

**Rider Comparison Packet**

**Conference Committee on House Bill 1**

**2020-21 General Appropriations Bill**

**Article VI – Natural Resources**

# DEPARTMENT OF AGRICULTURE

Differences Only - Excludes Capital

House

Senate

## 24. Appropriations Limited to Revenue Collections: Cost Recovery Programs.

- a. Fees and other miscellaneous revenues as authorized and generated by the operation of the cost recovery programs in the following strategies shall cover, at a minimum, the cost of appropriations made in the following strategies, as well as the "other direct and indirect costs" made elsewhere in this Act:
- (1) Strategy A.1.1, Trade & Economic Development: Direct costs for the Livestock Export Pens (Agriculture Code, Section 146, Subchapter B) cost recovery program are estimated to be \$159,513 in fiscal year 2020 and \$159,513 in fiscal year 2021 and "other direct and indirect costs" are estimated to be \$0 for fiscal year 2020 and \$0 for fiscal year 2021 (Revenue Object Codes: 3420 and 3795).
  - (2) Strategy A.1.2, Promote Texas Agriculture: Direct costs for the International and Domestic Trade (Agriculture Code, Ch. 12) cost recovery program are estimated to be \$241,008 in fiscal year 2020 and \$241,008 in fiscal year 2021 and "other direct and indirect costs" are estimated to be \$44,341 for fiscal year 2020 and \$44,403 for fiscal year 2021 (Revenue Object Codes: 3400, 3428, and 3795).
  - (3) Strategy B.1.1, Plant Health and Seed Quality: Direct costs for the Plant Health (Agriculture Code, Ch. 61 & 62) cost recovery program are estimated to be \$1,220,985 in fiscal year 2020 and \$1,220,985 in fiscal year 2021 and "other direct and indirect costs" are estimated to be \$365,412 for fiscal year 2020 and \$365,780 for fiscal year 2021 (Revenue Object Codes: 3400 and 3414).
  - (4) Strategy B.1.2, Commodity Regulation & Production: Direct costs for the Egg Quality Regulation (Agriculture Code, Ch. 132), Handling and Marketing of Perishable Commodities (Agriculture Code, Ch. 101), and Grain Warehouse (Agriculture Code, Ch. 14) cost recovery programs are estimated to be \$887,174 in fiscal year 2020 and \$887,174 in fiscal year 2021 and "other direct and indirect costs" are estimated to be \$284,025 for fiscal year 2020 and \$284,360 for fiscal year 2021 (Revenue Object Codes: 3400, 3414, and 3435).
  - (5) Strategy B.2.1, Regulated Pesticide Use: Direct costs for the Agricultural Pesticide Regulation (Agriculture Code, Ch. 76), Organic Certification (Agriculture Code, Ch. 18), and Prescribed Burn (Natural Resources Code, Ch. 153) cost recovery programs are estimated to be \$5,502,666 in fiscal year 2020 and \$5,502,666 in fiscal year 2021 and

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- a. Fees and other miscellaneous revenues as authorized and generated by the operation of the cost recovery programs in the following strategies shall cover, at a minimum, the cost of appropriations made in the following strategies, as well as the "other direct and indirect costs" made elsewhere in this Act:
- (1) Strategy A.1.1, Trade & Economic Development: Direct costs for the Livestock Export Pens (Agriculture Code, Section 146, Subchapter B) cost recovery program are estimated to be \$159,513 in fiscal year 2020 and \$159,513 in fiscal year 2021 and "other direct and indirect costs" are estimated to be \$0 for fiscal year 2020 and \$0 for fiscal year 2021 (Revenue Object Codes: 3420 and 3795).
  - (2) Strategy A.1.2, Promote Texas Agriculture: Direct costs for the International and Domestic Trade (Agriculture Code, Ch. 12) cost recovery program are estimated to be \$241,008 in fiscal year 2020 and \$241,008 in fiscal year 2021 and "other direct and indirect costs" are estimated to be \$44,341 for fiscal year 2020 and \$44,403 for fiscal year 2021 (Revenue Object Codes: 3400, 3428, and 3795).
  - (3) Strategy B.1.1, Plant Health and Seed Quality: Direct costs for the Plant Health (Agriculture Code, Ch. 61 & 62) cost recovery program are estimated to be \$1,220,985 in fiscal year 2020 and \$1,220,985 in fiscal year 2021 and "other direct and indirect costs" are estimated to be \$365,412 for fiscal year 2020 and \$365,780 for fiscal year 2021 (Revenue Object Codes: 3400 and 3414).
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**DEPARTMENT OF AGRICULTURE**

Differences Only - Excludes Capital

(Continued)

**House**

"other direct and indirect costs" are estimated to be \$1,128,778 for fiscal year 2020 and \$1,130,161 for fiscal year 2021 (Revenue Object Codes: 3400, 3404, 3410, and 3414).

- (6) Strategy B.2.2, Structural Pest Controls: Direct costs for the Structural Pest Control (Occupations Code, Ch. 1951, Subchapter E) cost recovery program are estimated to be \$2,378,060 in fiscal year 2020 and \$2,378,060 in fiscal year 2021 and "other direct and indirect costs" are estimated to be \$640,094 for fiscal year 2020 and \$640,980 for fiscal year 2021 (Revenue Object Code: 3175).
- (7) Strategy B.3.1, Weights & Measures Device Accuracy: Direct costs for the Weights, Measures, and Metrology (Agriculture Code, Ch. 13) cost recovery program are estimated to be \$6,060,307 in fiscal year 2020 and \$6,060,307 in fiscal year 2021 and "other direct and indirect costs" are estimated to be \$1,281,766 in fiscal year 2020 and \$1,282,971 in fiscal year 2021 (Revenue Object Codes: 3400, 3402, and 3414).
- (8) Strategy D.1.1, Central Administration: Indirect costs for the cost recovery programs are estimated to be \$1,754,667 in fiscal year 2020 and \$1,754,667 in fiscal year 2021 and "other direct and indirect costs" are estimated to be \$374,937 in fiscal year 2020 and \$375,509 in fiscal year 2021 (Revenue Object Codes: 3175, 3400, 3402, 3404, 3410, 3414, 3420, 3428, 3435, and 3795).
- (9) Strategy D.1.2, Information Resources: Indirect costs for the cost recovery programs are estimated to be \$1,019,254 in fiscal year 2020 and \$1,019,254 in fiscal year 2021 and "other direct and indirect costs" are estimated to be \$192,699 in fiscal year 2020 and \$192,970 in fiscal year 2021 (Revenue Object Codes: 3175, 3400, 3402, 3404, 3410, 3414, 3420, 3428, 3435, and 3795).
- (10) Strategy D.1.3, Other Support Services: Indirect costs for the cost recovery programs are estimated to be \$534,999 in fiscal year 2020 and \$534,999 in fiscal year 2021 and "other direct and indirect costs" are estimated to be \$96,824 in fiscal year 2020 and \$96,882 in fiscal year 2021 (Revenue Object Codes: 3175, 3400, 3402, 3404, 3410, 3414, 3420, 3428, 3435, and 3795).

For informational purposes, total amounts identified for strategies in this subsection total \$19,758,633 in fiscal year 2020 and \$19,758,633 in fiscal year 2021 for direct costs and indirect administration and \$4,408,876 in fiscal year 2020 and \$4,414,016 in fiscal year 2021

**Senate**

"other direct and indirect costs" are estimated to be \$1,128,778 for fiscal year 2020 and \$1,130,161 for fiscal year 2021 (Revenue Object Codes: 3400, 3404, 3410, and 3414).

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## DEPARTMENT OF AGRICULTURE

Differences Only - Excludes Capital

(Continued)

### House

for "other direct and indirect costs".

These appropriations are contingent upon the Department of Agriculture (TDA) assessing fees sufficient to generate revenue to cover the General Revenue appropriations for each strategy as well as the related "other direct and indirect costs". In the event that actual and/or projected revenue collections in strategies above are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to the affected strategy to be within the amount of revenue expected to be available.

- b. TDA shall provide a report to the Comptroller of Public Accounts and the Legislative Budget Board no later than the end of the second business week in March and June (for the second and third quarters) and no later than three business days after the end of the fourth quarter detailing the following information at both the strategy level and individual program activity level:
- (1) The amount of fee generated revenues collected for each of the cost recovery programs no later than the end of the second business week in March and June (for the second and third quarters) and no later than three business days after the end of the fourth quarter. This information shall be provided in both strategy level detail and individual program detail;
  - (2) A projection of the revenues for each cost recovery program TDA estimates it will collect by the end of the respective fiscal year. This information shall be provided in both strategy level detail and individual program detail;
  - (3) A detailed explanation of the causes and effects of the current and anticipated fluctuations in revenue collections;
  - (4) The amount of expenditures for each of the cost recovery programs; and
  - (5) Any fee changes made during the fiscal year and the anticipated revenue impacts of those changes.

In the event that reported expenditures exceed revenues collected for any cost recovery program, the Legislative Budget Board may direct the Comptroller of Public Accounts to

### Senate

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These appropriations are contingent upon the Department of Agriculture (TDA) assessing fees sufficient to generate revenue to cover the General Revenue appropriations for each strategy as well as the related "other direct and indirect costs". In the event that actual and/or projected revenue collections in strategies above are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to the affected strategy to be within the amount of revenue expected to be available.

- b. TDA shall provide a report to the Comptroller of Public Accounts and the Legislative Budget Board no later than the end of the second business week in March and June (for the second and third quarters) and no later than three business days after the end of the fourth quarter detailing the following information at both the strategy level and individual program activity level:
- (1) The amount of fee generated revenues collected for each of the cost recovery programs no later than the end of the second business week in March, June, and September (for the second, third, and fourth quarters). This information shall be provided in both strategy level detail and individual program detail;
  - (2) A projection of the revenues for each cost recovery program TDA estimates it will collect by the end of the respective fiscal year. This information shall be provided in both strategy level detail and individual program detail;
  - (3) A detailed explanation of the causes and effects of the current and anticipated fluctuations in revenue collections;
  - (4) The amount of expenditures for each of the cost recovery programs; and
  - (5) Any fee changes made during the fiscal year and the anticipated revenue impacts of those changes.

In the event that reported expenditures exceed revenues collected for any cost recovery program, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority provided above to the affected strategy by an amount

## DEPARTMENT OF AGRICULTURE

Differences Only - Excludes Capital

(Continued)

### House

reduce the appropriation authority provided above to the affected strategy by an amount specified by the Legislative Budget Board.

- c. Also, contingent on the generation of such revenue required above to fund TDA's cost recovery programs and related "other direct and indirect costs" TDA's "Number of Full-Time Equivalents" includes 205.1 FTEs in fiscal year 2020 and 205.1 FTEs in fiscal year 2021. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may reduce the FTE cap provided by this Act to reflect the number of FTEs funded by the amount of revenue expected to be available.

**28. Texas Economic Development Fund No. 183.** Amounts in excess of the estimated appropriation above from investment returns from the Texas Economic Development Fund No. 183 are appropriated to the Department of Agriculture, except that the department shall retain in the fund a minimum balance of \$2,225,593, as required by Agriculture Code §12.0273. In the event that amounts available for distribution are less than the estimated appropriated amount, this Act may not be construed as appropriating funds to make up the difference.

### Senate

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- c. Also, contingent on the generation of such revenue required above to fund TDA's cost recovery programs and related "other direct and indirect costs" TDA's "Number of Full-Time Equivalents" includes 205.1 FTEs in fiscal year 2020 and 205.1 FTEs in fiscal year 2021. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may reduce the FTE cap provided by this Act to reflect the number of FTEs funded by the amount of revenue expected to be available.

**28. Texas Economic Development Fund No. 183.** Amounts in excess of the estimated appropriation above from all available earnings from the Texas Economic Development Fund No. 183 are appropriated to the Department of Agriculture, except that the department shall retain in the fund a minimum balance of \$2,225,593, as required by Agriculture Code §12.0273. In the event that amounts available for distribution are less than the estimated appropriated amount, this Act may not be construed as appropriating funds to make up the difference.

**29. Unexpended Balances Within the Biennium.** Any unobligated and unexpended balances as of August 31, 2020, in appropriations made to the Department of Agriculture are appropriated for the same purposes for the fiscal year beginning September 1, 2020. Any unobligated and unexpended balances carried forward in a cost recovery program listed in Rider 24, Appropriations Limited to Revenue Collections: Cost Recovery Programs, may only be carried forward and expended in the same program from which the balance originated.

## COMMISSION ON ENVIRONMENTAL QUALITY

Differences Only - Excludes Capital

### House

- 7. Air Quality Planning.** Amounts appropriated above include \$6,000,500 for the biennium out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, for air quality planning activities to reduce ozone in areas not designated as nonattainment areas during the 2018-19 biennium and as approved by the Texas Commission on Environmental Quality (TCEQ). These activities may be carried out through interlocal agreements.

Expenditure of these funds are limited to: inventorying emissions, monitoring of pollution levels, and administration of the program. The TCEQ shall allocate \$350,000 to each area and the remaining funds proportionally to each area with a population in excess of 350,000. Grants issued from appropriations identified in this rider should require that no more than 10 percent of the allocation be used for administrative purposes and prohibit the expenditure of the following: marketing and outreach activities, bicycle use programs, carpooling awareness, environmental awareness campaigns, and locally enforceable pollution reduction programs. The grant recipients shall channel the funds to those projects most useful for the State Implementation Plan (SIP).

For informational purposes, these areas may include, but are not limited to, Waco, El Paso, Beaumont, Austin, Corpus Christi, Granbury, Killeen-Temple, Longview-Tyler-Marshall, and Victoria and Atascosa, Bandera, Comal, Guadalupe, Kendall, Medina, and Wilson Counties.

- 9. Federal Funds and Capital Budget Expenditures.** To comply with the legislative intent to maximize the use of federal funds and to fulfill grant requirements required for the receipt and expenditure of federal funds, the Texas Commission on Environmental Quality (TCEQ) is exempted from the Capital Budget Rider Provisions contained in Article IX of this Act, "Limitations on Expenditures - Capital Budget", when federal funds are received in excess of amounts identified in the agency's Capital Budget Rider and such funds are federally designated solely for the purchase of specific capital items. In addition, TCEQ is exempted from the Capital Budget Rider provisions within Article IX of this Act when funds are received in the form of disaster related recoveries or gifts to the agency in excess of amounts identified in the agency's Capital Budget Rider. The TCEQ shall notify the Legislative Budget Board, the Comptroller of Public Accounts, and the Governor upon receipt of such federal funds or gift proceeds, of the amount received and items to be purchased.

### Senate

- 27. Air Quality Planning.** Amounts appropriated above include \$3,000,000 for the biennium out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, for air quality planning activities to reduce ozone in areas not designated as nonattainment areas during the 2018-19 biennium and as approved by the Texas Commission on Environmental Quality (TCEQ). These activities may be carried out through interlocal agreements.

Expenditure of these funds are limited to: inventorying emissions, monitoring of pollution levels, and administration of the program. The TCEQ shall allocate \$333,332 to each area and the remaining funds proportionally to each area with a population in excess of 350,000. Grants issued from appropriations identified in this rider should require that no more than 10 percent of the allocation be used for administrative purposes and prohibit the expenditure of the following: marketing and outreach activities, bicycle use programs, carpooling awareness, environmental awareness campaigns, and locally enforceable pollution reduction programs. The grant recipients shall channel the funds to those projects most useful for the State Implementation Plan (SIP).

For informational purposes, these areas may include, but are not limited to, Waco, El Paso, Beaumont, Austin, Corpus Christi, Granbury, Killeen-Temple, Longview-Tyler-Marshall, and Victoria.

- 8. Federal Funds and Capital Budget Expenditures.** To comply with the legislative intent to maximize the use of federal funds and to fulfill grant requirements required for the receipt and expenditure of federal funds, the Texas Commission on Environmental Quality (TCEQ) is exempted from the Capital Budget Rider Provisions contained in Article IX of this Act, "Limitations on Expenditures - Capital Budget", when federal funds are received in excess of amounts identified in the agency's Capital Budget Rider and such funds are federally designated solely for the purchase of specific capital items. In addition, TCEQ is exempted from the Capital Budget Rider provisions within Article IX of this Act when funds are received in the form of disaster related recoveries or gifts to the agency in excess of amounts identified in the agency's Capital Budget Rider and such funds are designated solely for the purchase of specific capital items. The TCEQ shall notify the Legislative Budget Board, the Comptroller of Public Accounts, and the Governor upon receipt of such federal funds or gift proceeds, of the amount received and items to be purchased.

**COMMISSION ON ENVIRONMENTAL QUALITY**

Differences Only - Excludes Capital  
(Continued)

**House**

**Senate**

**14. Environmental Radiation and Perpetual Care.**

- a. Amounts appropriated above in Strategy A.3.1, Radioactive Materials Management, include an estimated \$3,560,000 each fiscal year from revenues anticipated to be deposited to the General Revenue-Dedicated Environmental Radiation Perpetual Care Account No. 5158 during the biennium for the purpose of continuing projects initiated in the 2018-19 biennium to mitigate the release of radioactive material.
- b. In addition to amounts appropriated above and any new revenues collected and appropriated for the purposes of (a) of this rider, the Texas Commission on Environmental Quality (TCEQ) is appropriated any revenues from TCEQ licensees in excess of the Comptroller's Biennial Revenue Estimate, including the proceeds of securities and interest earned, deposited to the credit of the General Revenue-Dedicated Environmental Radiation Perpetual Care Account No. 5158 pursuant to Health and Safety Code, §§401.306 (b), 401.301(d), and 401.207 (g) during the biennium beginning September 1, 2019, (estimated to be \$0), in the event of an incident involving the release of radioactive material at a disposal, source material recovery, processing, or storage facility licensed by the TCEQ. The funds shall be used in Strategy A.3.1, Radioactive Materials Management, to mitigate radioactive pollution resulting from activities of a TCEQ licensee as provided in Health and Safety Code, §§401.306 (c)-(e).

**19. Texas Emissions Reduction Plan (TERP): Grants and Administration.** Amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, include \$77,369,870 in fiscal year 2020 and \$77,369,867 in fiscal year 2021 out of the Texas Emissions Reduction Plan (TERP) Account No. 5071. Pursuant to Health and Safety Code §386.252, the table below provides an estimated allocation for the TERP Account No. 5071 appropriations for each authorized use of the funds for the 2020-21 biennium.

<u>PROGRAMS</u>	<u>2020</u>	<u>2021</u>
TERP Administration	\$ 8,000,000	\$ 8,000,000
Regional Air Monitoring Program	\$ 3,000,000	\$ 3,000,000

**13. Environmental Radiation and Perpetual Care.**

- a. Amounts appropriated above in Strategy A.3.1, Radioactive Materials Management, include an estimated \$3,560,000 in fiscal year 2020 and \$1,440,000 in fiscal year 2021 from revenues anticipated to be deposited to the General Revenue-Dedicated Environmental Radiation Perpetual Care Account No. 5158 during the biennium should be prioritized by the agency for the purpose of completing the Lamprecht radioactive material mitigation project.
- b. In addition to amounts appropriated above and any new revenues collected and appropriated for the purposes of (a) of this rider, the Texas Commission on Environmental Quality (TCEQ) is appropriated any revenues from TCEQ licensees in excess of the Comptroller's Biennial Revenue Estimate, including the proceeds of securities and interest earned, deposited to the credit of the General Revenue-Dedicated Environmental Radiation Perpetual Care Account No. 5158 pursuant to Health and Safety Code, §§401.306 (b), 401.301(d), and 401.207 (g) during the biennium beginning September 1, 2019, (estimated to be \$0), in the event of an incident involving the release of radioactive material at a disposal, source material recovery, processing, or storage facility licensed by the TCEQ. The funds shall be used in Strategy A.3.1, Radioactive Materials Management, to mitigate radioactive pollution resulting from activities of a TCEQ licensee as provided in Health and Safety Code, §§401.306 (c)-(e).

**18. Texas Emissions Reduction Plan (TERP): Grants and Administration.** Amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, include \$77,369,870 in fiscal year 2020 and \$77,369,867 in fiscal year 2021 out of the Texas Emissions Reduction Plan (TERP) Account No. 5071. Pursuant to Health and Safety Code §386.252, the table below provides an estimated allocation for the TERP Account No. 5071 appropriations for each authorized use of the funds for the 2020-21 biennium.

<u>PROGRAMS</u>	<u>2020</u>	<u>2021</u>
TERP Administration	\$ 8,000,000	\$ 8,000,000
Regional Air Monitoring Program	\$ 3,000,000	\$ 3,000,000

**COMMISSION ON ENVIRONMENTAL QUALITY**

Differences Only - Excludes Capital

(Continued)

<b>House</b>	
Emissions Reduction Incentive Grants	\$ 33,171,812    \$ 33,171,811
Clean School Bus	\$ 3,094,795    \$ 3,094,795
Alternative Fueling Facilities Program	\$ 6,000,000    \$ 6,000,000
Clean Fleet Program	\$ 3,868,494    \$ 3,868,493
Natural Gas Vehicle Grant Program	\$ 7,736,987    \$ 7,736,987
Light-Duty Motor Vehicle Incentive Program	\$ 3,868,494    \$ 3,868,493
Cargo Movement Studies/Pilot Programs	\$ 500,000    \$ 500,000
New Technology Implementation Grants	\$ 2,321,096    \$ 2,321,096
Health Effects Study	\$ 200,000    \$ 200,000
Research	\$ 750,000    \$ 750,000
Energy Systems Laboratory Contract	\$ 216,000    \$ 216,000
Seaport and Rail Yard Areas Emissions Reduction	<u>\$ 4,642,192</u> <u>\$ 4,642,192</u>
<b>TOTAL</b>	<b>\$ 77,369,870    \$ 77,369,867</b>

The TCEQ is authorized to reallocate unexpended balances between programs to meet the objectives of the TERP program, provided such reallocations are within the statutory limitations on the use of TERP Account No. 5071 as set forth in Health and Safety Code §386.252.

<b>Senate</b>	
Emissions Reduction Incentive Grants	\$ 30,171,812    \$ 30,171,811
Clean School Bus	\$ 3,094,795    \$ 3,094,795
Alternative Fueling Facilities Program	\$ 6,000,000    \$ 6,000,000
Governmental Alternative Fuel Fleet Program	\$ 3,000,000    \$ 3,000,000
Clean Fleet Program	\$ 3,868,494    \$ 3,868,493
Natural Gas Vehicle Grant Program	\$ 7,736,987    \$ 7,736,987
Light-Duty Motor Vehicle Incentive Program	\$ 3,868,494    \$ 3,868,493
Cargo Movement Studies/Pilot Programs	\$ 500,000    \$ 500,000
New Technology Implementation Grants	\$ 2,321,096    \$ 2,321,096
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<b>TOTAL</b>	<b>\$ 77,369,870    \$ 77,369,867</b>

The TCEQ is authorized to reallocate unexpended balances between programs to meet the objectives of the TERP program, provided such reallocations are within the statutory limitations on the use of TERP Account No. 5071 as set forth in Health and Safety Code §386.252.



# GENERAL LAND OFFICE AND VETERANS' LAND BOARD

Differences Only - Excludes Capital

## House

- 13. State Energy Marketing Program.** It is the intent of the Legislature that the General Land Office use a portion of the revenue from real property sales of the Permanent School Fund (PSF) and all receipts from the lease of PSF real property for mineral development, including royalties from existing and future active mineral leases of PSF land, to manage the State Gas Program within the State Energy Marketing Program as authorized by Natural Resources Code §31.401 and Utilities Code §§35.102 and 104.2545.

It is the intent of the Legislature that the General Land Office use only revenue generated from royalties taken in kind, as provided by §§52.133(f), 53.026, and 53.077, Natural Resources Code, to purchase power and to manage the State Power Program within the State Energy Marketing Program as authorized by Natural Resources Code §31.401 and Utilities Code §§35.102 and 104.2545.

- 20. Unexpended Balances of Earned Federal Funds for Disaster Recovery Program.** Notwithstanding Article IX, §13.11(e), in addition to amounts appropriated above, any unobligated and unexpended balances remaining from Earned Federal Funds appropriations in Strategy D.1.1, Housing Projects and Activities, and D.1.2, Infrastructure Projects and Activities, as of August 31, 2019, are appropriated for the fiscal year beginning on September 1, 2019 (estimated to be \$0) in the same strategies for the purpose of funding salaries of federally funded positions prior to receiving federal reimbursement for salary expenses.

## Senate

- 13. State Energy Marketing Program.** It is the intent of the Legislature that the General Land Office use a portion of the revenue from real property sales of the Permanent School Fund (PSF) and all receipts from the lease of PSF real property for mineral development, including royalties from existing and future active mineral leases of PSF land, to manage the State Energy Marketing Program as authorized by Natural Resources Code §31.401 and Utilities Code §§35.102 and 104.2545.

- 20. Contingency Appropriation for Disaster Recovery Program.** Amounts appropriated above include \$779,624 in fiscal year 2020 and \$779,624 in fiscal year 2021 in General Revenue in Strategy D.1.1, Oversee Housing Projects and Activities, to retain 10.0 FTEs each fiscal year contingent upon Federal Emergency Management Agency (FEMA) federal funds not being available to fund FEMA related costs at the General Land Office (GLO) for the Disaster Recovery Program. In the event that FEMA funding should not be available for this purpose, GLO may request approval by the Legislative Budget Board to expend these funds to retain the 10.0 FTEs each fiscal year. Upon approval, the Comptroller of Public Accounts shall make the funds available to GLO, and GLO may transfer amounts between Strategies D.1.1, Oversee Housing Projects and Activities and D.1.2, Oversee Infrastructure Projects and Activities as necessary to

**GENERAL LAND OFFICE AND VETERANS' LAND BOARD**

Differences Only - Excludes Capital

(Continued)

**House**

**Senate**

carry out the functions of the Disaster Recovery Program.

**PARKS AND WILDLIFE DEPARTMENT**

Differences Only - Excludes Capital

**House**

**Senate**

**4. Appropriation: Unexpended Balance for Construction Projects.** Included in amounts appropriated above in strategy D.1.1, Improvements and Major Repairs, are unexpended balances from appropriations made for construction, repair, acquisition, and renovation projects and listed in the capital budget riders of Senate Bill No. 1, Acts of the Eighty-fifth Legislature, Regular Session, and House Bill No. 1, Acts of the Eighty-fourth Legislature, Regular Session. These amounts include General Obligation Bond Proceeds for projects approved under the following provisions: 1) Article IX, §18.01 of House Bill 1, Eighty-second Legislature, Regular Session, 2011, with amounts remaining as of August 31, 2019, estimated to be \$1,015,574; and 2) Article IX, §17.02 of Senate Bill 1, Eighty-third Legislature, Regular Session, 2013, with amounts remaining as of August 31, 2019, estimated to be \$4,572,004. The total unexpended balances are estimated to be \$18,868,011 out of the following funds as of August 31, 2019:

**4. Appropriation: Unexpended Balance for Construction Projects.** Included in amounts appropriated above in strategy D.1.1, Improvements and Major Repairs, are unexpended balances from appropriations made for construction, repair, acquisition, and renovation projects and listed in the capital budget riders of Senate Bill No. 1, Acts of the Eighty-fifth Legislature, Regular Session, and House Bill No. 1, Acts of the Eighty-fourth Legislature, Regular Session. These amounts include General Obligation Bond Proceeds for projects approved under the following provisions: 1) Article IX, §18.01 of House Bill 1, Eighty-second Legislature, Regular Session, 2011, with amounts remaining as of August 31, 2019, estimated to be \$1,012,574; and 2) Article IX, §17.02 of Senate Bill 1, Eighty-third Legislature, Regular Session, 2013, with amounts remaining as of August 31, 2019, estimated to be \$4,572,004. The total unexpended balances are estimated to be \$18,868,011 out of the following funds as of August 31, 2019:

	<u>2020</u>	<u>2021</u>
Sporting Goods Sales Tax - Transfer to Parks and Wildlife Conservation and Capital Account No. 5004	\$0	\$0
General Revenue - Dedicated Game, Fish and Water Safety Account No. 009	\$0	\$0
Federal Funds	\$2,111,471	\$0
Other Funds		
Appropriated Receipts	\$11,171,962	\$0
Interagency Contracts	\$0	\$0
Bond Proceeds - General Obligation Bonds	<u>\$5,584,578</u>	<u>\$0</u>
<b>Total</b>	<b>\$18,868,011</b>	<b>\$0</b>

	<u>2020</u>	<u>2021</u>
Federal Funds	\$ 2,111,471	\$0
Other Funds		
Appropriated Receipts	\$ 11,171,962	\$0
Interagency Contracts	\$ 0	\$0
Bond Proceeds - General Obligation Bonds	<u>\$ 5,584,578</u>	<u>\$0</u>
<b>Total</b>	<b>\$ 18,868,011</b>	<b>\$0</b>

Unexpended and unobligated balances remaining in such appropriation items as of August 31, 2019, are appropriated for the same purposes for the fiscal year beginning September 1, 2019. Unexpended and unobligated balances in General Revenue-Related accounts may not be carried forward from fiscal year 2019 to fiscal year 2020 without 45 days prior notification to the Legislative Budget Board and the Governor. Unexpended and unobligated balances of General Revenue-Related appropriations under this provision are subject to the provisions of Government Code §403.071 for the purposes of determining the life of an appropriation; therefore, the agency

Unexpended and unobligated balances remaining in such appropriation items as of August 31, 2019, are appropriated for the same purposes for the fiscal year beginning September 1, 2019. Unexpended and unobligated balances in General Revenue-Related accounts may not be carried forward from fiscal year 2019 to fiscal year 2020 without 45 days prior notification to the Legislative Budget Board and the Governor. Unexpended and unobligated balances of General Revenue-Related appropriations under this provision are subject to the provisions of Government Code §403.071 for the purposes of determining the life of an appropriation; therefore, the agency is not authorized to carry forward unexpended and unobligated balances in General Revenue-Related accounts from fiscal year 2019 to fiscal year 2020 if the original appropriation for the project was made during or before fiscal year 2016. The Texas Parks and Wildlife Department shall provide the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts a report by no later than December 1 of each fiscal year showing the progress and costs of all projects funded by General Revenue-Related appropriations made by the Eighty-fourth and the Eighty-fifth Legislatures.

## PARKS AND WILDLIFE DEPARTMENT

Differences Only - Excludes Capital

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is not authorized to carry forward unexpended and unobligated balances in General Revenue-Related accounts from fiscal year 2019 to fiscal year 2020 if the original appropriation for the project was made during or before fiscal year 2016. The Texas Parks and Wildlife Department shall provide the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts a report by no later than December 1 of each fiscal year showing the progress and costs of all projects funded by General Revenue-Related appropriations made by the Eighty-fourth and the Eighty-fifth Legislatures.

**11. Payments to License Agents, Tax Assessor Collectors, and License Vendor.** Included in amounts appropriated above in Strategy C.3.1, License Issuance, and C.3.2, Boat Registration and Titling, are amounts necessary for payments to license agents and tax assessor collectors (estimated to be \$3,657,000 in each fiscal year out of the Game, Fish and Water Safety Account No. 9, Non-Game and Endangered Species Conservation Account No. 0506, and Lifetime License Endowment Fund Account No. 0544). Such amounts shall be used for the sole purpose of payments to license agents and tax assessor collectors for the costs of issuing and collecting money associated with the sale of licenses, stamp endorsements, permits, tags, boat registration and titling, and other similar items issued under the Parks and Wildlife Code.

Also included in the amounts appropriated above in Strategy C.3.1, License Issuance, are amounts necessary for payments to the license sales system vendor, estimated to be \$2,153,700 in each fiscal year out of the Game, Fish and Water Safety Account No. 9, \$225,000 in each fiscal year out of General Revenue - Earned Federal Funds, and \$917,000 in each fiscal year out of Appropriated Receipts from license machine rentals and from collection/issuance fees for on-line/call center licenses purchases.

**32. Appropriation: Unexpended Balances for Deferred Maintenance.** Included in the amounts appropriated above in Strategy D.1.1, Improvements and Major Repairs, are any unexpended and unobligated balances of Sporting Goods Sales Tax - Transfer to Parks and Wildlife Conservation and Capital Account No. 5004 appropriated in Strategy D.1.1, Improvements and Major Repairs,

**11. Payments to License Agents, Tax Assessor Collectors, and License Vendor.** Included in amounts appropriated above in Strategy C.3.1, License Issuance, and C.3.2, Boat Registration and Titling, are amounts necessary for payments to license agents and tax assessor collectors (estimated to be \$4,705,510 in each fiscal year out of the Game, Fish and Water Safety Account No. 9, Non-Game and Endangered Species Conservation Account No. 0506, and Lifetime License Endowment Fund Account No. 0544). Such amounts shall be used for the sole purpose of payments to license agents and tax assessor collectors for the costs of issuing and collecting money associated with the sale of licenses, stamp endorsements, permits, tags, boat registration and titling, and other similar items issued under the Parks and Wildlife Code.

Also included in the amounts appropriated above in Strategy C.3.1, License Issuance, are amounts necessary for payments to the license sales system vendor, estimated to be \$2,153,700 in each fiscal year out of the Game, Fish and Water Safety Account No. 9, \$225,000 in each fiscal year out of General Revenue - Earned Federal Funds, and \$917,000 in each fiscal year out of Appropriated Receipts from license machine rentals and from collection/issuance fees for on-line/call center licenses purchases.

**32. Appropriation: Unexpended Balances for Deferred Maintenance.** Included in the amounts appropriated above in Strategy D.1.1, Improvements and Major Repairs, are any unexpended and unobligated balances of Sporting Goods Sales Tax - Transfer to Parks and Wildlife Conservation and Capital Account No. 5004 appropriated in Strategy D.1.1, Improvements and Major Repairs,

## PARKS AND WILDLIFE DEPARTMENT

Differences Only - Excludes Capital  
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in the 2018-19 biennium for deferred maintenance and capital construction projects reviewed by the Joint Oversight Committee on Government Facilities as of August 31, 2019, (estimated to be \$0) for the fiscal year beginning September 1, 2019, for the same purpose.

### Senate

in the 2018-19 biennium for deferred maintenance and capital construction projects reviewed by the Joint Oversight Committee on Government Facilities as of August 31, 2019, (estimated to be \$0) for the fiscal year beginning September 1, 2019, for the same purpose.

Any unexpended and unobligated balances for deferred maintenance remaining as of August 31, 2019, as identified in this rider shall be included in the Deferred Maintenance capital project identified in Rider 2, Capital Budget. Any unexpended and unobligated balances for capital construction projects remaining as of August 31, 2019, as identified in this rider shall be included in the Construction and Major Repairs capital project identified in Rider 2, Capital Budget.

**33. Maximum Appropriation of Sporting Goods Sales Tax (SGST) Revenue.** Amounts appropriated above include \$126,220,236 in fiscal year 2020 and \$128,651,198 in fiscal year 2021 from limited sales, excise, and use tax revenue identified as Sporting Goods Sales Tax (SGST) as reflected above in Rider 15, Informational Listing - Allocation of Sporting Goods Sales Tax (SGST). This appropriation represents the statutory maximum allocation of SGST revenue to TPWD, pursuant to Tax Code, §151.801 (94.0 percent of the total SGST revenue), as calculated in the Comptroller of Public Accounts' Biennial Revenue Estimate, net of appropriations made elsewhere in this Act for benefits and debt service.

If the Comptroller determines that the maximum allocation of SGST revenue to TPWD for the 2020-21 biennium exceeds the amounts appropriated in this Act to TPWD and elsewhere for benefits and debt service, the difference is appropriated to TPWD. This appropriation of additional SGST revenue shall be allocated to the accounts that receive SGST revenue transfers proportionally to the allocation contained in this Act.

**33. Northern Bobwhite Quail Interagency Contract.** Out of funds appropriated above in Strategy A.1.1, Wildlife Conservation, the Texas Parks and Wildlife Department shall use \$925,112 each fiscal year from the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 to contract with the Texas A&M AgriLife Extension Service for the following purposes: develop

## PARKS AND WILDLIFE DEPARTMENT

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educational resources and programs to reestablish growth of quail populations based on research-proven best management practices; investigations into the impact of parasites and toxins on quail populations; diagnostic tests for diseases impacting quail populations, genomic sequencing and bioinformatics studies; field tests to study how health factors interact with environmental factors to impact quail populations; and develop a centralized data repository of research findings.

- 35. Appropriation of State Park Concession Revenue.** Included in the amounts appropriated above in Strategy B.1.1, State Park Operations, is concession receipt revenue generated at state park facilities deposited in the General Revenue-Dedicated State Parks Account No. 64 (estimated to be \$5,301,000 in each fiscal year of the 2020-21 biennium). In the event concession receipt revenue deposited in General Revenue-Dedicated State Parks Account No. 64 exceeds the estimated amount in either fiscal year of the 2020-21 biennium, the agency is appropriated the excess (not to exceed \$200,000 in each fiscal year) for the purpose of purchasing merchandise for resale and enhancing the state park concession system. Any unexpended balances remaining as of August 31, 2020, are appropriated for the same purpose in the fiscal year beginning September 1, 2020.

The Parks and Wildlife Department shall notify the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts if concession receipt revenue generated at state park facilities deposited in General Revenue-Dedicated State Parks Account No. 64 exceeds the estimated amount of \$5,301,000 each fiscal year of the 2020-21 biennium and are appropriated according to this provision.

## WATER DEVELOPMENT BOARD

Differences Only - Excludes Capital

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- 24. Study of Aquifers and Brackish Groundwater.** Amounts appropriated above in Strategy A.2.2, Water Resources Planning, include \$1,849,233 in fiscal year 2020 and \$150,767 in fiscal year 2021 out of the General Revenue Fund for contract costs for studies related to designating priority zones for the production of brackish groundwater in aquifers throughout the state as identified. The amounts of \$167,787 in fiscal year 2020 and \$150,767 in fiscal year 2021 shall be used for administrative costs in implementing the studies. The Board shall report to the Legislature on its progress relating to the studies not later than December 1 of each year.