,617,724 from the Sporting Goods Sales Tax transfer to the State Parks Account No. 64 and \$2,719,284 from the State Parks Account No. 64 and 6.0 FTEs for State Parks facilities management and upkeep.</p> <p>b. \$1,410,064 from the State Parks Account No. 64 for State Parks police salary increases.</p> <p>- House provides \$1,230,398 each fiscal year from the State Parks Account No. 64 for minor repairs at State Parks.</p> <p>Senate provides \$2,460,796 in 2017 from the Sporting Goods Sales Tax transfer to the State Parks Account No. 64 for minor repairs at State Parks.</p>
B.1.3, PARKS SUPPORT	\$ 4,206,477	\$ 4,206,476	\$ 4,251,445	\$ 4,251,444	\$ 89,936	Senate provides State Parks Account No. 64 funding for State Parks police salary increases.
B.2.1, LOCAL PARK GRANTS	\$ 8,207,983	\$ 8,207,983	\$ 29,138,256	\$ 29,851,978	\$ 42,574,268	See Cross-Strategy Issue and Sporting Goods Sales Tax Contingency.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
B.2.2, BOATING ACCESS AND OTHER GRANTS	\$ 5,577,941	\$ 5,577,941	\$ 11,078,779	\$ 8,164,057	\$ 8,086,954	See Cross-Strategy Issue. Texas State Aquarium: a. House provides \$9,000,000 in General Revenue in Article IX, Sec. 18.07. b. Senate provides \$3,000,000 in General Revenue.
C.1.1, ENFORCEMENT PROGRAMS	\$ 52,804,208	\$ 52,804,209	\$ 55,436,164	\$ 55,436,165	\$ 5,263,912	Senate provides \$5,263,912 in General Revenue and 30.0 FTE positions for additional Game Wardens dedicated to the border region.
D.1.1, IMPROVEMENTS AND MAJOR REPAIRS	\$ 42,870,787	\$ 21,860,072	\$ 41,732,266	\$ 17,268,072	\$ 5,730,521	House provides \$15,337,787 in Capital Project Funding: a. \$985,316 in 2016 from the Game, Fish, and Water Safety Account No. 9 for unexpended balances carried forward for capital construction. b. \$2,739,204 from the State Parks Account No. 64 for deferred maintenance projects. c. \$1,506,001 from the Game, Fish, and Water Safety Account No. 9 for fisheries capital projects. d. \$500,000 for Fort Boggy State Park capital projects. See also Rider 38.

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	2016	2017	2016	2017		
						<p>e. \$9,607,266 in contingency funding in Rider 40, Contingency for Sporting Goods Sales Tax Allocation. (See Cross-Strategy Issue)</p> <p>Senate provides an additional \$97,000,000 in Article IX, Sec. 18.05, including \$72,000,000 for construction and maintenance projects prioritized by the agency and \$25,000,000 for repairs to the Battleship Texas. The funding is contingent upon creation of a Deferred Maintenance Fund. In the event no such fund is created, the funds will be appropriated from General Revenue.</p> <p>Franklin Mountains State Park:</p> <p>a. House provides \$3,500,000 in 2017 from the Sporting Goods Sales Tax transfer to the State Parks Account No. 64 for the construction of a visitors center.</p> <p>b. Senate provides \$3,500,000 in 2016 in General Revenue for the construction of a visitors center.</p>

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
E.1.2, INFORMATION RESOURCES	\$ 13,711,105	\$ 13,004,561	\$ 13,120,964	\$ 12,592,242	\$ 1,002,460	House provides for an additional \$930,300 from the Game, Fish, and Water Safety Account No. 9 for agency modernization and equipment upgrades, and \$80,160 from the State Parks Account No. 64 for State Park business system expenses.
						Senate provides an additional \$8,000 from the Game, Fish, and Water Safety Account No. 9 for habitat monitoring.
Appropriation of Receipts out of the General Revenue-Dedicated Accounts			VI-40, Rider #27 Rider Packet, page VI-8			See Appropriations Made in Riders above.
Unexpended Balance Authority within the Biennium-Grants and Border Security	VI-40, Rider #28 Rider Packet, page VI-9		VI-40, Rider #28 Rider Packet, page VI-9			House includes rider language limiting unappropriated balance authority to appropriations associated with grants and border security.
						Senate includes rider language granting unexpended balance authority for all appropriations.
Statewide Aquatic Vegetation and Invasive Species Management	VI-41, Rider #34 Rider Packet, page VI-9		VI-41, Rider #35 Rider Packet, page VI-9			House specifies that the funds be used to manage giant salvinia in addition to other species.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
Use of the Sporting Goods Sales Tax Transfer to the General Revenue-Dedicated State Parks Account No. 64.	VI-41, Rider #35		VI-41, Rider #36			Technical Correction: Move the rider to Article IX after amending rider text that is identical in both bills for the following: <ul style="list-style-type: none"> a. Alignment with appropriations made in the bill pattern for the Texas Public Finance Authority; b. Removing the estimated appropriation authority for Revenue Bonds debt service payments; c. Clarifying the correct fiscal year; d. Reducing the 60 and 90 day periods to align with an APS011 deadline.
Northern Bobwhite Quail Interagency Contract	VI-42, Rider #37 Rider Packet, page VI-9					House includes rider directing that \$1,000,000 each year from the Game, Fish, and Water Safety Account No. 9 be used for research related to bobwhite quail.
Fort Boggy State Park	VI-42, Rider #38 Rider Packet, page VI-10					House includes rider directing that \$500,000 from the Sporting Goods Sales Tax transfer to the State Parks Account No. 64 in fiscal year 2016 be used for capital improvements at Fort Boggy State Park.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
Texas State Aquarium	IX-83, Sec. 18.07		VI-42, Rider #39 Rider Packet, page VI-10			House includes Article IX, Sec. 18.07 directing that \$9,000,000 in General Revenue be used for a grant to the Texas State Aquarium. (See also B.2.2, Boating Access and Other Grants, above.) Senate includes rider directing that \$3,000,000 in General Revenue in 2016 be used for a grant to the Texas State Aquarium.
Contingency for Sporting Goods Sales Tax Allocation	VI-43, Rider #40 Rider Packet, page VI-10					See Appropriations Made in Riders above.
Big Bend Ranch State Park	VI-43, Rider #41 Rider Packet, page VI-11					House includes rider directing that the agency shall maintain the longhorn cattle herd at Big Bend Ranch State Park.
See also Article XI	See also Article XI, House, page XI-20		See also Article XI, Senate, page XI-10			

Parks and Wildlife Sporting Goods Sales Tax Comparison

Both the House and Senate appropriate the maximum Sporting Goods Sales Tax (SGST) estimated to be available in the Comptroller's 2016-17 Biennial Revenue Estimate. The Senate made its appropriations in line with current statutory allocations to the four General Revenue-Dedicated accounts that receive SGST in the Parks and Wildlife budget. The House altered the allocations contingent upon the enactment of HB 300 or similar legislation, which would allow the Legislature more discretion regarding the allocation of the revenue. The result is that the House provides an additional \$24,000,000 to the State Parks Account No. 64 and an additional \$9,607,266 to the Conservation and Capital Account, while the Senate provides an additional \$33,607,266 to local parks and recreation accounts.

Sporting Goods Sales Tax transfer to:	House		Senate		Biennial Difference (House - Senate)
	2016	2017	2016	2017	
A. State Parks Account No. 64					
B.1.1, State Parks Operations	\$59,151,878	\$58,771,609	\$59,408,639	\$59,567,574	(\$1,052,726)
B.1.2, Parks Minor Repair Program	\$89,859	\$89,859	\$89,859	\$2,550,655	(\$2,460,796)
B.1.3, Parks Support	\$3,507	\$3,507	\$3,507	\$3,507	\$0
D.1.1, Improvements and Major Repairs	\$11,809,574	\$14,809,574	\$11,309,574	\$11,309,574	\$4,000,000
Subtotal, Strategy Appropriations	\$71,054,818	\$73,674,549	\$70,811,579	\$73,431,310	\$486,478
Contingency Appropriations					
D.1.1, Improvements and Major Repairs	\$11,798,830	\$12,201,170	\$0	\$0	\$24,000,000
End of Article Benefits	\$8,441,079	\$8,441,079	\$8,684,318	\$8,684,318	(\$486,478)
Debt Service Payments	\$15,940,103	\$15,685,372	\$15,940,103	\$15,685,372	\$0
Total - Transfer to State Parks Account No. 64	\$107,234,830	\$110,002,170	\$95,436,000	\$97,801,000	\$24,000,000
B. Texas Recreation and Parks Account No. 467					
B.2.1, Local Park Grants	\$4,926,615	\$4,926,615	\$17,492,299	\$17,921,068	(\$25,560,137)

	House		Senate		Biennial Difference (House - Senate)
	2016	2017	2016	2017	
Sporting Goods Sales Tax transfer to:					
B.2.2, Boating Access and Other Grants	\$162,714	\$162,714	\$1,664,115	\$1,715,346	(\$3,054,033)
Subtotal, Strategy Appropriations	\$5,089,329	\$5,089,329	\$19,156,414	\$19,636,414	(\$28,614,170)
Contingency Appropriations					
B.2.1, Local Park Grants	\$3,702,706	\$3,829,668	\$0	\$0	\$7,532,374
B.2.2, Boating Access and Other Grants	\$442,800	\$457,200	\$0	\$0	\$900,000
Subtotal, Rider Appropriations	\$4,145,506	\$4,286,868	\$0	\$0	\$8,432,374
End of Article Benefits	\$188,586	\$188,586	\$188,586	\$188,586	\$0
Total - Transfer to Texas Recreation and Parks Account No. 467	\$9,423,421	\$9,564,783	\$19,345,000	\$19,825,000	(\$20,181,796)

**C Large County and Municipality Recreation and
Parks Account No. 5150**

B.2.1, Local Park Grants	\$3,281,368	\$3,281,368	\$11,645,957	\$11,930,910	(\$17,014,131)
B.2.2, Boating Access and Other Grants	\$129,493	\$129,493	\$1,128,930	\$1,162,977	(\$2,032,921)
Subtotal, Strategy Appropriations	\$3,410,861	\$3,410,861	\$12,774,887	\$13,093,887	(\$19,047,052)
Contingency Appropriations					
B.2.1, Local Park Grants	\$2,468,470	\$2,553,112	\$0	\$0	\$5,021,582
B.2.2, Boating Access and Other Grants	\$295,200	\$304,800	\$0	\$0	\$600,000
Subtotal, Rider Appropriations	\$2,763,670	\$2,857,912	\$0	\$0	\$5,621,582
End of Article Benefits	\$122,113	\$122,113	\$122,113	\$122,113	\$0
Total - Large County and Municipality Recreation and Parks Account No. 5150	\$6,296,644	\$6,390,886	\$12,897,000	\$13,216,000	(\$13,425,470)

Sporting Goods Sales Tax transfer to: D. Conservation and Capital Account No. 5004	House		Senate		Biennial Difference (House - Senate)
	2016	2017	2016	2017	
D.1.1, Improvements and Major Repairs	\$1,290,000	\$1,322,000	\$1,290,000	\$1,322,000	\$0
Contingency Appropriations					
D.1.1, Improvements and Major Repairs	\$4,723,104	\$4,884,162	\$0	\$0	\$9,607,266
Total - Conservation and Capital Account No. 5004	\$6,013,104	\$6,206,162	\$1,290,000	\$1,322,000	\$9,607,266
Total, Parks and Wildlife Department	\$128,967,999	\$132,164,001	\$128,968,000	\$132,164,000	\$0

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
<u>455 RAILROAD COMMISSION</u>		VI-43		VI-42		
Cross-Strategy Issue – Funding for strategy activities, including conducting safety inspections, reducing backlogs, and maintaining key information systems.						House adds \$220,580 in General Revenue and \$4,296,308 in General Revenue-Dedicated Oil and Gas Regulation and Cleanup Account No. 5155 (\$4,516,888 in All Funds) for strategy activities, including conducting safety inspections, reducing backlogs, and maintaining key information systems.
Number of Full-Time- Equivalents (FTEs)	820.1	820.1	810.1	810.1		See Strategy B.1.1, Pipeline Safety, below.
A.1.1, ENERGY RESOURCE DEVELOPMENT	\$ 17,318,938	\$ 17,318,938	\$ 16,550,376	\$ 16,622,575	\$ 1,464,925	See Cross-Strategy Issue.
B.1.1, PIPELINE SAFETY	\$ 8,910,873	\$ 8,650,213	\$ 8,108,617	\$ 8,049,237	\$ 1,403,232	a. House provides \$682,368 from General Revenue and \$454,911 from Federal Funds, including 10.0 FTEs for the purpose of conducting safety inspections of pipeline operators. b. See Cross-Strategy Issue –House adds \$265,953.
B.1.2, PIPELINE DAMAGE PREVENTION	\$ 1,298,851	\$ 1,307,162	\$ 1,276,252	\$ 1,287,856	\$ 41,905	See Cross-Strategy Issue.
C.1.1, OIL/GAS MONITOR & INSPECTIONS	\$ 21,925,557	\$ 22,520,207	\$ 21,185,887	\$ 21,368,309	\$ 1,891,568	See Cross-Strategy Issue.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
C.1.2, SURFACE MINING MONITORING/INSPECT	\$ 3,855,552	\$ 3,878,570	\$ 3,764,518	\$ 3,817,409	\$ 152,195	See Cross-Strategy Issue.
C.2.1, OIL AND GAS REMEDATION	\$ 5,623,050	\$ 5,623,050	\$ 5,412,463	\$ 5,424,593	\$ 409,044	See Cross-Strategy Issue.
C.2.2, OIL AND GAS WELL PLUGGING	\$ 19,126,899	\$ 19,126,899	\$ 18,883,858	\$ 18,901,255	\$ 468,685	See Cross-Strategy Issue.
C.2.3, SURFACE MINING RECLAMATION	\$ 3,257,716	\$ 3,234,698	\$ 3,243,588	\$ 3,222,346	\$ 26,480	See Cross-Strategy Issue.
D.1.1, PUBLIC INFORMATION AND SERVICES	\$ 2,016,863	\$ 1,866,863	\$ 1,981,088	\$ 1,840,552	\$ 62,086	See Cross-Strategy Issue.
Capital Budget	VI-46, Rider #2 Rider Packet, page VI-12		VI-45, Rider #2 Rider Packet, page VI-12			House provides transferability of capital budget appropriations subject to Article IX provisions.
						Senate provides unlimited transferability up to an aggregate total of 125 percent of capital budget appropriations.
Appropriation: Unexpended Balances Within the Biennium			VI-26, Rider #4 Rider Packet, page VI-12			Senate provides unexpended balance authority within the biennium.
Analysis of Best Practices and Potential Safeguards to Prevent Air Emissions and Spills			VI-48, Rider #16 Rider Packet, page VI-12			Senate requires the agency to conduct a best practices analysis relating to injections disposal wells and the prevention of certain air emissions during production, with a report due by January 2016 and a final version of the report after public comment due by June 2016.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
See also Article XI	See also Article XI, House page XI-20		See also Article XI, Senate page XI-13			
	:		:			

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
<u>592 SOIL AND WATER CONSERVATION BOARD</u>						
		VI-49		VI-48		
Schedule of Exempt Positions	133,318	133,318	108,444	108,444		House provides an increase in exempt position salary authority of \$24,874 each year for the Executive Director to align with 90 percent of the market average as determined by the State Auditor's Office.
A.1.1, PROGRAM MANAGEMENT & ASSISTANCE	\$ 4,872,762	\$ 4,872,762	\$ 5,622,762	\$ 5,622,762	\$ 1,500,000	Senate provides \$1,500,000 in General Revenue for grant funding for operational expenses for local Soil and Water Conservation Districts.
C.1.1, WATER CONSERVATION AND ENHANCEMENT	\$ 3,138,413	\$ 3,138,413	\$ 2,138,413	\$ 2,138,413	\$ 2,000,000	House provides \$2,000,000 in General Revenue for grant funding for Water Supply Enhancement Program projects.
See also Article XI	See also Article XI, House page XI-21		See also Article XI, Senate page XI-10			

Agency/Item	House		Senate		Biennial Difference	Explanation
	2016	2017	2016	2017		
<u>580 WATER DEVELOPMENT BOARD</u>						
		VI-51		VI-51		
Schedule of Exempt Positions	173,241	173,241	141,847	141,847		House provides \$31,394 in additional authority for the Executive Administrator salary.
A.3.1, WATER CONSERVATION EDUCATION & ASST	\$ 2,389,946	\$ 1,389,946	\$ 3,514,946	\$ 2,514,946	\$ 2,250,000	Senate provides \$1,125,000 in General Revenue each fiscal year for quantifying and installing water conservation strategies to be used to meet the needs of the State Water Plan (see also Senate Rider #26.)
Unexpended Balances Within the Biennium		VI-57, Rider #18 Rider Packet Page VI-13		VI-57, Rider #18 Rider Packet Page VI-13		House provides unexpended balance authority between fiscal years within the biennium for unobligated and unexpended balances in Goal C, Non-Self-Supporting General Obligation Bond Debt Service. Senate provides unexpended balance authority between fiscal years within the biennium for all agency functions and programs.

Agency/Item	<u>House</u>		<u>Senate</u>		Biennial Difference	Explanation
	2016	2017	2016	2017		
Quantifying and Installing Water Conservation Strategies			VI-58, Rider #26 Rider Packet, page VI-13			Senate provides a rider that directs the use of \$1.1 million in General Revenue for quantifying and installing water conservation strategies. The rider requires that the funds be used to meet the needs of the State Water Plan; develop and manage a provider contract to deliver the most effective and accurate process to measure water conservation; and qualify and install, on a pro rata basis, sufficient water conservation strategies to meet the needs of the State Water Plan.
Delta Region Water Management Project			VI-58, Rider #27 Rider Packet, page VI-13			Senate provides a rider that allows the agency to use General Revenue appropriations in certain strategies and any unobligated and unexpended balances from General Revenue appropriations in those strategies carried forward into fiscal year 2017 to provide grant funding to the Hidalgo County Drainage District No. 1 to implement the Delta Region Water Management Project. The aggregate amount of funding to be provided for this purpose from both strategies is limited to \$10,000,000 in each fiscal year of the 2016-17 biennium. (See also House, Article XI-21.)
See also Article XI	See also Article XI, House, page XI-21		See also Article XI, Senate page XI-10			

Article IX
Proposed Rider
Technical amendment moving Rider 35, Use of the Sporting Goods Sales Tax Transfer to
the General Revenue-Dedicated State Parks Account No. 64.

Prepared by LBB Staff, 4/15/2015

Overview

The proposal would amend Rider 35, Use of the Sporting Goods Sales Tax Transfer to the General Revenue-Dedicated State Parks Account No. 64, to include language directing that, contingent upon the provisions of the rider, the Public Finance Authority be appropriated funds from the Sporting Goods Sales Tax transfer to the State Parks Account No. 64 and General Revenue of the same amount be lapsed. The proposal would also adjust the time within which the Public Finance Authority and Parks and Wildlife Department would agree upon the necessary funding adjustments. The proposal also clarifies that the amounts are not estimated.

The proposal also moves the rider from the Parks and Wildlife bill pattern to Article IX.

Required Action

1) On page VI-41 of the Parks and Wildlife bill pattern, amend the following rider:

35. **Use of the Sporting Goods Sales Tax Transfer to the General Revenue-Dedicated State Parks Account No. 64.** Appropriations made elsewhere in this Act to the Texas Public Finance Authority (TPFA) for General Obligation (GO) Bond Debt Service include ~~an estimated~~ \$13,440,000 in fiscal year 2016 and \$13,230,000 in fiscal year 2017 from General Revenue, for debt service payments on GO bonds issued and authorized but unissued for statewide park repairs. Contingent upon review described below, General Revenue shall be reduced and an equal amount of the Sporting Goods Sales Tax transfer to General Revenue-Dedicated State Parks Account No. 64 is appropriated to TPFA for debt service expenditures on GO bonds issued and authorized for statewide park repairs. Additionally, amounts appropriated above in Strategy D.1.4, Debt Service, include ~~an estimated~~ \$2,500,103 in fiscal year 2016 and \$2,455,372 in fiscal year 2017 from General Revenue for debt service payments on Revenue Bonds issued for statewide park repairs.

- a. Within ~~60~~ 30 days following August 31 of each fiscal year, the Texas Parks and Wildlife Department (TPWD) in cooperation with TPFA shall use expenditure schedules and any other necessary documentation to determine the actual amount of debt service expended from both sources on statewide park repairs, and submit the findings of this review to the Comptroller of Public Accounts and the Legislative Budget Board.
- b. Within ~~90~~ 60 days following August 31 of each fiscal year, the Comptroller shall authorize the necessary expenditure transfers needed to credit General Revenue from an additional Sporting Goods Sales Tax (SGST) Transfer to the General Revenue-Dedicated State Parks Account No. 64 for the actual costs of debt service.

In the event that actual costs of debt service for statewide park repairs exceed the available remaining balance of the maximum statutory allocation of the SGST transfer to the State Parks Account, the Comptroller shall adjust debt service payments to be made from other revenues deposited to the credit of the General Revenue Fund accordingly.

- 2) On page VI-41 of the Parks and Wildlife bill pattern, delete Rider 35, Use of the Sporting Goods Sales Tax Transfer to the General Revenue-Dedicated State Parks Account No. 64, and insert the same on page IX-_____.