



ENROLLED

S.B. No. 222

GENERAL APPROPRIATIONS ACT

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RECAPITULATION - ALL ARTICLES

		GENERAL REVENUE	OTHER FUNDS	TOTAL
ARTICLE I - EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES	1990	\$ 1,979,059,874	\$ 4,208,666,290	\$ 6,187,726,164
	1991	\$ 2,031,542,214	\$ 4,365,636,838	\$ 6,397,179,052
ARTICLE II - HEALTH, WELFARE AND REHABILITATION AGENCIES	1990	2,522,733,853	2,858,424,321	5,381,158,174
	1991	2,786,867,151	3,241,288,831	6,028,155,982
ARTICLE III - AGENCIES OF PUBLIC EDUCATION	1990	8,850,373,342	1,857,437,786	10,707,811,128
	1991	8,887,641,572	1,900,860,919	10,788,502,491
ARTICLE IV - THE JUDICIARY	1990	52,937,415	15,589,435	68,526,850
	1991	52,468,381	15,835,277	68,303,658
ARTICLE VI - THE LEGISLATURE	1990	63,735,868		63,735,868
	1991	62,538,573		62,538,573
ARTICLE VII - CAPITAL OUTLAY	1990	206,935,691	358,308,213	565,243,904
	1991	<u>27,240,798</u>	<u>112,487,659</u>	<u>139,728,457</u>
TOTAL, FISCAL YEAR	1990	\$13,675,776,043	\$ 9,298,426,045	\$22,974,202,088
	1991	<u>\$13,848,298,689</u>	<u>\$ 9,636,109,524</u>	<u>\$23,484,408,213</u>
GRAND TOTAL, 1990-91 BIENNIUM *		<u>\$27,524,074,732</u>	<u>\$18,934,535,569</u>	<u>\$46,458,610,301</u>

* Total does not include rider appropriations.

A BILL TO BE ENTITLED

AN ACT

appropriating money for the support of the Judicial, Executive and Legislative Branches of the State Government, for the construction of State buildings, and for State aid to public junior colleges, for the period beginning September 1, 1989 and ending August 31, 1991, authorizing and prescribing conditions, limitations, rules and procedures for allocating and expending the appropriated funds; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE I

EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES

Section 1. The following sums, or as much of them as may be necessary for the objects and purposes shown, are appropriated from the General Revenue Fund and from other funds as specified, for the expenses of the named executive and administrative departments and agencies of the state.

BOARD OF PUBLIC ACCOUNTANCY

	For the Years Ending	
	August 31, 1990	August 31, 1991
<u>Administration, Licensing and Enforcement</u>		
1. Administration	\$ 674,751	\$ 670,336
2. Licensing and Continuing Education	311,254	314,945
3. Examination:		
a. Administration	458,873	456,299
b. Purchasing and Grading of National Examination, estimated	<u>938,306</u>	<u>943,674</u>
Total, Examination	<u>\$ 1,397,179</u>	<u>\$ 1,399,973</u>
4. Enforcement	\$ 244,617	\$ 243,406
5. Contingency for Outside Legal Counsel	40,000	40,000
6. Contingency Appropriation S.B. 329	<u>315,822</u>	<u>298,352</u>
GRAND TOTAL, BOARD OF PUBLIC ACCOUNTANCY	<u>\$ 2,983,623</u>	<u>\$ 2,967,012</u>

BOARD OF PUBLIC ACCOUNTANCY
(Continued)

Method of Financing:

Public Accountancy Fund No. 470	\$ 2,913,623	\$ 2,897,012
Reappropriated Receipts, estimated	<u>70,000</u>	<u>70,000</u>
Total, Method of Financing	\$ 2,983,623 =====	\$ 2,967,012 =====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 48,328	\$ 48,328
Per Diem of Board Members	9,720	9,720

SCHEDULE OF CLASSIFIED POSITIONS, BOARD OF PUBLIC ACCOUNTANCY

GROUP 21

0253 Programmer Analyst III
3539 Attorney VI

GROUP 20

1166 Chief Accountant III

GROUP 18

0242 ADP Programmer III
0251 Programmer Analyst I
0262 Systems Analyst II

GROUP 17

1506 Administrative Assistant
1563 Program Administrator I, 3
3536 Attorney III

GROUP 16

1550 Staff Services Assistant

GROUP 15

1504 Administrative Technician IV, 2

GROUP 14

0232 ADP Supervisor II
3644 Investigator II, 2

GROUP 13

1162 Accountant II

GROUP 11

1502 Administrative Technician II, 5

GROUP 08

0205 Key Entry Operator III, 2
1003 Accounting Clerk III
1501 Administrative Technician I, 3

BOARD OF PUBLIC ACCOUNTANCY
(Continued)

GROUP 07

0135 Secretary III

GROUP 06

0055 Clerk III, 9

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Board of Public Accountancy. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the Public Accountancy
Fund No. 470:

1. Acquisition of Computer Equipment and Software	\$ 61,818	\$ 16,940
Total, Capital Outlay	\$ 61,818	\$ 16,940
	=====	=====

Of the amounts appropriated above for acquisition of computer equipment and software, \$4,000 in fiscal year 1990 is solely for the purpose of quality review and is made contingent upon the enactment of Senate Bill 329, Seventy-first Legislature, Regular Session.

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of said biennium in the Public Accountancy Fund No. 470.
3. PURCHASE OF EXAMINATIONS. The amount appropriated above for Item 3.b., Purchasing and Grading of National Examination, shall be expended solely for the purpose of purchasing and grading of the Uniform CPA Examination from the American Institute of Certified Public Accountants.
4. TRANSFER AUTHORITY. The Board of Public Accountancy is hereby authorized to transfer such amounts as may be necessary from Item 1. Administration into line Items 2. Licensing and Continuing Education, 3. Examination a. Administration, 4. Enforcement, and 5. Contingency for Outside Legal Counsel.

BOARD OF PUBLIC ACCOUNTANCY
(Continued)

5. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

6. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 470 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

7. CONTINGENCY APPROPRIATION, QUALITY REVIEW. Funds appropriated in Program Item 6. are contingent upon the enactment of Senate Bill 329, Seventy-first Legislature, Regular Session. The Board of Public Accountancy shall establish a fee structure that would generate an additional \$490,000 during the 1990-1991 biennium to cover the cost of the Quality Review Program and an additional investigator. Fees for the Federal Bureau of Investigation background checks shall be paid by new licensees out of the fee charged to new licensees for the issuance of a C.P.A. certificate. In the event that Senate Bill 329 is enacted by the Seventy-first Legislature, the amounts listed above for per diem of board members in the schedule of exempt positions is increased to \$21,000 in fiscal year 1990 and \$21,000 in fiscal year 1991.

BOARD OF PUBLIC ACCOUNTANCY
(Continued)

8. REAPPROPRIATION FOR COMPUTER. Contingent on the Board of Public Accountancy's inability to purchase additional computer resources in 1989, any unexpended balances remaining in Program Item 1., Administration, of Senate Bill 1, Seventieth Legislature, Second Called Session, as of August 31, 1989, not to exceed \$465,000, are hereby reappropriated for the fiscal year beginning September 1, 1989, for the purchase of hardware, software, and conversion costs related to the new computer system.

ADJUTANT GENERAL'S DEPARTMENT

	For the Years Ending August 31, 1990	August 31, 1991
1. Command and Administration:		
a. Command Staff	270,612	270,612
b. Support Services	<u>1,342,722</u>	<u>1,346,087</u>
Total, Command and Administration	\$ <u>1,613,334</u>	\$ <u>1,616,699</u>
2. Texas National Guard:		
a. Personnel Support	\$ 144,372	\$ 144,372
b. Operations and Training	<u>288,818</u>	<u>288,903</u>
Total, Texas National Guard	\$ <u>433,190</u>	\$ <u>433,275</u>
3. Texas State Guard	\$ 111,966	\$ 113,186
4. Facilities:		
a. Facilities Maintenance	2,882,278	2,982,278
b. Utilities	3,216,808	3,216,709
c. Safety and Security	3,418,179	3,418,179
Total, Facilities	\$ <u>9,517,265</u>	\$ <u>9,617,166</u>
5. Rental of Armories and Other Facilities (to be paid to Texas National Guard Armory Board)	\$ <u>2,520,765</u>	\$ <u>2,783,723</u>
GRAND TOTAL, ADJUTANT GENERAL'S DEPARTMENT	\$ <u>14,196,520</u> =====	\$ <u>14,564,049</u> =====
Method of Financing:		
General Revenue Fund	\$ 7,410,241	\$ 7,777,770

ADJUTANT GENERAL'S DEPARTMENT
(Continued)

Adjutant General Federal Fund No. 449, estimated	<u>6,786,279</u>	<u>6,786,279</u>
Total, Method of Financing	\$ 14,196,520	\$ 14,564,049

Schedule of Exempt Positions

Adjutant General		\$		\$
(plus quarters, utilities and telephone)		56,943		56,943
Assistant Adjutant General-Army				
(plus quarters, utilities and telephone)		53,370		53,370
Assistant Adjutant General-Air				
(plus quarters, utilities and telephone)		53,370		53,370
State Budget Advocate		48,012		48,012
Supervisory Fire/Crash Rescue Technician	2	39,461	2	39,461
Fire/Crash Rescue Training Technician		39,461		39,461
Lead Fire/Crash Rescue Technician	12	34,384	12	34,384
Fire/Crash Rescue Specialist	30	32,265	30	32,265
Fire/Crash Rescue Trainee	5	27,118	5	27,118

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Adjutant General's Department. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

- | | | |
|---|-----------|-----------|
| 1. Acquisition of Computer Equipment and Software | \$ 92,242 | \$ 43,000 |
| Total, Capital Outlay | \$ 92,242 | \$ 43,000 |

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFERABILITY. The Adjutant General is hereby authorized to transfer such amounts as may be necessary from one sub-item or program to another sub-item or program between appropriation items numbered 1. Command and Administration, 2. Texas National Guard, 3. Texas State Guard, and 4. Facilities.

ADJUTANT GENERAL'S DEPARTMENT
(Continued)

3. ADJUTANT GENERAL FEDERAL FUND NO. 449. Notwithstanding the provisions in Article V of this Act, federal reimbursements received by the Adjutant General's Department for expenditures previously made from the General Revenue Fund shall be credited by the Comptroller to the Adjutant General Federal Fund No. 449.
4. SUPPORT AND MAINTENANCE EXPENDITURES. It is hereby provided that all monies currently appropriated to the Adjutant General's Department for support and maintenance of the Texas National Guard are authorized for like expenditures for the support and maintenance, including organization, of units of the Texas Militia supplementing the Texas National Guard or replacing National Guard units inducted into Federal service.
5. TRAVEL LIMITATIONS. Subject to the travel limitations set out in Article V of this Act, the Adjutant General's Department shall pay the travel expenses of members of the National Guard when said members are acting as official representatives of the Adjutant General on behalf of the Texas National Guard.
6. PAYMENT OF TRAVEL - LIMITATION. None of the funds appropriated above may be expended for the payment of travel of any officer or employee, except the Adjutant General of the State of Texas, Assistant Adjutant General-Army, Assistant Adjutant General-Air, and State Judge Advocate, to meetings of the National Guard Association of the United States.
7. MAXIMIZATION OF BOND PROCEEDS. It is the intent of the Legislature that appropriations for Item 5; Rental of Armories and Other Facilities (to be paid to Texas National Guard Armory Board) be for bond proceeds directed toward those construction/expansion/renovation projects for which federal government participation will be maximized.
8. APPROVAL OF CLASSIFIED POSITIONS. Funds appropriated above may be expended to employ personnel in classified position titles listed in Article V of the Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Office for use by this agency.
9. TELEPHONE SYSTEM REPLACEMENT.
 - a. From amounts appropriated herein above in item 4.a., Facilities Maintenance, \$100,000 in fiscal year 1991 shall be used only for the purchase of a telephone system and is contingent upon receiving \$300,000 in matching Federal Funds.
 - b. The department is authorized to expend an additional \$100,000 from the funds appropriated for the 1990-1991 biennium from items 1., 2., 3., or 4. above for the telephone system. This expenditure is contingent upon receiving an additional \$300,000 in matching Federal Funds. Any unexpended amounts from general revenue appropriations for fiscal year 1990, not to exceed \$100,000, may be carried forward to fiscal year 1991 for the purposes of the subsection.

ADJUTANT GENERAL'S DEPARTMENT
(Continued)

- c. In the event that the complete system costs less than the \$200,000 in state funds authorized by this provision, the matching ratio of 25% state, 75% federal, shall be maintained.

AERONAUTICS COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Aeronautical Services and Facilities Development:		
a. Administration and Support	352,021	352,021
b. Planning and Engineering Services	863,784	762,984
c. Aeronautical Services and Information	208,339	212,739
GRAND TOTAL, AERONAUTICS COMMISSION	\$ 1,424,144	\$ 1,327,744
	=====	=====

Method of Financing:

General Revenue Fund	\$ 863,944	\$ 874,744
Reappropriated Receipts, Estimated	40,000	40,000
Federal Funds, Estimated	520,200	413,000
Total, Method of Financing	\$ 1,424,144	\$ 1,327,744
	=====	=====

Schedule of Exempt Positions and Per Diem of Commission Members

Executive Director	\$ 50,009	\$ 50,009
Chief Engineer, Aviation Facilities Development	47,067	47,067
Per Diem of Commission Members	1,080	1,080

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Aeronautics Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	\$ 3,600	\$ -0-
Total, Capital Outlay	\$ 3,600	\$ -0-
	=====	=====

Method of Financing:

AERONAUTICS COMMISSION
(Continued)

General Revenue Fund	\$ 3,600	\$ -0-
Total, Method of Financing	\$ 3,600 =====	\$ -0- =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. REAPPROPRIATION OF LOAN FUND BALANCES. Balances in and revenues accruing to the Texas Aeronautics Commission Special Loan Fund are hereby reappropriated for the same purpose for the biennium beginning September 1, 1989.
3. REAPPROPRIATION OF DIRECTORY FEES. All monies received and collected for the Texas Airport Directory during the 1990-91 biennium are hereby appropriated to Item 1.c., Aeronautical Services and Information, for use during the 1990-1991 biennium. Any unexpended balances received for the Texas Airport Directory on August 31, 1989 are hereby appropriated for use in the biennium beginning with the effective date of this Act.
4. REAPPROPRIATION OF TRUST FUND BALANCES. There is hereby appropriated all revenues received during each year of the biennium beginning September 1, 1989, and any balances on hand at the beginning of each fiscal year of the biennium in the Aviation Trust Fund No. 525.
5. REAPPROPRIATION OF GRANT FUNDS. Any balances remaining as of August 31, 1989, in Rider No. 9 of appropriations made to the Texas Aeronautics Commission in Senate Bill No. 1, Acts of the Seventieth Legislature, Second Called Session, 1987, are reappropriated for the same purpose for the biennium beginning September 1, 1989.
6. CLASSIFICATION OFFICER APPROVAL REQUIRED. Funds appropriated above may be expended to employ personnel in classified position titles listed in Article V of the Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Office for use by this agency.
7. TRANSFER AUTHORITY. The Texas Aeronautics Commission is hereby authorized to transfer such amounts as it deems necessary, not to exceed 15 percent in fiscal year 1990 and 10 percent in fiscal year 1991 from one activity to another activity within Aeronautical Services and Facilities Development.
8. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:

AERONAUTICS COMMISSION
(Continued)

- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
- b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

9. FUEL TAX CONTINGENCY. Contingent upon enactment by the Seventy-first Legislature of legislation imposing a tax upon aviation fuel, all resulting revenues available to the Texas Aeronautics Commission are hereby appropriated for airport facility development assistance to local airport sponsors, except that \$300,000 per year of such revenue is appropriated to the commission for the cost of administering the assistance program.
10. SUPERPORT DEVELOPMENT. The Aeronautics Commission is directed to enter into an interagency contract with the Department of Commerce to study the feasibility of locating one or more aviation superports in Texas and in cooperation with the Department of Commerce assess the economic benefits to the State of superport development from the monies appropriated to the Department of Commerce.

DEPARTMENT ON AGING

	For the Years Ending August 31, 1990	August 31, 1991
1. State Administration	1,144,916	1,144,916
2. Local Services/Grants	49,066,803	49,066,803
3. Senior Texans Employment Program	4,023,961	4,023,961
4. Retired Senior Volunteer Program	575,000	575,000
GRAND TOTAL, DEPARTMENT ON AGING	\$ 54,810,680	\$ 54,810,680

Method of Financing:

- | | | | |
|-------------------------------------|----|-----------|------------|
| 1. General Revenue Fund: | | | |
| a. State Administration | \$ | 182,984 | \$ 182,984 |
| b. Local Services/Grants | | 4,302,816 | 4,302,816 |
| c. Senior Texans Employment Program | | 468,687 | 468,687 |

DEPARTMENT ON AGING
(Continued)

d. Retired Senior Volunteer Program	<u>575,000</u>	<u>575,000</u>
Total, General Revenue Fund	\$ <u>5,529,487</u>	\$ <u>5,529,487</u>
2. Earned Federal Funds:		
a. State Administration	\$ <u>110,000</u>	\$ <u>110,000</u>
3. Federal Funds, estimated:		
a. State Administration	\$ 851,932	\$ 851,932
b. Local Services/Grants	44,763,987	44,763,987
c. Senior Texans Employment Program	<u>3,555,274</u>	<u>3,555,274</u>
Total, Federal Funds, estimated	\$ <u>49,171,193</u>	\$ <u>49,171,193</u>
Total, Method of Financing	\$ <u>54,810,680</u>	\$ <u>54,810,680</u>
	=====	=====

Schedule of Exempt Positions

Executive Director	\$ 50,000	\$ 50,000
--------------------	-----------	-----------

1. EXPENDITURE LIMITATION-STATE ADMINISTRATION. It is the intent of the Legislature that Item 1. State Administration, not exceed the amounts appropriated above, in the event Title III federal funds exceed those estimated. This restriction does not preclude the usage of any other grants for State Administration.
2. DATA ON RSVP MATCHING FUNDS REQUIRED. It is the intent of the Legislature that the Department on Aging maintain data on the amount of matching funds required for federal grants to local retired senior volunteer programs. The department shall submit to the Legislative Budget Office and the Governor's Budget Office by October 1 of each fiscal year, a report in such detail as the two budget offices may require.
3. UNIT COST REPORTING REQUIRED. It is the intent of the Legislature that the Texas Department on Aging develop a reporting system that clearly and accurately identifies the unit cost of each service provided by each Area Agency on Aging under the Local Services program, and that the results of this unit cost reporting be provided to the Legislative Budget Office and the Governor's Budget Office semi-annually and in a form that the two budget offices may require.
4. REGISTRATION OF BOARD AND LODGING HOMES. Fees collected by the Texas Department on Aging for the registration of board and lodging homes are appropriated to the department to be used for administering the registration program.
5. LOCAL SERVICES/GRANTS: ALLOCATION OF FUNDS. Of the general revenue amounts appropriated above in Item 2., Local Services/Grants, an amount not less than \$800,000 each year of the 1990-1991 biennium shall be allocated for services provided by the Options for Independent Living program. Additionally, an amount of general revenue not less than \$1,591,875 each year of the 1990-1991 biennium shall be used for the provision of home-delivered meals.

DEPARTMENT ON AGING
(Continued)

- 6. MAINTENANCE OF EFFORT: NUTRITION SERVICES. Of the amounts appropriated above in Item 2., Local Services/Grants, general revenue amounts allocated to each area agency on aging for nutrition services during fiscal year 1990 and 1991 shall not be less than amounts allocated during fiscal year 1989.
- 7. FUNDING FORMULA IMPACT ASSESSMENT. The Department on Aging shall assess the fiscal and programmatic impact of implementing a 100 percent 1990 population-based Title III funding formula in fiscal year 1992 and report its findings to the Seventy-second Legislature.
- 8. MEMORANDUM OF AGREEMENT: OPTIONS FOR INDEPENDENT LIVING PROGRAM. It is the intent of the Legislature that, in establishing the Options for Independent Living program, the Texas Department on Aging will complete a Memorandum of Agreement with the Texas Department of Human Services which specifies that there will be no duplication of services to elderly clients served by the "Options" program and elderly clients served by the Texas Department of Human Services.
- 9. APPROPRIATION SOURCE: OPTIONS FOR INDEPENDENT LIVING. Contingent upon passage of Senate Bill 482, Seventy-first Legislature, all fees collected are hereby reappropriated to the Department on Aging for the expansion of the Options for Independent Living program.

DEPARTMENT OF AGRICULTURE

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration:		
a. General Administration	1,965,565	1,965,565
b. Automated Data Processing	328,167	328,167
Total, Administration	\$ 2,293,732	\$ 2,293,732
2. Regulatory Operation:		
a. Plant Disease and Pest Control	\$ 2,113,045	\$ 2,113,045
b. Seed Regulation	2,222,312	2,222,312
c. Consumer Services	4,833,495	4,833,495
d. Pesticide/Herbicide Regulation	1,954,200	1,954,200
e. Laboratory Services	705,029	705,029
f. Quarantine Enforcement/Education	699,208	699,208
g. Piece Rate Crop Survey	40,799	40,799
h. Pest Management:		
(1) Integrated Pest Management	140,481	140,481
(2) Boll Weevil	50,390	50,390
(3) Mexfly Program	190,872	190,872
Subtotal, Pest Management	\$ 381,743	\$ 381,743
i. Hazardous Communication Act	\$ 413,777	\$ 413,777
j. Boll Weevil Control Act	74,981	75,281

DEPARTMENT OF AGRICULTURE
(Continued)

k. Predatory Management	100,000	100,000
Total, Regulatory Operation	\$ 13,538,589	\$ 13,538,889
3. Agricultural Market Development:		
a. Agricultural Development and Product Promotion	\$ 2,784,191	\$ 2,784,191
b. Export Market Development and Livestock Exporting Facilities	818,025	818,025
c. Market News Information	575,160	575,160
d. Statistical Reporting	371,127	371,127
e. Agricultural Diversification	568,200	82,164
		& U.B.
Total, Agricultural Market Development	\$ 5,116,703	\$ 4,630,667
GRAND TOTAL, DEPARTMENT OF AGRICULTURE	\$ 20,949,024	\$ 20,463,288
	=====	=====

Method of Financing:

General Revenue Fund	\$ 16,395,759	\$ 15,910,023
Interagency Contracts, estimated	158,000	158,000
Federal Funds, estimated	754,780	754,780
Earned Federal Funds	40,000	40,000
Market News Fees, estimated	15,000	15,000
Fee Revenue	3,585,485	3,585,485
Total, Method of Financing	\$ 20,949,024	\$ 20,463,288
	=====	=====

Schedule of Exempt Positions

Commissioner	\$ 74,698	\$ 74,698
Deputy Commissioner	72,000	72,000
Associate Deputy Commissioner	68,000	68,000
Assistant Commissioner	2 59,359	2 59,359
General Counsel	59,359	59,359
Director of Field Operations	59,359	59,359
Director, Agricultural Services	9 55,157	9 55,157
Director, Agricultural Services	48,960	48,960
Director, Agricultural Services	46,561	46,561

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Department of Agriculture. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer

DEPARTMENT OF AGRICULTURE
(Continued)

Equipment and Software	\$ <u>90,200</u>	\$ <u>89,900</u>
Total, Capital Outlay	\$ <u>90,200</u> =====	\$ <u>89,900</u> =====
Method of Financing:		
General Revenue Fund	\$ <u>90,200</u>	\$ <u>89,900</u>
Total, Method of Financing	\$ <u>90,200</u> =====	\$ <u>89,900</u> =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFER AUTHORITY. Unless specifically restricted, the Department of Agriculture is hereby authorized to transfer an amount not to exceed 15% in fiscal year 1990 and 10% in fiscal year 1991 of any sub-item appropriation from one sub-item to another sub-item within program appropriation items numbered 1., Administration, 2., Regulatory Operations, and 3., Agricultural Market Development.
3. APPROPRIATION OF YARDAGE FEES. The fees collected for yardage under the provisions of Senate Bill No. 1009, Acts of the Sixty-second Legislature, Regular Session, shall be deposited 75 percent to the General Revenue Fund, unappropriated, and 25 percent as appropriated revenue for the purpose of paying export facility lease expenses and, further, any receipts for third party services are hereby appropriated.
4. APPROPRIATION OF FUNDS FOR MEXFLY AND MEDFLY TRAPPING. From funds appropriated above for Item 2.a., Plant Disease and Pest Control, Eight Hundred Thousand Dollars (\$800,000) shall be used solely to fund the department's Mexfly and Medfly trapping activities.
5. APPROPRIATION FOR FAMILY FARM AND RANCH SECURITY LOAN PROGRAM LIMITED. There is hereby appropriated to the Department of Agriculture from the Farm and Ranch Loan Security Fund and from the Interest and Sinking Fund for Farm and Ranch Loan Security Bonds the amount necessary to carry out the provisions of Article III, Section 50c, of the Texas Constitution and Chapter 839, Acts of the Sixty-sixth Legislature, 1979 (Article 55q, Vernon's Texas Civil Statutes), and as amended. During any fiscal year, the total amount of funds used to administer the Family Farm and Ranch Security Loan Program may not exceed \$100,000. Contract legal costs incurred to serve the bonds or comply with the bond order or applicable regulations shall not exceed \$20,000 during any fiscal year.

DEPARTMENT OF AGRICULTURE
(Continued)

6. APPROPRIATION FOR FARMERS MARKET COUPON DEMONSTRATION PROGRAM. The Texas Department of Agriculture is hereby appropriated \$126,000 in fiscal year 1990 and \$157,000 in fiscal year 1991 from the general revenue fund to be used solely for the Farmers Market Coupon Demonstration Project, as authorized by Public Law 100-435. The department shall transfer these funds to the Texas Department of Health to be used as state matching funds for the Demonstration Project.
7. BOLL WEEVIL APPROPRIATION LIMITED. Funds appropriated in Item 2.h.(2), entitled Pest Management: Boll Weevil, are intended for use in the boll weevil diapause programs with certified cotton producer associations with not more than 5 percent of the funds being utilized by the agency for administering the program.
8. APPROPRIATION OF MARKET NEWS INFORMATION FEES. All monies collected from subscription fees for printed materials within Items 3.c., Market News Information, are hereby appropriated to Item 3.c.
9. APPROPRIATION FOR TEXAS SYSTEM OF NATURAL LABORATORIES LIMITED. Out of funds appropriated to the department in Item 2.e., Laboratory Services, \$35,000 in fiscal year 1990 and \$35,000 in fiscal year 1991 is appropriated for contract with the Texas System of Natural Laboratories, Inc., to provide ecology laboratories and facilities for the state's general academic institutions. The Texas System of Natural Laboratories, Inc., shall provide a copy of its annual report to the department with the contract for payment at the start of each fiscal year of the biennium.
10. APPROPRIATION OF STATISTICAL SERVICES FEES. It is the intent of the Legislature that the Texas Agricultural Statistical Service be authorized to contract with other state agencies and other users of data collected by the Service in order to recover, all or in part, costs incurred by the Service in collection, publishing and/or dissemination of data. Any amounts collected pursuant to such contracts are hereby appropriated to the Department for the support of statistical services
11. APPROPRIATION OF LAND DONATIONS. The Department of Agriculture is hereby authorized to lease, and/or accept the donation of land or the use of land from either governmental agencies, private firms, corporations, or individuals to be used in connection with the performance of its various responsibilities and programs.
12. URANIUM CONTAMINATION STUDY APPROPRIATION. Out of the amounts appropriated above in Item 2.c., Regulatory Operations, Consumer Services, an amount not to exceed \$125,000 each year of the biennium is hereby appropriated for a comprehensive analysis of the agriculture and rural impacts of uranium mining, milling, and waste storage. The study should address such areas as the extent of any soil and water contamination, uptake of radionuclides by crops and livestock, human effects of exposure to the radiation through the food chain, and effects on land use, agricultural practices, and nearby rural communities. The study shall be conducted in cooperation with the Department of Health, the Texas Water Commission, and the University of Texas Medical Branch at Galveston. The department is directed to avoid duplication of similar uranium impact studies conducted by the Department of Health, the Texas Water Commission, and The University of Texas Medical Branch at Galveston.

DEPARTMENT OF AGRICULTURE
(Continued)

13. REAPPROPRIATION OF FEES FOR CAPITAL OUTLAY. Any fee income earned by the department in fiscal year 1990 (1) in excess of the amount collected in fiscal year 1989, and (2) deposited into the General Revenue Fund pursuant to Section 11.008, Texas Agricultural Code, and any fee income earned by the department in fiscal year 1991 (1) in excess of the amount collected in fiscal year 1989, and (2) deposited into the General Revenue Fund pursuant to Section 11.008, Texas Agricultural Code, is hereby appropriated to the department for the sole purpose of financing capital outlay items in the following biennial amounts: Aquisition of Computer Equipment and Software, \$30,400; Aquisition of Vehicles, \$1,300,000; and Other Capital Outlay, \$155,072. The amount of the fee income to be used for this purpose shall not exceed \$936,576 in fiscal year 1990 and \$548,896 in fiscal year 1991.
14. FEE INCREASE AUTHORITY AND LIMITATION. For the purpose of implementing the intent of the Legislature and the Sunset Advisory Commission that the department collect fee amounts which offset, when feasible, the direct costs administering its regulatory programs, the department is hereby authorized to increase the fees listed below by a percentage not to exceed 25 percent. It is the intent of the Legislature that the average fee amount not exceed the amounts specified below:

Fees Subject to 25% Increase	Average Amount After Increase
Nursery/Floral and Quarantine	\$ 77
Seed Testing Services	\$ 12
Weights and Measures	\$ 12
Agricultural Protection Act	\$ 40
Metrology	\$ 4

15. FEE RATES. The following fee rates are established pursuant to Sections 316.041-316.045 of the Government Code, to be effective during the biennium covered by this Act.

(a) Seed Lab Testing:

Purity Test and Germination Test	\$ 6.00
Complete Test	\$12.00
Grasses Purity Test and Germination Test	\$10.00
Grasses Complete Test	\$20.00
(b) Seed Certification	\$20.00 + \$.24 to \$42.00 per acre
(c) Certified Registered, and Foundation Seed Labels	\$.08 per label
(d) Pesticide Registration	\$100.00
(e) Egg Inspection	\$.05 per case (30 dozen eggs)
(f) Egg Dealer-Wholesale License	\$15.00 to \$2,000.00

DEPARTMENT OF AGRICULTURE
(Continued)

(g)	LP Gas Meters Registration	\$40.00
(h)	Nursery Floral Inspection/ Registration	\$25.00 to \$150.00
(i)	Grain Warehouse Inspection	\$4.00 per 10,000 bushels or fraction or \$100.00, whichever is greater
(j)	Grain Warehouse License	\$75.00
(k)	County or Deputy Weigher Certificate	\$100.00
(l)	State Public Weigher Certificate	\$400.00

16. ACCEPTANCE OF GIFTS, GRANTS AND DONATIONS AUTHORIZED. The department is authorized to accept gifts, grants, and donations from private and public sources to be expended for the purpose specified by the donor provided that such purposes are consistent with the statutory authority and purpose of the department, and all such gifts, grants and donations are hereby appropriated to the department. Any balance of gift, grant or donation amounts unexpended during Fiscal Year 1990 shall be available for expenditure during Fiscal Year 1991. No more than \$10,000 each year may be used for operating costs from State funds.
17. FEDERAL FIRE ANT FUNDS TO SUPPLEMENT GENERAL REVENUE. It is the intent of the Legislature that the above appropriations include funds for control and eradication of the imported fire ant and may be supplemented with any available federal funds.
18. SEASONAL AND PART-TIME EMPLOYMENT AUTHORIZED. From funds appropriated above, the Department of Agriculture is authorized to employ Inspector I's (7620), Inspector II's (7621) and Inspector III's (7622) for seasonal and part-time work at salary rates at or below the prescribed minimum for the assigned range.
19. YARDAGE FEES DETERMINED. The Commissioner of Agriculture is encouraged to set fees for yardage at the department's livestock export facilities at a level that will produce sufficient revenues to equal costs of operation of the facilities.
20. CONSTRUCTION AND IMPROVEMENT OF DONATED LANDS. The Department of Agriculture may, upon approval of the Legislature, erect such structures or improvements and spend appropriated funds for the construction of structures and improvements upon the aforementioned land as are necessary for it to carry out said responsibilities and programs.

DEPARTMENT OF AGRICULTURE
(Continued)

21. **LANDS AND STRUCTURES REPORTING REQUIREMENT.** The Department of Agriculture shall file a detailed report with the Governor and the Legislative Budget Board showing all lands used and structures and improvements erected. Such report shall show the owner of the land, the amount paid for leases of the land and the amounts expended for construction, and in addition shall show the purpose for which the land and structures were used. The report shall be filed within thirty (30) days after the beginning of each fiscal year and any changes thereto shall be filed within thirty (30) days of said change.
22. **RECOVERY OF FIRE ANT BAIT COSTS.** It is the intent of the Legislature that the department shall collect a charge in an amount sufficient to fully recover the cost incurred in purchasing fire ant bait for distribution to public or private entities.
23. **AITC APPROVAL REQUIRED.** Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

24. **STATISTICAL REPORTING REQUIREMENTS.** No state funds provided for the purpose of Statistical Reporting, Item 3.d., shall be used to replace or supplant any federal funds. A quarterly report shall be submitted to the department and appropriate legislative committees which details the use of all state funds. Such quarterly reports shall include the state share of costs of data maintenance, surveys, compilation, and publication and detail by each commodity reporting the state share of the cost of such statistical reporting. Lists of producers which are surveyed using state funds shall be submitted at no cost to the department at the department's request, unless prohibited by federal law. The department shall keep all such lists confidential.

DEPARTMENT OF AGRICULTURE
(Continued)

25. SUNSET CONTINGENCY. Funds appropriated above for fiscal year 1991 for the Texas Department of Agriculture are made contingent on the continuation of the Department of Agriculture by the Legislature. In the event the agency is not continued, the funds appropriated for fiscal year 1990 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.
26. CONTINGENCY FOR HOUSE BILL NO. 2016. Contingent on passage of H.B. 2016, \$150,000 is appropriated out of the Highway Department Fund No. 006 to the Department of Agriculture for the completion of highway agricultural inspection stations. None of the above monies can be used for program administration.
27. CONTINGENCY FOR SENATE BILL NO. 1507. Contingent on the passage of S.B. 1507, or other legislation assigning responsibility for the promotion and regulation of fish farming to the Department of Agriculture, there is hereby appropriated from the General Revenue Fund to the Department of Agriculture \$50,000 for fiscal year 1990 and U.B. for fiscal year 1991. There is also hereby appropriated to the Department, all revenue collected and deposited into the Fish Farm Fund pursuant to S.B. 1507 or similar legislation. The General Revenue appropriation made by this rider is to be reimbursed to the General Revenue Fund from revenue collected by this department pursuant to S.B. 1507 or similar legislation on or before August 31, 1991.
28. CONTINGENCY FOR LEGISLATION. In addition to the appropriations made to the Department elsewhere in the Act, the following amounts are hereby appropriated contingent on 1) the continuation of the Department and 2) the passage of legislation as identified below, expanding the duties of the Department. In addition, appropriations made in this section shall not duplicate amounts appropriated elsewhere in this Act for like purposes, and are contingent upon a finding of fact by the Comptroller that legislation providing for the continuation of the Department will provide revenue in excess of the current estimate of 1990-91 revenue available from like sources.

	<u>1990</u>	<u>1991</u>
Out of General Revenue:		
S.B. 489 or H.B. 950 providing for the continuation of the Department	\$ 252,440	\$ 236,040
S.B. 1140 relating to a Commercial Fishery Marketing Council	\$ 77,148	\$ 132,148
S.B. 1507/H.B. 2339 relating to the promotion and regulation of fish farming	\$ 194,748	\$ 178,748
S.B. 1602 establishing the Texas-Israeli Semi-Arid Fund and Board	\$ 252,515	\$ 249,515
H.B. 2016 relating to permanent agricultural inspection stations	\$ 167,705	\$ 328,115

DEPARTMENT OF AGRICULTURE
(Continued)

Out of Bond Proceeds:

H.B. 1111/H.J.R. 51 or
H.B. 1860/H.J.R. 70 relating to
issuance of bonds for agricultural
assistance

	<u>\$ 89,900</u>	<u>\$ 83,900</u>
TOTAL	<u>\$ 1,034,456</u> =====	<u>\$ 1,208,466</u> =====

Should the Comptroller find that sufficient revenue is not available to fully fund each of the contingent appropriations made in this section, the appropriations shall be prioritized by the order in which the legislation is listed above.

AIR CONTROL BOARD

	For the Years Ending August 31, 1990	August 31, 1991
	<u>1990</u>	<u>1991</u>
1. Administration:		
a. Executive Administration	517,410	517,410
b. Legal	490,578	490,578
c. Research	<u>571,251</u>	<u>571,251</u>
Total, Administration	<u>\$ 1,579,239</u>	<u>\$ 1,579,239</u>
2. Administrative Services:		
a. Management Services	\$ 1,557,262	\$ 1,557,262
b. Personnel, Grants, and Staff Services	160,474	160,474
c. Public Information	<u>88,929</u>	<u>88,429</u>
Total, Administrative Services	<u>\$ 1,806,665</u>	<u>\$ 1,806,165</u>
3. Regulatory Operations:		
a. Monitoring	\$ 2,151,607	\$ 2,151,607
b. Enforcement	2,321,982	2,321,982
c. Technical Support and Regulation Development	1,280,633	1,280,633
d. Data Processing	1,269,159	1,292,337
e. Regional Operations	4,500,284	4,500,284
f. Ozone Modeling	<u>1,000,000</u>	<u>U.B.</u>
Total, Regulatory Operations	<u>\$ 12,523,665</u>	<u>\$ 11,546,843</u>
GRAND TOTAL, AIR CONTROL BOARD	<u>\$ 15,909,569</u> =====	<u>\$ 14,932,247</u> =====

AIR CONTROL BOARD
(Continued)

Method of Financing:

General Revenue Fund	\$	3,428,071	\$	3,428,071
Fee Revenue Collected Pursuant to Article 4477-5, Section 329, V.A.C.S.		9,564,696		8,587,374
Federal Air Control Fund No. 102, estimated		2,796,802		2,796,802
Interagency Contracts		<u>120,000</u>		<u>120,000</u>
Total, Method of Financing	\$	<u>15,909,569</u>	\$	<u>14,932,247</u>

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$	60,000	\$	60,000
Deputy Executive Director		55,000		55,000
General Counsel		52,000		52,000
Program Director	4	52,000	4	52,000
Division Director	3	48,000	3	48,000
Per Diem of Board Members		10,200		10,200

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Air Control Board. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	\$	<u>306,827</u>	\$	<u>350,387</u>
Total, Capital Outlay	\$	<u>306,827</u>	\$	<u>350,387</u>

Method of Financing:

Fee Revenue Collected Pursuant to Article 4477-5, Section 3.29, V.A.C.S.	\$	<u>306,827</u>	\$	<u>350,387</u>
Total, Method of Financing	\$	<u>306,827</u>	\$	<u>350,387</u>

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

AIR CONTROL BOARD
(Continued)

2. **TRANSFER AUTHORITY.** The Air Control Board may transfer from one Sub-item to another within the program items as follows: within program Item 1., Administration, transfers may be made between Sub-items a. through c.; within program Item 2., Administrative Services, transfers may be made between Sub-items a. through c.; within program Item 3., Regulatory Operations transfers may be made between Sub-items a. through e. The Texas Air Control Board may transfer from the Administrative Services Program into the Regional Operations Activity.
3. **FEDERAL FUNDS APPROPRIATIONS.** The appropriations made herein may be used to match federal funds granted to the state for payment of personal services and other necessary expenses in connection with the administration and operation of a state program of air pollution control. The Air Control Board is hereby authorized to receive and disburse in accordance with plans acceptable to the responsible federal agency, all federal moneys that are made available (including grants, earnings, allotments, refunds and reimbursements) to the state for such purposes, and to receive, administer, and disburse federal funds for federal regional programs in accordance with plans agreed upon by the Air Control Board and the responsible federal agency, and such other activities as come under the authority of the Air Control Board, and such moneys are hereby appropriated to the specific purpose or purposes for which they are granted or otherwise made available.
4. **APPROPRIATION OF GRANTS AND FUNDS.** In addition, there are hereby appropriated to the Air Control Board for the biennium beginning September 1, 1989, any funds transferred to it from any federal or state agency, and other gifts and grants pursuant to, and for the purposes of, Chapter 727, Acts, 1967, Sixtieth Legislature, Regular Session.
5. **HEALTH MONITORING.** Funds appropriated above may be expended to contract health monitoring services for employees whose work poses the possibility of exposure to toxic or hazardous materials.
6. **AITC REVIEW REQUIRED.** Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

AIR CONTROL BOARD
(Continued)

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

7. EXPENDITURE OF FEE REVENUE. The amounts specified above from fee revenue collected pursuant to Article 4477-5, Section 3.39, V.A.C.S., are appropriated from any revenues received during the biennium beginning September 1, 1989, and from \$1,000,000 in fee revenues received during the fiscal year beginning September 1, 1988, which were in excess of the fee revenue appropriated to the agency for the fiscal year beginning September 1, 1988, by Senate Bill 1, Acts of the Seventieth Legislature, Second Called Session, 1987.

AIRCRAFT POOLING BOARD

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration	331,224	330,292
2. Flight Operations:		
a. Aircraft Operations	1,242,585	1,269,150
b. Maintenance	<u>1,547,087</u>	<u>1,517,260</u>
Total, Flight Operations	<u>\$ 2,789,672</u>	<u>\$ 2,786,410</u>
GRAND TOTAL, AIRCRAFT POOLING BOARD	<u>\$ 3,120,896</u>	<u>\$ 3,116,702</u>
Method of Financing:		
General Revenue Fund	\$ 472,691	\$ 169,623
Reappropriated Receipts, estimated	<u>2,648,205</u>	<u>2,947,079</u>
Total, Method of Financing	<u>\$ 3,120,896</u>	<u>\$ 3,116,702</u>
BOND DEBT SERVICE	\$ 375,952	\$ 391,684

Schedule of Exempt Positions

Executive Director	\$ 52,530	\$ 52,530
Chief Pilot	48,960	48,960

1. UNEXPENDED BALANCES. Any unexpended balances remaining as of August 31, 1990, in appropriations made above to the State Aircraft Pooling Board are hereby reappropriated for the same purpose for the fiscal year beginning September 1, 1990. All unexpended balances remaining as of August 31, 1989,

AIRCRAFT POOLING BOARD
(Continued)

in appropriations made to the State Aircraft Pooling Board by Senate Bill No. 1, Seventieth Legislature, Second Called Session, 1987, are reappropriated for the biennium beginning September 1, 1989. The State Aircraft Pooling Board is authorized to expend these amounts as may be necessary in Item 1. Administration, Item 2.a. Aircraft Operations, and Item 2.b. Maintenance. Appropriations made in Item 2. Flight Operations include funding for aircraft replacement and aircraft acquisition. All unexpended balances as of August 31, 1989, remaining in the Reserve for Overhaul account included under Item 2.b. Maintenance, which are accounted for by amounts attributed to Time Between Overhaul (TBO) hours on individual aircraft engines, are hereby reappropriated to the State Aircraft Pooling Board for the 1990-1991 biennium for the purpose of providing major maintenance, repairs, and replacements.

2. **TRANSFER AUTHORITY.** The State Aircraft Pooling Board is hereby authorized to transfer such amounts as may be necessary among appropriation Item 1. Administration, Item 2.a. Aircraft Operations, and Item 2.b. Maintenance. Appropriations made in Item 2. Flight Operations include funding for aircraft replacement and aircraft acquisition.
3. **EMERGENCY LEASING OF AIRCRAFT.** As a specific exception to provisions in Article V of this Act, in the event that an emergency occurs and no state aircraft are available through the Aircraft Pooling Board, or if the board determines that lease or rental of aircraft would reduce the cost of transportation to the State of Texas, the board may authorize state agencies to expend funds for lease or rental of aircraft.
4. **HOURLY WAGE RATES.** Out of the funds appropriated above in line Item 2., Flight Operations, the Aircraft Pooling Board is expressly authorized to hire and determine the wage rates paid for hourly employees.
5. **RECOVERY OF COSTS.** It is the intent of the Legislature that the Aircraft Pooling Board shall recover all costs involved in providing air transportation, aircraft maintenance, fuel and other services to agencies of the state.

ALCOHOLIC BEVERAGE COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration:		
a. Executive Functions	427,672	427,608
b. Administrative Services	1,002,800	1,003,930
c. Hearings	367,516	367,516
d. Computer Services	660,909	660,909
Total, Administration	<u>\$ 2,458,897</u>	<u>\$ 2,459,963</u>
2. Licensing	\$ 638,507	\$ 645,177

ALCOHOLIC BEVERAGE COMMISSION
(Continued)

3. Revenue Collection:		
a. Auditing	5,203,041	5,204,369
b. Tax Reporting	<u>423,604</u>	<u>424,096</u>
Total, Revenue Collection	\$ <u>5,626,645</u>	\$ <u>5,628,465</u>
4. Enforcement and Marketing Practices	\$ 11,232,357	\$ 11,245,617
		U.B.
5. Ports of Entry	2,056,632	2,056,752
6. Headquarters Moving Expense	<u>186,379</u>	<u>U.B.</u>
GRAND TOTAL, ALCOHOLIC BEVERAGE COMMISSION	\$ <u>22,199,417</u> =====	\$ <u>22,035,974</u> =====

Method of Financing:

General Revenue Fund:

Statutory Allocations for Tax
Administration and Enforcement,
as provided in Texas Alcoholic
Beverage Code, Art. 205.02

	\$ <u>22,199,417</u>	\$ <u>22,035,974</u>
Total, Method of Financing	\$ <u>22,199,417</u> =====	\$ <u>22,035,974</u> =====

Schedule of Exempt Positions and Per Diem of Commission Members

Administrator		\$ 65,000		\$ 65,000
Assistant Administrator		55,000		55,000
Executive Assistant		54,000		54,000
General Counsel		54,000		54,000
Division Director	5	50,000	5	50,000
Director, Auditing and Tax Reporting		52,000		52,000
Chief, Enforcement and Marketing Practices		52,000		52,000
Assistant Chief of Enforcement and Marketing Practices		48,000		48,000
Deputy Assistant Chief of Enforcement	3	46,000	3	46,000
District Supervisor	22	40,000	22	40,000
Assistant District Supervisor	23	36,500	23	36,500
Senior Agent	25	34,000	25	34,000
Agent IV	UL	33,000	UL	33,000
Agent III	UL	31,000	UL	31,000
Agent II	UL	29,000	UL	29,000
Agent I	UL	27,000	UL	27,000
Per Diem of Commission Members		3,000		3,000

ALCOHOLIC BEVERAGE COMMISSION
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Alcoholic Beverage Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	\$ 177,267	\$ 86,778
Total, Capital Outlay	\$ 177,267 =====	\$ 86,778 =====

Method of Financing:

General Revenue Fund:

Statutory Allocations for Tax Administration and Enforcement, as provided in Texas Alcoholic Beverage Code, Art. 205.02	\$ 117,267	\$ 86,778
Total, Method of Financing	\$ 117,267 =====	\$ 86,778 =====

In addition to the amounts included above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFER AUTHORITY. Unless specifically restricted, the Alcoholic Beverage Commission is hereby authorized to transfer such amounts as may be necessary from one sub-item to another sub-item within program appropriation items numbered 1., Administration, and 3., Revenue Collection. None of the funds appropriated above for one program item may be transferred to another program item except appropriations may be transferred into the Licensing Program from any other program item as necessary. No transfers may be made into the Licensing Program for salaried positions. None of the funds appropriated above for programs may be transferred into a line-item exempt salaried position. No transfer of appropriate funds authorized by this rider shall exceed 15 percent for fiscal year 1990 and 10 percent for fiscal year 1991 of the amount appropriated in any one line item.
3. HAZARDOUS DUTY PAY AUTHORIZED. The Alcoholic Beverage Commission is authorized to pay hazardous duty pay at a rate of Seven Dollars (\$7.00) per month for each year of state service up to and including the 30th year of service, to any commissioned law enforcement personnel as prescribed by law.

It is further provided that individuals who had received hazardous duty pay as of August 31, 1981, shall continue to receive hazardous duty pay for the biennium beginning with the effective date of this act. Individuals hired after August 31, 1981, shall not receive hazardous duty pay unless so authorized by Senate Bill No. 84 Seventieth Legislature, Second Called Session, 1987.

ALCOHOLIC BEVERAGE COMMISSION
(Continued)

4. CLOTHING ALLOWANCE. The appropriations made above include, but are not limited to clothing allowances of enforcement personnel, uniforms for tax collectors at International Bridges, accumulation of evidence, and purchase of licenses, permits and tax stamps. Payment of clothing allowances shall be limited to only those commissioned peace officers employed from appropriations made in item 4. Enforcement and Marketing Practices and certified by the Texas Commission on Law Enforcement Officer Standards and Education (or its successor) or those commissioned law enforcement officers not yet certified but serving the statutory time period required before certification. The clothing allowance shall not exceed \$500 per fiscal year per law enforcement officer, and shall be paid on a quarterly basis; a person shall have been employed in an eligible capacity for the entire three-month period prior to receiving a quarterly clothing allowance entitlement.
5. WITNESS EXPENSES AUTHORIZED. No other provisions of this Article shall prevent payment by the State of Texas of salaries and expenses incurred by representatives of the Alcoholic Beverage Commission in attendance on state or federal grand jury proceedings, and who may be called as witnesses in the trial of criminal or civil cases in state or federal courts involving offenses complained of against state or federal liquor regulatory or revenue laws. It is further provided that any fees collected by such representatives in performing such duties shall be deposited in the State Treasury to the credit of the appropriations made above.
6. REVOLVING FUND. The revolving change fund created by prior Legislatures in the amount of \$7,500 for use at the several International Bridges is hereby reappropriated for the biennium beginning with the effective date of this act for the same purposes.
7. STATE AIRCRAFT POOL PARTICIPATION. The Alcoholic Beverage Commission may participate in the State Aircraft Pool with the same rights and privileges as all other members of the pool. However, if no state aircraft are available through the pool, the Alcoholic Beverage Commission and its officers and employees may charter aircraft for official travel and claim full reimbursement on travel vouchers. For purpose of this provision "Charter" does not mean lease or long-term or short-term rental of aircraft.
8. STATE POLICE AGENCY. For purposes of application to the federal government for licenses, permits, or other authorizations, including radio frequencies, or for law enforcement assistance grants, the Texas Alcoholic Beverage Commission shall be considered a state police agency in accordance with the Alcoholic Beverage Code and other applicable laws.
9. FLEET OR MOTOR VEHICLES AUTHORIZED. It is the intent of the Legislature that the agency purchase and maintain a fleet of vehicles in line item 4. These vehicles shall be utilized only by personnel employed in line item 4. who are commissioned peace officers or those persons responsible for the maintenance and repair of these vehicles. The purchase of new vehicles shall be made according to the life efficiency and the safety of the vehicle. It is the legislative intent that all new vehicle purchases shall be for smaller and more energy-efficient automobiles made in the U.S.A. whenever possible.

ALCOHOLIC BEVERAGE COMMISSION
(Continued)

10. AUDIT SELECT PROGRAM. It is the legislative intent that the Alcoholic Beverage Commission shall develop and implement an audit select program based on audit productivity rather than audit frequency where feasible.
11. AITC APPROVAL REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.
- The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.
12. PURCHASE OF EVIDENCE AUTHORIZED. From the amounts authorized above, the Texas Alcoholic Beverage Commission is hereby authorized to establish a cash fund not to exceed \$50,000 for the purchase of evidence and/or information and surveillance expenses deemed necessary by the Commission.
13. HEADQUARTERS MOVING EXPENSE. The appropriation for Program Line Item 6., Headquarters Moving Expense is contingent upon the Alcoholic Beverage Commission being required to relocate its headquarters office during the 1990-1991 biennium. This amount is appropriated for the sole purpose of paying for moving expenses and may not be transferred to any other line-item or utilized to pay for any salary expense.
14. CONTINGENCY FOR SENATE BILL NO. 1325. Contingent upon the passage of Senate Bill No. 1325, Seventy-first Legislature or similar legislation providing for the issuance of a minibar permit, there is hereby appropriated from the General Revenue Fund \$73,545 for fiscal year 1990 and \$66,550 for fiscal year 1991 for the purpose of implementing the provisions of the Act.

ANIMAL HEALTH COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration:		
a. General Administration	619,659	617,718

ANIMAL HEALTH COMMISSION
(Continued)

b. Fiscal and Personnel Management	<u>473,289</u>	<u>470,828</u>
Total, Administration	<u>\$ 1,092,948</u>	<u>\$ 1,088,546</u>
2. Prevention, Control and Eradication:		
<u>General Operations:</u>		
a. Inspection	\$ 1,662,784	\$ 1,663,954
b. Compliance	455,150	455,390
c. Statistical Services	707,982	709,422
d. Laboratory Support	970,119	972,619
e. Epidemiology	165,268	165,708
<u>Specific Operations:</u>		
f. Brucellosis		
(1) Surveillance	2,704,896	2,704,896
(2) Herd Testing	2,763,321	2,763,321
(3) CalfhooD Vaccination	206,030	206,030
		& U.B.
Total, Brucellosis	<u>\$ 5,674,247</u>	<u>\$ 5,674,247</u>
g. Fever Ticks	\$ 299,596	\$ 299,596
h. Swine,Livestock & Poultry Disease	<u>714,427</u>	<u>714,427</u>
Total, Prevention, Control and Eradication	<u>\$ 10,649,573</u>	<u>\$ 10,655,363</u>
GRAND TOTAL, ANIMAL HEALTH COMMISSION	<u>\$ 11,742,521</u>	<u>\$ 11,743,909</u>
Method of Financing:		
General Revenue Fund	\$ 8,691,428	\$ 8,692,816
Federal Funds, estimated	<u>3,051,093</u>	<u>3,051,093</u>
Total, Method of Financing	<u>\$ 11,742,521</u>	<u>\$ 11,743,909</u>
<u>Schedule of Exempt Positions and Per Diem of Board Members</u>		
Executive Director	\$ 62,000	\$ 62,000
Assistant Executive Director	53,000	53,000
State Epidemiologist	50,000	50,000
Epidemiologist	2 48,000	2 48,000
Area Director	12 48,000	12 48,000
Per Diem of Board Members	2,500	2,500

ANIMAL HEALTH COMMISSION
(Continued)

SCHEDULE OF CLASSIFIED POSITIONS, ANIMAL HEALTH COMMISSION

GROUP 21

1554 Chief of Staff Services, UL
 1559 Director of Programs II, UL
 1755 Director, Personnel and Staff Development, UL
 3539 Attorney VI
 4127 Veterinarian III, UL
 4224 Microbiologist VI, UL

GROUP 19

0274 Director of ADP I, UL
 1551 Staff Services Officer I, UL
 1565 Program Administrator III, UL
 4125 Veterinarian II, UL

GROUP 18

0242 ADP Programmer III, UL
 1750 Personnel Director I
 1864 Information Specialist III, UL
 3646 Supervising Investigator, UL
 4229 Entomologist III, UL

GROUP 17

1164 Chief Accountant I, UL
 1213 Management Auditor II
 1563 Program Administrator I, UL
 4124 Veterinarian I, UL
 4222 Microbiologist IV, UL

GROUP 16

0241 ADP Programmer II, UL
 1163 Accountant III, UL
 1732 Personnel Officer II, UL
 1953 Purchasing and Supply Officer III, UL
 3645 Investigator III, UL
 7655 Animal Health Area Supervisor, UL

GROUP 15

1504 Administrative Technician IV, UL
 4221 Microbiologist III, UL
 4228 Entomologist II, UL

GROUP 14

1089 Auditor II, UL
 1862 Information Specialist I, UL
 1947 Purchasing and Supply Officer II, UL
 3644 Investigator II, UL
 7654 Animal Health Inspector V, UL

ANIMAL HEALTH COMMISSION
(Continued)GROUP 13

1162 Accountant II, UL
1503 Administrative Technician III, UL
4220 Microbiologist II, UL

GROUP 12

3643 Investigator I, UL
4227 Entomologist I, UL
7653 Animal Health Inspector IV, UL

GROUP 11

0067 Clerical Supervisor IV, UL
0225 ADP Equipment Operator III, UL
1161 Accountant I, UL
1502 Administrative Technician II, UL
4219 Microbiologist I, UL

GROUP 10

0294 Word Processing Operator III, UL
1940 Purchasing Assistant, UL
7652 Animal Health Inspector III, UL

GROUP 09

0246 ADP Record Control Clerk III, UL
4207 Laboratory Technician IV, UL

GROUP 08

0292 Word Processing Operator II, UL
0308 Duplicating Machine Operator II, UL
1003 Accounting Clerk III, UL
1501 Administrative Technician I, UL
7651 Animal Health Inspector II, UL

GROUP 07

0135 Secretary III, UL
0245 ADP Record Control Clerk II, UL
4206 Laboratory Technician III, UL

GROUP 06

0055 Clerk III, UL
0133 Secretary II, UL
0290 Word Processing Operator I, UL
1002 Accounting Clerk II, UL
7650 Animal Health Inspector I, UL

GROUP 05

0131 Secretary I, UL
4204 Laboratory Technician II, UL

GROUP 04

0053 Clerk II, UL
0106 Clerk Typist II, UL
0126 Stenographer I, UL
1001 Accounting Clerk I, UL

ANIMAL HEALTH COMMISSION
(Continued)

GROUP 03
0103 Clerk Typist I, UL
4203 Laboratory Technician I, UL

GROUP 02
0051 Clerk I, UL

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Animal Health Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ 24,466	\$ 17,625
Total, Capital Outlay	\$ 24,466 =====	\$ 17,625 =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFER AUTHORITY. The Animal Health Commission is hereby authorized to transfer such amounts as may be necessary between program items and sub-items within programs.
3. CONTINGENCY APPROPRIATION FOR FEVER TICK DIP. In the event the federal government fails to provide pesticide dip for the Fever Ticks activity, Ninety Thousand Dollars (\$90,000) may be expended each year of the biennium from the amount appropriated for Item 2.g. for the purchase of such dip. Any portion of this amount not expended for pesticide dip by the end of each fiscal year of the biennium shall be returned to the General Revenue Fund.
4. REAPPROPRIATION OF CALFHOOD VACCINATION BALANCES. Any unexpended balances as of August 31, 1990, in the appropriations made hereinabove for the Item 2.f.(3), Calfhood Vaccination, are hereby reappropriated for the same purposes for the fiscal year beginning September 1, 1990.
5. ALLOWANCE FOR PERSONALLY OWNED HORSES. Funds appropriated above may be expended to provide an allowance of not to exceed One Hundred and Fifty Dollars (\$150) per man per month for each Commission employee whose duties require the maintenance of a personally owned horse. Such an employee shall be provided a minimum allowance of not less than Thirty Dollars (\$30) per month regardless of the number of days the horse is actually utilized in carrying out commission duties.

ANIMAL HEALTH COMMISSION
(Continued)

6. GENERAL REVENUE REDUCED BY FEDERAL FUNDING FOR SCABIES MITES. In the event that federal funds become available for Scabies Mites, the appropriation for this item from the General Revenue Fund shall be decreased each year of the biennium by the amount of federal funds received.
7. GENERAL REVENUE REDUCED BY FEDERAL FUNDING FOR VACCINATIONS. In the event that federal funds in excess of One Million Dollars (\$1,000,000) per year, become available for the Item 2.f.(3), Calfhood Vaccination, above, the appropriation for this item from the General Revenue Fund shall be decreased each year of the biennium by that amount.
8. HOG CHOLERA INDEMNITY PAYMENTS. No indemnity payment for hog cholera may be expended to indemnify producers who are operating illegally.
9. BRUCELLOSIS REPORTING REQUIREMENT. The commission shall submit a report at the close of each fiscal year detailing the activities related to brucellosis during the 1990-91 biennium. The report shall include progress made toward the reduction of the incidence of brucellosis, the techniques employed to control and eradicate brucellosis, the estimated costs and benefits of the program, the special problems that arose during the biennium, and plans for the 1990-91 biennium. The report shall be filed with the Legislative Budget Board and the appropriate standing committees of the House and Senate.
10. PRIVATE VETERINARIAN CONTRACT REQUIREMENT. Private veterinarians violating Animal Health Commission brucellosis prevention, control and eradication policies will be prohibited from any future contract work for the Animal Health Commission.
11. SUNSET CONTINGENCY. Funds appropriated for fiscal year 1991 for the Texas Animal Health Commission are made contingent on the continuation of the Texas Animal Health Commission by the Legislature. In the event the agency is not continued, the funds appropriated for fiscal year 1990 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

BOARD OF ARCHITECTURAL EXAMINERS

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration:		
a. Architects	443,519	421,777
b. Landscape Architects	91,116	87,484
Total, Administration	\$ 534,635	\$ 509,261
2. Purchasing and Grading of National Examinations:		
a. Architects, estimated	\$ 296,737	\$ 324,532

BOARD OF ARCHITECTURAL EXAMINERS
(Continued)

b. Landscape Architects, estimated	<u>27,417</u>	<u>31,794</u>
Total, Examinations	<u>\$ 324,154</u>	<u>\$ 356,326</u>
GRAND TOTAL, BOARD OF ARCHITECTURAL EXAMINERS	<u>\$ 858,789</u>	<u>\$ 865,587</u>

Method of Financing:

Architects Registration Fund No. 109, estimated	\$ 740,256	\$ 746,309
Landscape Architects Fund No. 069, estimated	<u>118,533</u>	<u>119,278</u>
Total, Method of Financing	<u>\$ 858,789</u>	<u>\$ 865,587</u>

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 48,000	\$ 48,000
Per Diem of Board Members	8,000	8,000

SCHEDULE OF CLASSIFIED POSITIONS, BOARD OF ARCHITECTURAL EXAMINERS

GROUP 19

1551 Staff Services Officer I

GROUP 17

2256 Architect I

GROUP 15

1504 Administrative Technician IV

GROUP 11

1502 Administrative Technician II

GROUP 09

0138 Administrative Secretary

GROUP 08

0205 Key Entry Operator III

GROUP 06

0055 Clerk III, 2

GROUP 05

0131 Secretary I

BOARD OF ARCHITECTURAL EXAMINERS
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Board of Architectural Examiners. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	\$ 910	\$ 935
Total, Capital Outlay	\$ 910	\$ 935
	=====	=====

Method of Financing:

Architects Registration Fund No. 109	\$ 910	\$ 480
Landscape Architects Fund No. 069	-0-	455
Total, Method of Financing	\$ 910	\$ 935
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION FROM ARCHITECT'S FUNDS. The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Architects Registration Fund No. 109 and the Landscape Architects Fund No. 069. Funds for line items 1.a. and 2.a., are hereby appropriated from Fund No. 109. Funds for line items 1.b. and 2.b., are hereby appropriated from Fund No. 069.
3. PURCHASE OF EXAMINATIONS. The amount appropriated above for Items 2.a. and 2.b., Purchasing and Grading of National Examinations, shall be expended solely for the purpose of purchasing and grading examinations from the national testing services.
4. FEE RATES. To provide for the recovery of costs for the preceding appropriations, the following fee rates are established pursuant to Article 5429n, Vernon's Texas Civil Statutes, to be effective during fiscal years 1990-91 year beginning September 1, 1989, and September 1, 1990.

	Fiscal Year 1990	Fiscal Year 1991
(1) NCARB Examination Fee	NTE \$350.00	NTE \$450.00
(2) UNE Examination Fee	NTE \$325.00	NTE \$325.00

BOARD OF ARCHITECTURAL EXAMINERS
(Continued)

5. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 069 and Fund No. 109 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

6. CONTINGENCY FOR SENATE BILL NO. 743. Contingent upon enactment of Senate Bill No. 743, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$8,000 for fiscal year 1990 and \$8,000 for fiscal year 1991, from the Architect's Registration Fund No. 109 is hereby appropriated for the purpose of implementing the provisions of the Act.

NATIONAL GUARD ARMORY BOARD

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. National Guard Armory:		
a. Administration and Support Services	198,024	198,024
b. Acquisition and Construction	98,444	98,444
Total, National Guard Armory	\$ 296,468	\$ 296,468
2. Facilities:		
a. Armory Maintenance	\$ 580,967	\$ 588,425
b. Rental of Armories and other Facilities (to be paid from the Adjutant General's Department)	2,488,765	2,751,714
Total, Facilities	\$ 3,069,732	\$ 3,340,139
GRAND TOTAL, NATIONAL GUARD ARMORY BOARD	\$ 3,366,200	\$ 3,636,607
	=====	=====
Method of Financing:		
General Revenue Fund	\$ 795,035	\$ 807,493
National Guard Mineral Fund	50,400	45,400

NATIONAL GUARD ARMORY BOARD
(Continued)

Other Funds, estimated	2,520,765	2,783,714
Total, Method of Financing	\$ 3,366,200	\$ 3,636,607

Schedule of Exempt Positions and Per Diem of Board Members

Executive Secretary	\$ 48,000	\$ 48,000
Per Diem of Board Members	1,620	1,620

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the National Guard Armory Board. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Construction, Repair and Renovation	\$ 1,366,771	\$ 4,149,541
Total, Capital Outlay	\$ 1,366,771	\$ 4,149,541

Method of Financing:

General Revenue Fund	\$ 173,031	\$ -0-
Federal Funds	-0-	644,575
Other Funds	1,193,740	3,504,966
Total, Method of Financing	\$ 1,366,771	\$ 4,149,541

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATIONS CONTINGENT UPON REPORT FILING. The above appropriations are made contingent upon the Texas National Guard Armory Board submitting, as a part of the annual report required by Article V of the General Appropriations Act, a report listing planned renovation, repair, rehabilitation, new construction and expansion of armories and proposed issuance of bonds for funding the projects for the upcoming fiscal year. The report shall include a comparison of the preceding year's plan for renovation, repair, rehabilitation, new construction and expansion of armories with the actual work performed during the year. It is the Legislature's intent that this report does not obligate the state for any bonds issued by the Texas National Guard Armory Board.

NATIONAL GUARD ARMORY BOARD
(Continued)

3. TRANSFERABILITY. The Texas National Guard Armory Board is hereby authorized to transfer such amounts as may be necessary from one sub-item or program to another sub-item or program between appropriation items numbered 1. National Guard Armory and 2.a. Armory Maintenance.
4. REAPPROPRIATION OF REFUNDED MONEY. There is hereby reappropriated to the Texas National Guard Armory Board all money refunded to said board from any source when such money was originally expended for any of the purposes enumerated in Items 1. and 2.a. above. Such reappropriated funds may be expended for any of the purposes enumerated in Items 1 and 2.a. above.
5. LOCAL FUND AUTHORIZATION. The Texas National Guard Armory Board is hereby authorized to spend, and there is hereby made available to it, any or all local funds which the board now has or which it may hereinafter acquire, which in the soundest judgment and discretion of the board may be necessary for the contribution now required by the Federal Government on the part of the State as a participating fund for the construction of facilities that are to be financed in part by the United States Government for the use and benefit of the Texas National Guard.
6. PETTY CASH FUND. The Texas National Guard Armory Board is hereby authorized to establish a petty cash fund at each Armory, under its jurisdiction, not to exceed \$1,000, out of the funds appropriated above. These funds shall be maintained in cash or at a local bank and shall be used only for minor emergency repairs and maintenance which will increase the efficiency of the board.
7. BOND INDENTURE REVENUES. There is hereby appropriated to the Texas National Guard Armory Board all revenues that the board has pledged, assigned and set over and does pledge, assign and set over unto its trustee and its successors in trust, and all revenues it has received or may hereinafter receive in accordance with the provisions of its bond indenture dated October 1, 1979, and subsequently amended.
8. REIMBURSEMENT OF TRAVEL EXPENSES. When members of the Texas National Guard Armory Board are traveling on business of the board, they shall be reimbursed for their actual and necessary expenses.
9. SUPERSEDING OF STATUTES AND BOND CONVENANTS. None of the appropriations or provisions herein shall supercede V.T.C.A., Government Code, Chapter 435, or the covenants under which bonds are issued by the Texas National Guard Armory Board, regarding the board's obligations as a public bonding authority, body politic and corporate.
10. DISPOSITION OF STATE-OWNED PROPERTY. There is hereby appropriated to the Texas National Guard Armory Board all funds which have been or may be derived from sales of State-owned National Guard camps and other property owned by the Texas National Guard Armory Board and of land, improvements, buildings, facilities, installations and personal property in connection therewith as authorized by V.T.C.A., Government Code, Chapter 435. Such funds shall be expended by the Texas National Guard Armory Board in one or more of the following ways: (1) as a participating fund in the construction and maintenance of facilities financed in part by the United States Government; or (2) as a construction fund to be used by the Texas National Guard Armory Board; or (3) as a debt-servicing fund as provided in V.T.C.A.,

NATIONAL GUARD ARMORY BOARD
(Continued)

Government Code, Chapter 435. Provided, however, that all such funds as are not actually used for the purposes hereinbefore specified shall remain on deposit with the State Treasurer to the credit of the Texas National Guard Armory Board for the use and benefit of the Texas National Guard, their successors or components, as provided in V.T.C.A., Government Code, Chapter 435.

11. ARMORY RENOVATION PRIORITIES. The Texas National Guard Armory Board shall give priority to those renovations which: (1) insure the structural integrity of the facilities; (2) bring such facilities into compliance with current building and safety codes; (3) increase the economic efficiency of the facilities; and (4) simplify future maintenance of the facilities.
12. SUPPORT AND MAINTENANCE EXPENDITURES. It is hereby provided that all moneys currently appropriated to the Texas National Guard Armory Board for support and maintenance of the Texas National Guard are authorized for like expenditures for the support and maintenance of units of the Texas Militia replacing the Texas National Guard units inducted into Federal service.
13. MASTER PLAN FOR ARMORIES. Funds appropriated to the Texas National Guard Armory Board for capital construction projects are intended to be expended for those projects which are part of the Armory Master Plan. The board shall develop a long-term Armory Master Plan for the maintenance, repair, construction and disposal of Texas National Guard armories. The Adjutant General and his staff shall cooperate with and provide information to the Armory Board in the preparation of the master plan. The Armory Board shall revise the plan at least biennially and submit the plan to the Legislative Budget Board and the Governor by July 1 of every even-numbered year as part of the Legislative Appropriation Request.

COMMISSION ON THE ARTS

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Central Administration	170,773	173,313
2. Assistance Program:		
a. Program Administration	519,923	520,078
b. Financial Assistance	3,368,581	3,368,581
		& U.B.
Total, Assistance Program	\$ 3,888,504	\$ 3,888,659
GRAND TOTAL, COMMISSION ON THE ARTS	\$ 4,059,277	\$ 4,061,972
	=====	=====
Method of Financing:		
General Revenue Fund	\$ 3,398,277	\$ 3,400,972

COMMISSION ON THE ARTS
(Continued)

Federal Funds, estimated	<u>661,000</u>	<u>661,000</u>
Total, Method of Financing	\$ 4,059,277 =====	\$ 4,061,972 =====

Schedule of Exempt Positions and Per Diem of Commissioners

Executive Director	\$ 48,000	\$ 48,000
Per Diem of Commissioners	2,700	2,700

SCHEDULE OF CLASSIFIED POSITIONS, COMMISSION ON THE ARTS

GROUP 20

1553 Staff Services Officer II
1557 Director of Programs I

GROUP 17

0546 Research Specialist II
1563 Program Administrator I, 6

GROUP 13

1162 Accountant II
1503 Administrative Technician III

GROUP 11

1502 Administrative Technician II, 2

GROUP 08

1501 Administrative Technician I, 3

GROUP 04

0106 Clerk Typist II

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Commission on the Arts. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment of Software	\$ 8,200	\$ -0-
Total, Capital Outlay	\$ 8,200 =====	\$ -0- =====

COMMISSION ON THE ARTS
(Continued)

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. UNEXPENDED BALANCE, FINANCIAL ASSISTANCE. Any balances remaining as of August 31, 1989 in the appropriation for 2.b. Financial Assistance, Acts of the Seventieth Legislature, Second Called Session, as amended, are reappropriated for the same purpose for the biennium beginning September 1, 1989.
3. TRANSFER AUTHORITY. The commission may transfer funds from 2.a. Program Administration to 2.b. Financial Assistance.
4. NON-STATE FUNDS MATCHING REQUIREMENT. State funds appropriated above for Financial Assistance shall be matched in the aggregate on a 50-50 basis by non-State funds. An affidavit signed by the executive director, assistant director, or fiscal officer of this commission that the matching sums have been expended, or have been made available and will be expended, shall be considered suitable evidence by the Comptroller as compliance with this provision.
5. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

OFFICE OF THE ATTORNEY GENERAL

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration:		
a. Central Administration	6,105,342	6,305,342
b. Regional Office Administration	507,585	507,585

OFFICE OF THE ATTORNEY GENERAL
(Continued)

c. Outside Counsel and Professional Fees	100,000	U.B.
d. Collections	<u>1,018,984</u>	<u>998,694</u>
Total, Administration	<u>\$ 7,731,911</u>	<u>\$ 7,811,621</u>
2. Legal:		
a. Antitrust	\$ 1,097,048	\$ 1,092,188
b. Taxation	1,419,995	1,416,445
c. Insurance, Banking and Securities	1,502,742	1,502,742
d. Consumer Protection	2,043,294	2,043,294
e. Environmental Protection	1,453,490	1,453,490
f. Energy	1,371,875	1,371,875
g. Criminal Law Enforcement	2,627,786	2,589,952
h. Prosecution Assistance and Crime Prevention	154,568	154,568
i. State and County Affairs	5,075,555	5,182,818
j. Highway	2,637,054	2,665,054
k. Opinions Committee	1,029,265	1,032,265
l. Court Cost	<u>1,191,718</u>	<u>1,191,718</u>
Total, Legal	<u>\$ 21,604,390</u>	<u>\$ 21,696,409</u>
3. Health and Human Services:		
a. Child Support - Administration	\$ 7,866,240	\$ 7,707,697
b. Child Support - Program Operations	46,620,973	42,824,469
c. Expedited Judicial Process	2,981,298	3,115,080
d. Regional Presiding Judges - Administrative Expenses for Expedited Process	120,000	120,000
e. Medicaid Fraud Control	1,473,808	1,460,908
f. Youth Care Investigation	<u>35,000</u>	<u>35,000</u>
Total, Health and Human Services	<u>\$ 59,097,319</u>	<u>\$ 55,263,154</u>
4. Workers' Compensation and Crime Victims Administration:		
a. Administration	\$ 1,358,856	\$ 1,355,256
b. Workers' Compensation and Crime Victims Investigation	<u>482,261</u>	<u>482,261</u>
Total, Workers' Compensation and Crime Victims	<u>\$ 1,841,117</u>	<u>\$ 1,837,517</u>
5. Interest Payments	<u>\$ 1,930,598</u>	<u>\$ U.B.</u>
GRAND TOTAL, OFFICE OF THE ATTORNEY GENERAL	<u>\$ 92,205,335</u>	<u>\$ 86,608,701</u>
Method of Financing:		
General Revenue Fund	\$ 15,993,821	\$ 15,319,320

OFFICE OF THE ATTORNEY GENERAL
(Continued)

Earned Federal Funds	2,939,691	3,139,099
Proceeds from Depreciation of Child Support Capital Equipment	667,920	667,920
Earned Federal Funds received in Excess of 88-89 Biennial Appropriations	1,218,650	
Federal Funds:		
Medicaid Fraud Grant	1,094,296	1,084,621
Title IV-D - Child Support Enforcement Grant, estimated	35,999,323	34,583,149
Child Support Retained Collections Account	20,921,268	18,516,177
State Highway Fund No. 006	2,837,333	2,865,333
Board of Insurance Fund No. 036	196,999	197,048
Compensation to Victims of Crime Fund No. 469	456,156	456,156
Rider 14 - Litigation Expenses	1,050,000	1,050,000
Rider 17 - Debt Collection	8,000,000	8,000,000
Interagency Contracts	829,878	729,878
Total, Method of Financing	\$ 92,205,335	\$ 86,608,701

BOND DEBT SERVICE	\$ 3,996,874	\$ 3,997,277
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Schedule of Exempt Positions

Attorney General	\$	74,698	\$	74,698
First Assistant Attorney General		73,698		73,698
Executive Assistant Attorney General for Administration		72,698		72,698
Executive Assistant Attorney General for Litigation		72,698		72,698
Special Counsel to the Attorney General		71,698		71,698
Manager, Opinion and Appellate Assistance Group		71,698		71,698
Administrative Assistant		57,369		57,369
Group Manager	13	71,698	13	71,698
Director of Internal Audits		53,040		53,040
Director of Personnel and Training		53,040		53,040
Director of Information and Research		53,040		53,040
Director of Budget and Accounting		53,040		53,040
Director of Data Services		53,040		53,040
Assistant Attorney General VI	UL	71,698	UL	71,698
Assistant Attorney General V	UL	53,202	UL	53,202
Assistant Attorney General IV	UL	46,558	UL	46,558
Assistant Attorney General III	UL	40,785	UL	40,785
Assistant Attorney General II	UL	34,594	UL	34,594

OFFICE OF THE ATTORNEY GENERAL
(Continued)

Assistant Attorney General I	UL	30,345	UL	30,345
Attorney	UL	28,417	UL	28,417

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Office of the Attorney General. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	\$	6,389,481	\$	9,090,069
		<u> </u>		<u> </u>
Total, Capital Outlay	\$	6,389,481	\$	9,090,069
		<u> </u>		<u> </u>

Method of Financing:

General Revenue Fund	\$	483,492	\$	405,815
Child Support Collections		1,943,112		2,919,016
State Highway Fund No. 6		59,500		31,500
Federal Funds		<u>3,903,377</u>		<u>5,733,738</u>
Total, Method of Financing	\$	6,389,481	\$	9,090,069
		<u> </u>		<u> </u>

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFER AUTHORITY. The Attorney General is authorized to transfer such amounts as may be necessary from one sub-item to another sub-item within each program. An amount not to exceed 15 percent in fiscal year 1990 and 10 percent in fiscal year 1991 of any program appropriation made to the Office of the Attorney General may be transferred to any other program except that no transfers shall be made out of Program 3., Health and Human Services, unless specifically allowed by rider.
3. ATTORNEYS EXCLUDED, CLASSIFICATION ACT. It is the intent of the Legislature as provided under Section 2, Chapter 123, page 238, Acts 1961, Fifty-seventh Legislature, that the attorneys in the Attorney General's Office shall be excluded from the Position Classification Act.
4. LIMITATION, REGIONAL OFFICES. The Attorney General shall be limited to six (6) regional offices, excluding Child Support Enforcement.
5. CLASSIFIED POSITIONS AUTHORIZED. Funds appropriated above may be expended to employ personnel in only those classified position titles listed in Article V of this Act or in such other positions established and approved by the State Classification Officer for use by the Attorney General's Office, except that only legal or paralegal support or legal support positions may be used.

OFFICE OF THE ATTORNEY GENERAL
(Continued)

6. **LIMITATION, EXPERT CONSULTANTS.** The Attorney General may only utilize funds for the employment of technical and scientific personnel on a professional fee basis and through interagency contracts with other agencies.
7. **COST ALLOCATION, REPORTING REQUIREMENT.** The Attorney General's Office is directed to continue during the 1990-91 biennium an accounting and billing system by which the costs of legal services provided to each agency may be determined. This cost information shall be provided to the Legislative Budget Board and the Governor's Office of Budget and Planning within 60 days after the close of the fiscal year.
8. **PETTY CASH FUND AUTHORIZED.** The Office of the Attorney General is authorized a Petty Cash Revolving Fund in the amount of \$2,000 to be used in accordance with those procedures outlined in the Special Provisions for Executive and Administrative Agencies in this Act.
9. **CASELOAD REPORT REQUIRED.** Within 60 days after the close of the fiscal year, the Attorney General's Office shall submit to the Legislative Budget Board and the Governor's Office of Budget and Planning a caseload report for the preceding fiscal year. The report shall contain the number of investigations, cases or other legal actions opened, joined or conducted by the Attorney General's Office during the fiscal year, and the number and type of dispositions of all such matters. To the extent possible, the report shall show the relevant information for each division of the office. The report shall contain such other workload measures as may be requested by the respective budget offices.
10. **CHILD SUPPORT COLLECTIONS.**
 - a. The Attorney General shall deposit Child Support Retained Collections in a special account in the Comptroller's Office. The account shall be called the Child Support Retained Collections Account. Child Support Retained Collections shall include both the state share of funds collected by the Office of the Attorney General which were previously paid by the State as Aid to Families with Dependent Children (AFDC) payments and all incentive payments received from the federal government for both AFDC and non-AFDC collections.
 - b. Amounts earned as interest on, and allocated by the State Treasurer to, the Child Support Trust Fund No. 994 shall be transferred monthly by the Comptroller of Public Accounts to such funds from the General Revenue Fund, and all amounts so transferred are hereby appropriated to the Attorney General for use in Item 3.a. and 3.b. during fiscal years 1990 and 1991, in addition to the amounts otherwise appropriated herein.
 - c. The Attorney General is directed to accrue and leave unexpended amounts in the Child Support Retained Collections Accounts sufficient to be used as the initial state funding necessary for operation of the Child Support Enforcement program during fiscal year 1992. It is the intent of the Legislature that this program be self sufficient through funding from the Child Support Retained Collections Account and related Title IV-D grant funds.

OFFICE OF THE ATTORNEY GENERAL
(Continued)

- d. The office may solicit, accept and expend grants from the federal government or other sources in excess of amounts appropriated herein, and such amounts are hereby appropriated for purposes relating to child support enforcement. Expenditures from such grants are limited to the amount of the grants and for the specific purposes expressed in the grants and for no other purposes.
 - e. The Attorney General, in cooperation with the Comptroller of Public Accounts and the State Treasurer, shall develop and maintain such cost centers and/or subaccounts within Child Support Trust Fund No. 994 and/or the Child Support Retained Collections Account as may be determined necessary or appropriate to separately account for, and allocate the interest earned on, the various sources for receipts deposited to, and types of expenditures made from such funds. The State Treasury shall separately allocate interest earned by the State to each such cost center and/or subaccount, or to such groupings thereof as may be designated by the Attorney General for purposes of reporting interest earned to the federal government.
 - f. The Comptroller of Public Accounts is directed to transfer and carry forward all the balances of funds in the Child Support Trust Fund No. 994 and the Child Support Retained Collections Account from fiscal year 1989 into such funds to be available for use in fiscal year 1990. Any balances in the Child Support Trust Fund No. 994 and the Child Support Retained Collections Account on hand as of August 31, 1990, shall be carried forward in such funds as funding sources for the fiscal year 1991 appropriation in Items 3.a. and 3.b. It is the intent of the Legislature that the remaining balances in the Child Support Trust Fund No. 994 and the Child Support Retained Collections Account as of August 31, 1991, be carried forward into fiscal year 1992 in such funds and be reappropriated for fiscal year 1992 for the child support enforcement program.
11. DISPOSITION, EARNED FEDERAL FUNDS. Earned Federal Funds received in connection with child support or other programs of the Office of the Attorney General, and funds received as depreciation on child support capital equipment, in excess of the amount shown in the method of financing are appropriated to the Office of the Attorney General. Earned Federal Funds from program Item 3, Health and Human Services, may be transferred to program Item 1, Administration.
12. DEBT COLLECTION REPORT REQUIRED. Within 60 days after the close of the fiscal year, the Office of the Attorney General shall submit to the Legislative Budget Board and the Governor's Office of Budget and Planning a report detailing judgments and debts collected as a result of litigation, and judgments and debts yet to be collected.
13. REPORTING REQUIREMENT. The Attorney General's Office is directed to develop and maintain separate accounting information and records on receipts and distribution of funds from the Child Support Trust Fund No. 994 and the Child Support Retained Collections Account. Such information must at a minimum identify all deposits, allocations and expenditures by type of revenues. The Comptroller of Public Accounts shall prescribe rules and procedures to assure compliance with this section and all transactions and balances shall be reconciled monthly against the records of the Comptroller.

OFFICE OF THE ATTORNEY GENERAL
(Continued)

In addition to the requirements for annual financial reports required by Article V of this Act, the Attorney General shall include a separate section detailing all such balances, receipts and distributions of money in Fund No. 994 and the Child Support Retained Collections Account. The report must specifically show balances held for transfer to operating appropriations of the Attorney General's Office and any other agency. In addition, any balances which are unclaimed and subject to escheat under other laws must be identified as to amount and age.

14. APPROPRIATION OF RECEIPTS, COURT COST. Court costs and investigative costs recovered by the Office of the Attorney General in excess of those specifically appropriated and shown in the agency's method of finance are reappropriated to the Attorney General's Office during the biennium of receipt to be used for court costs, expert witness fees, and other direct legal expenses related to litigation.
15. SALARY SUPPLEMENT AUTHORIZED, SPECIALIZATION CERTIFICATION. In addition to the salary specified for Assistant Attorneys General, the Office of the Attorney General may pay an Assistant Attorney General up to ten percent (10%) more than the annual salary of the Assistant Attorney General if the Assistant Attorney General is certified in a specialty area by the State Bar of Texas that is directly related to the employment duties of the Assistant Attorney General. Any payments pursuant to this provision shall be reported to the Legislative Budget Board at the end of each fiscal year in the biennium.
16. OFFICE CONSOLIDATION DIRECTED. The Office of Attorney General is hereby authorized and directed to consolidate all Austin headquarters programs and divisions into one leased building not less than 89,000 net usable square feet. None of the funds appropriated for the Attorney General's Office may be expended for the lease of additional space (not to include warehouse lease space) in Travis County beyond the earliest time that an adequate facility is determined by the Attorney General for this consolidation project.

It is the intent of the Legislature that the State Purchasing and General Services Commission, according to its rules and regulations, will cancel all leases according to existing lease agreements and/or locate other State agencies that can be moved into leased space currently occupied by the Attorney General's Office. It is also the intent of the Legislature that the Supreme Court State Office Building remain as the headquarters location for the agency and that the asbestos removal and other remodeling projects continue as planned and directed by the State Purchasing and General Services Commission.

17. DEBT COLLECTIONS.
 - a. The Office of the Attorney General shall attempt to collect all delinquent judgements owed the State of Texas. A portion of those debts collected, as outlined below, shall be eligible for retention by the Office of the Attorney General and may be used as a source of funding for agency operations as specified in and limited by the method of financing of the Office. The portion of debts collected by the Office of the Attorney General and eligible for retention by the Office shall be calculated as 50 percent of qualifying judgements per fiscal year.

OFFICE OF THE ATTORNEY GENERAL
(Continued)

Of the remaining collections, one hundred percent (100%) of collection revenues up to an amount of \$15 million total for the biennium shall be set aside to be eligible for use as payment of Workers' Compensation Claims in fiscal year 1991. Regardless of the total amount collected by the Attorney General, in no event shall this provision be construed as an appropriation in addition to the amount appropriated above as specified in the method of financing, of any of the funds collected by the Office of the Attorney General.

- b. To be eligible for retention by the Office of the Attorney General the debt collected must be from a qualifying judgement. Qualifying judgements, as used in this rider, are judgements that are at least one-year old from the date of entry of the court order and also includes debts not reduced to judgement where there are collections on the debt by the Collections Division of the Attorney General's Office if the debt is delinquent by more than one year or has been certified for collection to the Collections Division of the Attorney General's Office. In no event shall more than \$5.0 million from collections stemming from a common nucleus of operative fact be eligible for retention by the Office of the Attorney General.
 - c. It is the intent of the Legislature that the following not be allowed as a credit toward the percentages set forth above: judgements collected by state agencies; judgements less than one year old; or judgements collected without direct action by the Attorney General's Collection Division. The State Auditor shall verify that the above funds resulting from funds collected by the Collections Division of the Attorney General's Office do not include child support collections, or judgements collected from any other source or process other than through the Collections Division and the other requirements as set out in this rider.
 - d. The Attorney General shall maintain a centralized recordkeeping system for accounting for various departmental and agency certification of delinquent taxes, judgements, and other debts owed the state. The accounting should distinguish by type of tax, judgement, or other debt, and provide for: when the debt was certified by an agency or department for collection by the Attorney General; when it was collected or disposed of, and such other information as the Legislative Budget Board, Governor's Office of Budget and Planning, or the Comptroller of Public Accounts may require. Beginning December 1, 1987, the Attorney General shall submit semi-annual reports to the Governor's Office of Budget and Planning and the Legislative Budget Board detailing by agency or department the amount of each debt, when the debt was certified and when, and in what amount, it was collected or disposed of.
18. REPORTING REQUIREMENT, WORKERS' COMPENSATION. The Office of the Attorney General shall provide to the Legislative Budget Board on the last day of each quarter during the biennium, the following information with respect to Workers' Compensation claims, processed by the Attorney General's Office:

OFFICE OF THE ATTORNEY GENERAL
(Continued)

- a. The name, address and social security number of each recipient of benefits;
 - b. The cash value of the benefits received by such claimant;
 - c. The name, address and firm association of each attorney representing each claimant.
19. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.
- The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.
20. INTERNAL AUDITOR REQUIRED. The Office of the Attorney General shall employ an internal auditor.
21. DEATH PENALTY LITIGATION. Out of the funds appropriated above in Item 2.g., Criminal Law Enforcement, the amount of \$250,000 for each year of the biennium shall be used for the purpose of litigating issues related to the death penalty. These funds are intended to provide for attorneys and legal support staff to handle an increased number of appeals in capital punishment cases. All funds subject to this rider shall lapse to the General Revenue Fund if not required for the purpose specified in this rider.
22. PATERNITY TESTING. Subject to approval by the federal Office of Child Support Enforcement, and for the fiscal year beginning September 1, 1990, the Office of the Attorney General may contract with the Texas College of Osteopathic Medicine for all paternity testing services at a rate not to exceed a total of \$285.00 per case; provided that such contract shall be contingent upon certification by the Legislative Budget Board to the Office of the Attorney General that the forensic laboratory established within the Texas College of Osteopathic Medicine is complete, operational, capable of performing paternity testing pursuant to the requirements of the Family Code and federal regulations governing child support enforcement, and capable of performing the volume of paternity testing contemplated by this rider; and further provided that paternity testing required under court order to be conducted other than by the Texas College of Osteopathic Medicine shall not be subject to this provision.

OFFICE OF THE ATTORNEY GENERAL
(Continued)

23. EMPLOYEE BONUS PROHIBITED. Unless specifically authorized by other provisions of this Act or by the general laws of the State, none of the funds appropriated above or any revenues under the fiduciary control of the Office of the Attorney General may be used to provide salary supplements or incentive payments to state employees in exempt or classified positions.
24. CONTRACTING WITH LOCAL CHILD SUPPORT ENTITY. The Office of the Attorney General is directed to identify alternatives available under existing law for achieving substantial cost savings to the State through contracts with local domestic relations offices. Such contract alternatives shall require conformance with federal regulations and requirements, and shall require compliance with standards and performance levels consistent with program effectiveness. In the event that the Attorney General executes a contract or contracts implementing one or more of the alternatives identified, a report of such contract or contracts shall be made to the Legislative Budget Board and the Governor's Office of Budget and Planning.
25. CHILD SUPPORT CASE TRACKING SYSTEM. It is the intent of the legislature that the Office of the Attorney General develop a child support case flow system that automatically tracks delinquent payments that are 30 days in arrears and serves notice at this time. At the 60 day period, delinquency collection procedures will be initiated by the department.
26. CHILD SUPPORT COST. The Attorney General is directed to identify alternatives available under existing law to assist district courts, district clerks, sheriffs, constables, and other local government authorities in meeting the costs they incur in the administration, adjudication, or enforcement of child support cases related to the Attorney General's child support enforcement program from the appropriations made above in Item 3.b., Child Support - Program Operations. The alternatives so identified shall be reported by the Attorney General to the Legislative Budget Board by December 1, 1990.
27. CONDITION - REAPPROPRIATION OF COLLECTIONS. Contingent upon the number of paternity establishments exceeding 7,000 in fiscal year 1991, and to the extent that total year-to-date federal IV-D program collections equal or exceed four times total year-to-date federal IV-D program expenditures, collections received during fiscal year 1991 shall be reappropriated to the Attorney General's Office.
28. INTERAGENCY CONTRACTS. Any such interagency contract for legal services between the Attorney General's Office and state agencies shall not jeopardize the ability of the agencies to carry out their legislative mandates, shall not affect their budget such that employees must be terminated in order to pay the requested amount and shall not exceed reasonable attorney fees for similar legal services in the private sector.

OFFICE OF THE ATTORNEY GENERAL
(Continued)

29. OFFICE OF YOUTH CARE INVESTIGATION. Out of the funds appropriated for the Office of the Attorney General, \$35,000 in fiscal year 1990 and \$35,000 in fiscal year 1991 is designated for the Office of Youth Care Investigation.
30. CONTINGENCY FOR HOUSE BILL NO. 18. Contingent upon enactment of House Bill No. 18, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$75,000 for fiscal year 1990 and \$75,000 for fiscal year 1991, from the General Revenue Fund is hereby appropriated for the purpose of implementing the provisions of the Act.

WORKERS' COMPENSATION PAYMENTS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Workers' Compensation Payments	37,490,240	46,388,288 & U.B.
GRAND TOTAL, WORKERS' COMPENSATION PAYMENTS	\$ 37,490,240 =====	\$ 46,388,288 =====
Method of Financing:		
General Revenue Fund	\$ 37,490,240	\$ 31,388,288
Attorney General Debt Collection		15,000,000
Total, Method of Financing	\$ 37,490,240 =====	\$ 46,388,288 =====

1. TRANSFER FOR WORKERS' COMPENSATION INSURANCE FOR SOUTH TEXAS COLLEGES AND UNIVERSITIES. As a result of the consolidation of the University System of South Texas with the Texas A&M University System, the following amounts are transferred from the amounts appropriated above to each institution for workers' compensation insurance payments: \$48,200 in each year of the biennium to Corpus Christi State University, \$67,300 in each year of the biennium to Texas A&I University, and \$14,700 in each year of the biennium to Laredo State University.

AUTOMATED INFORMATION AND TELECOMMUNICATIONS COUNCIL

	For the Years Ending	
	August 31,	August 31,
	1990	1991
Out of the General Revenue Fund:		
1. Administration	\$ 233,052	\$ 164,612
2. Statewide Planning	100,000	100,000
3. Agency Planning	467,000	467,000
4. Technical Services	322,852	229,312
5. Technology Evaluation	286,642	213,102
GRAND TOTAL, AUTOMATED INFORMATION AND TELECOMMUNICATIONS COUNCIL	\$ 1,409,546	\$ 1,174,026

Schedule of Exempt Positions

Executive Director	\$ 72,000	\$ 72,000
Deputy Director	50,000	50,000
Division Director	2 45,000	2 45,000

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Automated Information and Telecommunications Council. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ 1,862	\$ -0-
Total, Capital Outlay	\$ 1,862	\$ -0-

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

AUTOMATED INFORMATION AND TELECOMMUNICATIONS COUNCIL
(Continued)

2. TRANSFER AUTHORITY. The council is hereby authorized to transfer such amounts as may be necessary for efficient operations between items of appropriation.
3. ADDITIONAL CLASSIFIED POSITIONS. Funds appropriated above may be expended to employ personnel in classified position titles listed in Article V of the Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Office for use by this agency.
4. CONTINGENCY FOR HOUSE BILL NO. 2736. Contingent upon enactment of House Bill No. 2736, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$467,000 for fiscal year 1990 and \$467,000 for fiscal year 1991, from the General Revenue Fund is hereby appropriated for the purpose of implementing the provisions of the Act.
5. EXEMPT POSITION CONTINGENCY. Contingent upon enactment of House Bill No. 2736, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, the agency is authorized two (2) additional Division Director exempt positions in each year of the biennium ending August 31, 1991. The annual salary for each position shall not exceed \$45,000.

BOARD OF BARBER EXAMINERS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of Barber Examiners Fund No. 40:		
1. Administration	133,008	133,008
2. Registration, Licensing and Testing	48,785	48,785
3. Inspections	279,973	280,377
4. Computer Services	47,488	45,488
GRAND TOTAL, BOARD OF BARBER EXAMINERS	\$ 509,254	\$ 507,658

Schedule of Exempt Positions

Executive Director	\$ 35,000	\$ 35,000
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SCHEDULE OF CLASSIFIED POSITIONS, BOARD OF BARBER EXAMINERS

GROUP 13

1162 Accountant II
4143 Inspector III

BOARD OF BARBER EXAMINERS
(Continued)

GROUP 11

1502 Administrative Technician II
4142 Inspector II, 7

GROUP 09

0065 Clerical Supervisor III
4141 Inspector I, 2

GROUP 08

0205 Key Entry Operator III

GROUP 06

0055 Clerk III
1802 Statistical Clerk II

1. INSPECTOR QUALIFICATIONS. It is the intent of the Legislature that one Inspector position shall be filled by an employee possessing the ability to speak, write, and read both Spanish and English, in addition to the usual qualifications required for inspectors.
2. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Barber Examiners Fund No. 40.
3. BOARD PER DIEM. No funds are included in the above appropriations for the purpose of paying board members travel or per diem for field investigations.
4. INSPECTIONS AND ENFORCEMENT. It is the intent of the Legislature that none of the funds appropriated for inspections be expended unless an interagency contract has been signed by the Barber Board and the Cosmetology Commission for the purpose of implementing a statewide crossover inspection and enforcement program during the 1990-91 biennium.
5. AITC CERTIFICATION REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

BOARD OF BARBER EXAMINERS
(Continued)

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

6. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 40 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

7. CONTINGENCY FOR H.B. NO. 460. Contingent upon enactment of H.B. No. 460, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$36,232 for fiscal year 1990 and \$24,832 for fiscal year 1991, from the Barber Examiners Fund No. 40 is hereby appropriated for the purpose of implementing the provisions of the Act. Funds appropriated to implement the provisions of this Act may also be expended to employ personnel in those classified position titles that are established and approved by the State Classification Officer for use by the agency.

BOND REVIEW BOARD

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Administration of the Bond Finance Office	134,066	132,956
2. Relocation Costs	25,816	U.B.
GRAND TOTAL, BOND REVIEW BOARD	\$ 159,882 =====	\$ 132,956 =====

Schedule of Exempt Positions

Executive Director	\$ 56,100	\$ 56,100
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BOND REVIEW BOARD
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Bond Review Board. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ 14,360	\$ -0-
Total, Capital Outlay	\$ 14,360	\$ -0-
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. RENT CONTINGENCY. The amount appropriated above in Line Item 2., Relocation Costs, is hereby made contingent upon the eviction of the Bond Review Board from the Sam Houston Building. Of the amounts appropriated in Line Item 2., \$9,108 may be expended for office rent in each of the fiscal years 1990 and 1991, and \$7,600 may be expended for furniture acquisition.
3. CONTINGENCY APPROPRIATION, SENATE BILL NO. 951/HOUSE BILL NO. 2257. Contingent upon enactment of S.B. 951, H.B. 2257, or similar legislation by the Seventy-first Legislature relating to bonds for public school facilities, there is hereby appropriated from the General Revenue Fund to the Bond Review Board, the sum of \$268,849 for fiscal year 1990, and the sum of \$191,202 for fiscal year 1991 for the purposes of implementation and administration of the Act. In addition, all balances and revenues accruing to the School Facilities Aid Fund are hereby appropriated to the Bond Review Board for the purposes of providing financial assistance to qualifying districts. Such expenses shall be in accordance with purposes authorized in the Act, and may include costs of studying the needs of school districts in all or part of the State for the acquisition, construction, renovation or improvement of capital assets and instructional facilities, and other administrative costs of the Board relating to the performance of its duties.

BOARD OF CHIROPRACTIC EXAMINERS

For the Years Ending	
August 31,	August 31,
<u>1990</u>	<u>1991</u>

Out of the Chiropractic Examiners
Fund No. 140:

1. Other Administration	136,479	137,279
2. Contract Investigation	25,000	25,000

BOARD OF CHIROPRACTIC EXAMINERS
(Continued)

3. Purchasing and Grading of National Examination, estimated	5,000	5,000
GRAND TOTAL, BOARD OF CHIROPRACTIC EXAMINERS	\$ 166,479 =====	\$ 167,279 =====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Secretary and Investigator, Full-time	\$ 28,000	\$ 28,000
Per Diem of Board Members	4,050	4,050

SCHEDULE OF CLASSIFIED POSITIONS, BOARD OF CHIROPRACTIC EXAMINERS

GROUP 11

1502 Administrative Technician II

GROUP 08

1501 Administrative Technician I

1. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Chiropractic Examiners Fund No. 140.
2. PURCHASE OF EXAMINATION. The amount appropriated above for Item 3. Purchasing and Grading of National Examination, shall be expended solely for the purpose of purchasing and grading of the National Board of Chiropractic Examination.
3. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 140 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

DEPARTMENT OF COMMERCE

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Central Administration:		
a. Executive Administration	599,351	599,351
b. Accounting and Internal Audit	683,958	679,958
c. Other Administrative Services	<u>1,258,241</u>	<u>1,273,258</u>
Total, Central Administration	<u>\$ 2,541,550</u>	<u>\$ 2,552,567</u>
2. Program Compliance	\$ 2,167,031	\$ 2,167,031
3. Business Development:		
a. Program Support	286,914	286,914
b. National Business	725,825	705,575
c. International Business	277,354	267,478
d. International Trade	351,046	355,296
e. Foreign Offices	1,258,525	1,310,000
f. Community Initiatives	333,735	355,485
g. Business Expansion Services	159,567	159,567
h. Advanced Technology	268,750	278,000
i. Film	277,615	289,865
j. Music	<u>50,000</u>	<u>50,000</u>
Total, Business Development	<u>\$ 3,989,331</u>	<u>\$ 4,058,180</u>
4. Small and Minority Business:		
a. Program Support	\$ 146,892	\$ 143,992
b. Small and Minority Business Development	171,000	165,000
c. Permit Assistance	<u>181,821</u>	<u>181,816</u>
Total, Small and Minority Business	<u>\$ 499,713</u>	<u>\$ 490,808</u>
5. Tourism Development:		
a. Program Support	\$ 1,311,702	\$ 1,311,702
b. Promotion, estimated	<u>6,921,298</u>	<u>7,296,298</u>
Total, Tourism Development	<u>\$ 8,233,000</u>	<u>\$ 8,608,000</u>
6. Work Force Development:		
a. Job Training - Administration	\$ 5,209,561	\$ 5,201,061
b. Job Training - Grants	242,551,505	242,599,141
c. Industrial Start-up Training	1,020,076	1,020,076
d. Literacy Assistance	1,246,000	1,246,000
e. Payments, Texas Conservation Corps	<u>150,000</u>	<u>U.B.</u>
Total, Work Force Development	<u>\$ 250,177,142</u>	<u>\$ 250,066,278</u>

DEPARTMENT OF COMMERCE
(Continued)

7. Community Development Block Grant:		
a. Administration	\$ 977,283	\$ 976,083
b. Grants	<u>50,109,480</u>	<u>50,109,480</u>
Total, Community Development Block Grant	<u>\$ 51,086,763</u>	<u>\$ 51,085,563</u>
8. Business Finance Assistance	\$ 651,302	\$ 651,302
9. Research and Planning:		
a. Business Information, Research	485,901	485,901
b. State Data Depository	430,836	450,000
c. Population Estimates	<u>190,866</u>	<u>190,866</u>
Total, Research and Planning	<u>\$ 1,107,603</u>	<u>\$ 1,126,767</u>
10. Marketing and Media	<u>\$ 793,425</u>	<u>\$ 793,425</u>
GRAND TOTAL, DEPARTMENT OF COMMERCE	<u>\$ 321,246,860</u>	<u>\$ 321,599,921</u>

Method of Financing:

General Revenue Fund	\$ 8,606,171	\$ 8,759,781
Dedicated Hotel/Motel Tax, estimated	8,233,000	8,608,000
Federal Funds, estimated	300,452,905	300,482,586
Earned Federal Funds	2,177,570	2,185,579
Other Funds, estimated	571,975	358,975
Interagency Contracts	1,205,000	1,205,000
Music Fund, No.552, estimated	<u>239</u>	
Total, Method of Financing	<u>\$ 321,246,860</u>	<u>\$ 321,599,921</u>

Schedule of Exempt Positions

Executive Director	\$ 71,400	\$ 71,400
Deputy Executive Director	63,750	63,750
Division Director	7 61,200	7 61,200
Director	5 50,490	5 50,490

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Department of Commerce. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	<u>\$ 1,608,887</u>	<u>\$ 137,500</u>
Total, Capital Outlay	<u>\$ 1,608,887</u>	<u>\$ 137,500</u>

Method of Financing:

DEPARTMENT OF COMMERCE
(Continued)

General Revenue Fund	\$ 184,608	\$ 25,909
Federal Funds	134,849	97,152
Other Funds	1,267,000	-0-
Earned Federal Funds	<u>22,430</u>	<u>14,439</u>
 Total, Method of Financing	 \$ 1,608,887 =====	 \$ 137,500 =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. **TRANSFER AUTHORITY.** The Texas Department of Commerce is hereby authorized to transfer amounts up to 15 percent in 1990 and 10 percent in 1991 from one sub-item or program to another sub-item. Funds transferred out of Program 5., Tourism Development, shall only be transferred into Program 10., Marketing and Media, to purchase advertising and not to hire additional personnel. Funds shall not be transferred out of Program 10., Marketing and Media.
3. **DUPLICATION OF DATA.** It is the intent of the Legislature that the Texas Department of Commerce not duplicate major economic and/or census data already existing in State government.
4. **DISPOSITION OF TSBIDC EARNINGS.** The Texas Department of Commerce shall review the financial statements of the Texas Small Business Industrial Development Corporation to determine the net earnings of the Corporation, and shall make such determination no later than September 30, 1989. The Department shall ensure that the net earnings, of an amount not to exceed \$1,500,000 shall be transferred to a special fund in the State Treasury during fiscal year 1990 to be used for the acquisition of a mainframe computer and associated software. Two hundred thirty-three thousand dollars (\$233,000) are listed above as "Other Funds" in Method of Financing and \$1,267,000 are listed above as "Other Funds" in Rider 1 Capital Outlay. Any net earnings in excess of \$1,500,000 shall be deposited into the General Revenue Fund and 25 percent of that amount over \$1,500,000 is appropriated to the Department of Commerce.
5. **UNEXPENDED BALANCES, RURAL INDUSTRIAL DEVELOPMENT FUND.** All unexpended balances in the appropriation to the Texas Department of Commerce for Rural Industrial Development Act loans, Item 17., House Bill No. 139, Acts of Sixty-third Legislature, Regular Session, 1973, along with any receipts and balances on hand in the Rural Industrial Development Fund No. 425, are hereby reappropriated for the biennium beginning September 1, 1989, for the purpose of making loans as authorized by the Rural Industrial Development Act.
6. **FOREIGN OFFICES AUTHORIZED.** It is the intent of the Legislature that the Texas Department of Commerce provide facilities and services in Mexico, the Pacific Rim, Europe, and if specifically appropriated by the Legislature, in other foreign countries. The offices in Mexico City, the Pacific Rim, and Europe are each named "The State of Texas Office." This name may be used in other locations. These facilities and services may be utilized by state

DEPARTMENT OF COMMERCE
(Continued)

- agencies authorized to conduct business in Mexico, the Pacific Rim, Europe, or other foreign countries through the use of interagency contracts. A Pacific Rim office shall be opened in Taipei, Taiwan by September 30, 1989 in donated space available for that purpose. Offices in Tokyo, Japan; Frankfurt, Germany; and Seoul, South Korea shall be established by August 31, 1990. The department shall expend funds for these offices out of any funds available in the event the item designated for Foreign Offices is not available for that purpose.
7. REVOLVING PETTY CASH FUNDS. The Department of Commerce may establish petty cash funds not to exceed \$7,500 out of the monies appropriated herein. The funds shall be maintained at foreign banks and shall be used for operating expenses and the purchase of equipment for foreign offices in the Pacific Rim and Europe. This is in addition to the \$1,000 authorized in Article V. The Department shall maintain an annual accounting of such funds, in conformance with the rules of statewide accounting as prescribed by the Comptroller.
 8. REQUIREMENTS, RURAL INDUSTRIAL LOAN FUND. In the development of rules governing the allocation of funds provided above for the rural loans, the Department shall ensure that these rules encourage applications from minority businesses. The Department shall develop procedures to assist and encourage minority businesses located in the State of Texas to apply for and become eligible for funds provided through the Rural Industrial Loan Fund or the Rural Economic Development Fund.
 9. ADDITIONAL CLASSIFIED POSITIONS. Funds appropriated above may be expended to employ personnel in classified titles listed in Article V of this Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Officer for use by the Texas Department of Commerce.
 10. FEE SCHEDULE REQUIRED. The Texas Department of Commerce shall develop a subscriber fee schedule and collect such fees from the users of population data provided by the Department.
 11. REAPPROPRIATION OF FEES AUTHORIZED. All fees that the Texas Department of Commerce is authorized to collect in Article 4413.301 are hereby appropriated for the specific purpose named in the statute for the biennium beginning September 1, 1989.
 12. TRANSFER OF STRATEGIC ECONOMIC POLICY COMMISSION. Pursuant to House Bill 3, Regular Session, Seventieth Legislature, the responsibilities for updating the state's economic policy and other duties and functions of the Strategic Economic Policy Commission shall be continued by the Department of Commerce out of the funds appropriated above.
 13. REAPPROPRIATION, MUSIC FUND. All gifts, grants, and other funds collected by the Music Commission during the biennium, and any balances on hand at the beginning of each fiscal year in the Music Commission Fund No. 552 are hereby appropriated to the Texas Department of Commerce for the purposes specified in Senate Bill No. 140, Regular Session, Sixty-ninth Legislature.

DEPARTMENT OF COMMERCE
(Continued)

14. JOB TRAINING, AFDC RECIPIENTS. Federal funds available under the Job Training and Partnership Act shall be used, to the extent feasible, to supplement efforts directed toward securing employment for recipients of the Aid to Families with Dependent Children Program.
15. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

16. ACTUAL TRAVEL EXPENSE FOR OUT-OF-STATE MEETINGS. The Texas Department of Commerce is hereby authorized to designate agency representation at out-of-state meetings with prior approval of the Executive Director and the Executive Director may approve actual travel expense if such representation is in the performance of the requirements of Programs authorized above.
17. EMOLUMENTS AND HOUSING ALLOWANCES. From the funds appropriated above in Item 3.e., Foreign Offices, the Texas Department of Commerce is authorized to provide emoluments and housing allowances for the Director of Pacific Regional Office, Director of the European Regional Office, and the Assistant Director of the European Office. The Director of the Pacific Regional Office may receive amounts not to exceed \$60,000 per year for housing and \$22,000 per year in emoluments. The Director of the European Regional Office may receive amounts not to exceed \$52,000 per year for housing and \$19,000 per year in emoluments. The Assistant Director of the European Regional Office may receive amounts not to exceed \$26,000 per year for housing and \$15,000 per year in emoluments.
18. UNEXPENDED BALANCES, TOURISM DEVELOPMENT. Any unexpended balances as of August 31, 1989, in the special account of dedicated hotel/motel tax, created under Subsection (d), Section 156.251, Tax Code, for media advertising and other marketing activities of the Texas Department of Commerce are hereby reappropriated for the biennium beginning September 1, 1989, under Item 5.b., Tourism Promotion. Any unexpended balances as of August 31, 1990, in this same account are hereby reappropriated for the fiscal year beginning September 1, 1990, under Item 5.b., Tourism Promotion.

DEPARTMENT OF COMMERCE
(Continued)

19. APPROPRIATION, TEXAS CONSERVATION CORPS PARTICIPANTS AND NON-EXECUTIVE EMPLOYEES. Out of the funds appropriated in Item 6.e., Payments, Texas Conservation Corps, an amount not to exceed \$150,000 out of the General Revenue Fund for the biennium beginning September 1, 1989 is appropriated solely for the purpose of paying the unpaid wages of former Texas Conservation Corps program participants, non-executive employees, and contract labor. The Department shall distribute these funds to former participants, non-executive employees, and contract labor in the amounts certified due them. The payment of program participants shall take priority over the payment of employees. The Department shall set up a reasonable and adequate verification procedure to ensure that compensation is paid to only those participants, non-executive employees, and contract labor owed back wages and only for the time periods for which they were unpaid. The amount paid to contract labor shall not exceed \$2,500.
20. APPROPRIATION TRANSFER-COMMUNITIES IN SCHOOLS. Out of the funds appropriated above in Item 6.b., Work Force Development-Job Training/Grants, \$590,218 in fiscal year 1990 and \$1,090,218 in fiscal year 1991 shall be allocated by contract to the Texas Employment Commission for expansion of the Communities in Schools programs.
21. REQUIREMENT, JOB TRAINING PARTNERSHIP ACT ADMINISTRATION FUNDS. For each fiscal year of the 1990-1991 biennium, the Department of Commerce shall determine the amount of funds available for agency administration and grants from the Job Training Partnership Act funds. The amount of administration funds expended as a percentage of the administration funds available shall not exceed the amount of JTPA grant funds expended and/or obligated as a percentage of the total JTPA grant funds available.
22. RE-OBLIGATION OF JOB TRAINING PARTNERSHIP ACT FUNDS. The Texas Department of Commerce shall set policies which permit the de-obligation of obligated JTPA funds which have not been expended and which the department projects will not be expended by the end of a program year. The department shall also develop procedures for the timely re-obligation of de-obligated funds and shall implement those procedures in a manner which ensures that federal JTPA funds allocated to Texas are not permitted to lapse.
23. JOB TRAINING COORDINATION. It is the intent of the Legislature that in job training the Texas Department of Commerce shall coordinate with all other state agencies that provide job training and vocational education, including Texas State Technical Institute.
24. FUNDING OF LITERACY COUNCIL. The appropriations above in Item 6.d., Literacy Assistance, are out of Job Training Partnership Act (JTPA), Section 123, federal funds. An amount of \$246,000 shall be used each year to staff the Texas Literacy Council and to assist the Council in carrying out its functions, including the maintenance of a data base of literacy providers and a toll-free hotline for literacy information. Of the amounts shown in Rider 1, Capital Outlay, \$4,000 in each year of the biennium in JTPA funds shall be used for acquisition of computer equipment and software. An additional sum of \$1 million out of JTPA funds shall be used each year to fund local nonprofit literacy councils, using criteria and recommendations developed by the Texas Literacy Council. The Texas Literacy Council shall ensure that literacy efforts funded out of JTPA are coordinated with literacy efforts funded by the Adult Education program of the Central

DEPARTMENT OF COMMERCE
(Continued)

Education Agency. Local literacy programs shall be encouraged to match JTPA funds with grants from foundations, from the private sector, and with funding from other state programs such as the Adult Education Program to meet the needs of non-JTPA eligible clients.

25. RECOMMENDATIONS, PERFORMANCE STANDARDS AND INCENTIVE SYSTEM. In making recommendations to the State Job Training Coordinating Council and the Governor regarding the Job Training Partnership Act Program, the Texas Department of Commerce shall recommend modifications to the performance standards and incentive system in order to provide incentives for local JTPA programs to increase the number of dropouts and AFDC recipients trained and the amount of basic skills training and remedial education provided to them. Specifically, the Texas Department of Commerce shall: (1) set planning guidelines which require local programs to increase the number of AFDC recipients and dropouts served; (2) recommend incentive grant provisions that provide bonuses to local programs that exceed the higher targeted level of service to those groups; (3) recommend the addition of a performance standard to measure the achievement of basic skills competencies by AFDC recipients and dropouts; (4) recommend incentive grant provisions to provide bonuses to local programs that exceed the "achievement of adult competencies" standard; and (5) recommend assigning a lower value to the performance measure "average cost per placement."
26. STUDY OF PERFORMANCE STANDARDS AND INCENTIVE SYSTEM. Out of the federal JTPA funds appropriated above, the Department of Commerce shall conduct a study of the Texas JTPA performance standards and incentive system. The study shall provide recommendations to the State Job Training Coordinating Council on modifications that can be made to the performance standards and incentive system in order to: improve the quality of training provided by the JTPA system, improve the quality of placements and long term outcomes that result from training, and increase the level of participation of AFDC recipients and other groups most in need of job training.
27. EVALUATION OF COORDINATION BETWEEN THE JTPA PROGRAM AND THE DEPARTMENT OF HUMAN SERVICES. Out of the federal JTPA funds appropriated above, the Department of Commerce shall contract with The University of Texas at Austin in an amount of approximately \$350,000 over the biennium to conduct an evaluation of efforts by the JTPA system to coordinate with the Department of Human Services in serving AFDC recipients in need of job training. The evaluation should provide recommendations for enhanced program design and improved coordination between the Department of Human Services, Department of Commerce, and other agencies implementing the Family Support Act's JOBS Program in Texas.
28. REQUIREMENT, ALLOCATION TO COUNCILS OF GOVERNMENTS. From federal administrative monies made available to the Department under the Community Development Block Grant Program, at least \$212,000 per year shall be allocated to councils of governments to continue staff support to the 24 Regional Review Committees of local elected officials appointed by the Governor.

DEPARTMENT OF COMMERCE
(Continued)

29. APPROPRIATION, EARNED FEDERAL FUNDS. In addition to the amounts shown above in the Method of Financing, there is hereby appropriated \$350,000 in earned federal funds in fiscal year 1990 for the purpose of meeting the state match required by the Community Development Block Grant program.

30. SUPERPORT DEVELOPMENT. The Department of Commerce is directed to enter into an interagency contract with the Aeronautics Commission to study the feasibility of locating one or more aviation superports in Texas and in cooperation with the Aeronautics Commission assess the economic benefits to the State of superport development from the monies appropriated above not to exceed \$250,000. These monies are only to be used if federal funds are obtained and require matching funds.

31. AUTHORIZATION, EXPOSITION EXHIBIT. Out of general revenue funds appropriated above to the Department of Commerce for each fiscal year of the biennium ending August 31, 1991, the Department of Commerce is hereby authorized to expend funds to support an exhibit for the State of Texas at the 1992 Universal Exposition, including but not limited to expenses for pavilion rent, exhibit design and development, exhibit construction, and salaries and wages, travel and per diem costs for Department of Commerce personnel participating in the Exposition. The total amount of funds authorized to be expended by this rider during the biennium ending August 31, 1991 may not exceed \$1,000,000. Further, the Department of Commerce may expend additional donated funds for the above purposes.

32. ACTUAL TRAVEL FOR BOARD MEMBERS. In accordance with Section 2 of Article 6813f, Texas Revised Civil Statutes Annotated and notwithstanding Article V, Section 4 of this Act, the Department of Commerce is hereby authorized to reimburse board members for actual travel expenses when board members are engaged in official business of the board.

33. FOREIGN OFFICE TRACKING SYSTEM. The Department of Commerce shall develop a tracking system that documents the direct benefits that result from the operation of foreign offices. This system shall independently track each foreign office. This system shall be used by the Legislative Budget Board in conducting a cost/benefit or similar analysis of the foreign offices.

34. COMPUTER ACQUISITION. The Texas Department of Commerce is hereby authorized to access the Texas Capital Access Program of the Texas Small Business Industrial Development Corporation (TSBIDC) in an amount not to exceed \$2,500,000 for the 1990-1991 biennium to use as a temporary funding source to enter into a lease purchase agreement for computer hardware and software. The Texas Department of Commerce, in cooperation with TSBIDC, shall develop and implement a payment schedule not to exceed five years.

35. RURAL ECONOMIC DEVELOPMENT FUND. Contingent upon the final passage of Senate Bill 201, Seventy-first Legislature, or similar legislation relating to the Rural Economic Development Fund, there is hereby appropriated in fiscal year 1990 to the Texas Department of Commerce \$1,500,000 out of the General Revenue Fund to establish the Rural Economic Development Fund.

DEPARTMENT OF COMMERCE
(Continued)

36. PRODUCT COMMERCIALIZATION FUND. Contingent upon the final passage of Senate Bill 145, Seventy-first Legislature, or similar legislation relating to the Product Commercialization Fund, there is hereby appropriated in fiscal year 1990 to the Texas Department of Commerce \$500,000 out of the General Revenue Fund to establish the Product Commercialization Fund.
37. TEXAS EXPORTERS LOAN FUND. Contingent upon the final passage of Senate Bill 165, Seventy-first Legislature, or similar legislation relating to the Texas Exporters Loan Fund, there is hereby appropriated in fiscal year 1990 to the Texas Department of Commerce \$2,000,000 out of the General Revenue Fund to establish the Texas Exporters Loan Fund. Administration of the program shall be financed from fees generated from the Texas Exporters Loan Fund.
38. WORKFORCE DEVELOPMENT INCENTIVE PROGRAM. Contingent upon the final passage of Senate Bill 193, Seventy-first Legislature, or similar legislation relating to the Workforce Development Incentive Program, there is hereby appropriated to the Texas Department of Commerce \$1,000,000 for fiscal year 1990 and \$1,000,000 for fiscal year 1991 out of the General Revenue Fund to establish the Workforce Development Incentive Program. Where feasible, the Texas Department of Commerce shall coordinate Workforce Development Incentive Program projects with Job Training Partnership Act program administrators. In no case shall the wage rate paid by the state for the instructors in workforce development training projects be greater than the rate paid by the industry for that occupation. The Texas Department of Commerce shall do follow-up reports on each workforce development training project setting forth information on costs, including unit costs, employment placement ratio of workers trained, type of industry, and location of industry participating in the program. This information shall be submitted annually to the Governor's Office and the Legislative Budget Board.
39. CONTINGENCY FOR HOUSE BILL NO. 362. Contingent upon enactment of House Bill No. 362, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation and passage of a constitutional amendment authorizing the issuance of general obligation bonds for the small business incubator and product development financing programs, \$97,932 for fiscal year 1990 and \$95,432 for fiscal year 1991, from the Small Business Incubator Fund and \$101,304 for fiscal year 1990 and \$98,804 for fiscal year 1991 from the Product Development Fund is hereby appropriated for the purpose of implementing the provisions of the Act.

DEPARTMENT OF COMMUNITY AFFAIRS

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration and General Support	611,543	611,543
2. Local Government Services	173,013	173,013
3. Community Services Program:		
a. Program Administration	686,761	686,761
b. Community Services Block Grant	15,481,033	15,481,033

DEPARTMENT OF COMMUNITY AFFAIRS
(Continued)

c. Community Food and Nutrition	106,779	106,779
d. CSBG for the Homeless	903,594	903,594
e. Emergency Shelter for the Homeless	1,585,000	1,585,000
f. Dependent Care Block Grant	<u>520,189</u>	<u>520,189</u>
Total, Community Services	<u>\$ 19,283,356</u>	<u>\$ 19,283,356</u>
4. Energy Assistance Program:		
a. Program Administration	\$ 472,157	\$ 472,157
b. Weatherization	6,359,104	6,359,104
c. Energy Crisis	<u>3,125,000</u>	<u>3,125,000</u>
Total, Energy Assistance	<u>\$ 9,956,261</u>	<u>\$ 9,956,261</u>
5. Housing Assistance Program:		
a. Program Administration	\$ 172,978	\$ 172,978
b. Grants	<u>3,799,482</u>	<u>3,799,482</u>
Total, Housing Assistance	<u>\$ 3,972,460</u>	<u>\$ 3,972,460</u>
GRAND TOTAL, DEPARTMENT OF COMMUNITY AFFAIRS	<u>\$ 33,996,633</u>	<u>\$ 33,996,633</u>

Method of Financing:

General Revenue Fund	\$ 200,000	\$ 200,000
Federal Funds, estimated	25,249,108	25,249,108
Earned Federal Funds	611,543	611,543
Interagency Contracts, estimated	<u>7,935,982</u>	<u>7,935,982</u>
Total, Method of Financing	<u>\$ 33,996,633</u>	<u>\$ 33,996,633</u>

Schedule of Exempt Positions

Executive Director	\$ 56,000	\$ 56,000
Deputy Director	52,000	52,000

1. TRANSFER AUTHORITY. No transfer may be made from one sub-item to another within Programs 3., 4., and 5. No transfer may be made between the program items.
2. REPORTING REQUIREMENTS. Within 90 days following the conclusion of a contract issued by the Texas Department of Community Affairs or, at the option of the contracting party, within 90 days following the conclusion of the contracting party's fiscal year during which a contract was in force, the contracting party shall provide to the Executive Director a full accounting of state funds expended under the terms of the contract. This requirement shall be a part of any contract entered into by the department and contracting entities. Failure of a contracting party to provide full accounting of state funds expended under the terms of any contract under the

DEPARTMENT OF COMMUNITY AFFAIRS
(Continued)

conditions stated above shall be sufficient reason to terminate that contract and for the department to deny any future contracts to that contracting party.

3. CONTINGENCY FOR S.B. NO. 913. Contingent upon enactment of S.B. No. 913, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$243,000 for fiscal year 1990 and \$248,000 for fiscal year 1991, from the School Child Services Fund is hereby appropriated for the purpose of implementing the provisions of the Act.

COMPTROLLER OF PUBLIC ACCOUNTS, STATE COMPTROLLER'S OFFICE

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Central Administration:		
a. Executive Administration	1,528,100	1,539,808
b. Budget and Internal Accounting	2,032,648	2,061,657
c. Revenue Estimating and Research	4,664,328	4,711,459
d. Legal Services	1,448,311	1,465,937
e. Personnel and Training	1,421,212	1,429,539
f. Support Services	5,231,948	5,598,924
Total, Central Administration	\$ 16,326,547	\$ 16,807,324
2. Tax Administration:		
a. Tax Policy and Taxpayer Services	\$ 11,445,159	\$ 11,613,879
b. Tax Information	299,599	298,765
c. Field Operations: Headquarters	2,588,590	2,611,835
d. Field Operations: Enforcement	13,059,907	13,130,820
e. Field Operations: In-State Audit	26,425,359	26,810,587
f. Field Operations: Out-of-State Audit	2,735,971	2,776,518
g. Revenue Processing and Accounting	17,247,443	17,528,853
h. Data Services	16,313,052	16,990,889
Total, Tax Administration	\$ 90,115,080	\$ 91,762,146
3. Funds Management:		
a. Fund Accounting	\$ 2,755,457	\$ 2,778,143
b. Claims	2,351,476	2,386,251
Total, Funds Management	\$ 5,106,933	\$ 5,164,394
4. Cost of Cigarette Tax Stamps, estimated	\$ 1,274,000	\$ 1,274,000
GRAND TOTAL, COMPTROLLER OF PUBLIC ACCOUNTS, STATE COMPTROLLER'S OFFICE	\$ 112,822,560 =====	\$ 115,007,864 =====

COMPTROLLER OF PUBLIC ACCOUNTS, STATE COMPTROLLER'S OFFICE
(Continued)

Method of Financing:

General Revenue Fund	\$	87,149,407	\$	89,283,603
Statutory Allocations for Tax Administration and Enforcement as provided in: (1) V.T.C.A., Tax Code, Sec. 153.122, 153.225, 153.311, 153.501-.505, 154.602, 201.403, and 202.352, 321.503, 322.303; (2) V.A.C.S., Art. 179d (Sec. 12, 13, 13a, 13b, 14 and 26), and Art. 8817 and 8808; (3) V.T.C.A., Gov. Code, Art. 403.105, estimated		25,455,540		25,506,648
Interagency Contract Receipts, estimated		<u>217,613</u>		<u>217,613</u>
Total, Method of Financing	\$	<u>112,822,560</u>	\$	<u>115,007,864</u>

Schedule of Exempt Positions

Comptroller	\$	74,698	\$	74,698
First Deputy Comptroller (Chief Clerk)		72,000		72,000
Senior Deputy Comptroller		68,000		68,000
Assistant Deputy Comptroller	8	59,359	8	59,359
Chief Administrative Law Judge		58,623		58,623
Senior Law Judge		58,623		58,623
Associate Law Judge	2	58,308	2	58,308
Director III	27	58,623	27	58,623
Director II	10	55,157	10	55,157
Director I	11	51,164	11	51,164
Audit Manager	UL	58,200	UL	58,200
Audit Supervisor	UL	54,500	UL	54,500
Auditor IV	UL	51,300	UL	51,300
Auditor III	UL	39,480	UL	39,480
Auditor II	UL	35,736	UL	35,736
Auditor I	UL	32,412	UL	32,412

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Comptroller of Public Accounts. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of Statutory Allocations for Tax
Administration and Enforcement:

1. Acquisition of Computer Equipment and Software	<u>\$ 10,459,605</u>	<u>\$ 11,672,006</u>
Total, Capital Outlay	<u>\$ 10,459,605</u>	<u>\$ 11,672,006</u>

COMPTROLLER OF PUBLIC ACCOUNTS, STATE COMPTROLLER'S OFFICE
(Continued)

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. **COMPTROLLER'S OPERATING FUND.** The Comptroller is hereby authorized to transfer any funds appropriated for the operation of his department into a special "Comptroller's Operating Fund," which fund shall be used for the purposes and only for the purposes appropriated.
3. **TRANSFER AUTHORITY.** The Comptroller of Public Accounts is hereby authorized to transfer such amounts as may be necessary from one sub-item to another sub-item within program appropriation items numbered 1. Central Administration, 2. Tax Administration, and 3. Funds Management. None of the funds appropriated above for one program item may be transferred to another program item except appropriations may be transferred into the Funds Management Program from the Central Administration and Tax Administration Programs and into the Central Administration Program from the Tax Administration Program. No transfers may be made into line-itemed exempt salaried positions.
4. **APPROPRIATION OF TAX REFUNDS.** As much of the respective taxes collected and administered by the Comptroller as may be necessary is hereby appropriated and set aside to pay refunds as provided by law, subject to the following limitations and conditions:
 - a. Unless another law, or section of this Act, provides a period within which a particular refund claim must be made, funds appropriated herein may not be used to pay a refund claim made under this section after four years from the latest date on which the amount collected or received by the state was due, if the amount was required to be paid on or before a particular date. If the amount was not required to be paid on or before a particular date, a refund claim may not be made after four years from the date the amount was collected or received. A person who fails to make a refund claim within the period provided by law, or this provision, shall not be eligible to receive payment of a refund under this provision.
 - b. As a specific limitation to the amount of refunds paid from funds appropriated in this Act during the 1990-1991 biennium, the Comptroller shall not approve claims or issue warrants for refunds in excess of the amount of revenue estimated to be available from the tax, fee, or other revenue source during the biennium according to the Biennial Revenue Estimate of the Comptroller of Public Accounts used for certification of this Act. Any claim or portion of a claim which is in excess of this limitation shall be presented to the next legislature for a specific appropriation in order for payment to be made. This limitation shall not apply to any taxes or fees paid under protest.

COMPTROLLER OF PUBLIC ACCOUNTS, STATE COMPTROLLER'S OFFICE
(Continued)

5. APPROPRIATION OF RECEIPTS, POSTAGE. All sums received by the Comptroller in refund of postage used by the Comptroller's department shall be deposited in the fund to the credit of the appropriation from which postage for said Comptroller is paid, and are hereby reappropriated for postage use.
6. APPROPRIATION OF RECEIPTS, MAILING WARRANTS. The Comptroller is authorized to transfer appropriation authority and cash from state agencies' funds and accounts to the Comptroller's Operating Fund to reimburse for the cost of mailing warrants or direct deposit of vendors' or state employees' claims. These funds are hereby reappropriated to the Comptroller's department.
7. EMPLOYEE RELOCATION EXPENDITURES AUTHORIZED. In order to avoid imposing the hardship of an employee working in one location while his family and personal belongings are located elsewhere, the Comptroller is authorized to pay costs of transporting and delivering in state-owned equipment, or when state-owned equipment is not available, the use of a commercial transportation company or self-service vehicles, the household goods and effects of employees assigned temporarily to permanent audit offices located outside the boundaries of the State of Texas, when in the judgment of the Comptroller, the best interest of the state will be served by such assignments. The Comptroller shall file a report of such moves with the Legislative Budget Board by November 1 of the fiscal year. Such report is to cover the preceding fiscal year and include the number of such official moves made, the employees' names and position titles, distances involved, and the detail of all expenditures for such moves. It is specifically provided that the authority granted by this provision shall not extend to new employees.
8. EMPLOYMENT POLICIES, HOURLY EMPLOYEES. The Comptroller of Public Accounts is expressly authorized to determine the wage rates paid, method of payment, and leave policies for hourly employees.
9. AIRCRAFT AUTHORIZED. Notwithstanding other provisions of this Act, the Comptroller of Public Accounts is authorized to acquire, operate, and maintain two (2) aircraft from funds appropriated above. In addition, the Comptroller may lease aircraft on a short-term basis.
10. APPROPRIATION OF STATUTORY ALLOCATIONS. In addition to the sums appropriated above, there is hereby appropriated to the Comptroller of Public Accounts for the 1990-91 biennium all revenues and allocations statutorily dedicated to the Comptroller of Public Accounts either as a percentage of revenue collections, or on a rate basis or as a sum specific for tax enforcement and/or administration as authorized by the various statutes enacted or amended by the Seventy-first Legislature.
11. FEES ESTABLISHED. To provide for the recovery of costs for the preceding appropriations for the enforcement of statutes regulating the use and operation of coin-operated machines within the State of Texas, the following fee rate is established pursuant to Article 5429n, Vernon's Texas Civil Statutes, to be effective during fiscal years 1990 and 1991 beginning September 1, 1987:

- (a) Registration Certificate Fee \$75
- (b) Replacement Fees \$ 5

COMPTROLLER OF PUBLIC ACCOUNTS, STATE COMPTROLLER'S OFFICE
(Continued)

(c) Release Fee \$50

12. UNEXPENDED BALANCES CARRIED FORWARD. Unexpended balances from the 1988-1989 biennium, not to exceed \$1.5 million, due to efficiencies or other cost savings of the Comptroller of Public Accounts are hereby appropriated for fiscal year 1990. Unexpended balances from fiscal year 1990 are hereby appropriated for fiscal year 1991. The appropriations herein are for the continuing automation needs of the Comptroller of Public Accounts.

13. CONTINGENT APPROPRIATION FOR ADDITIONAL COMPUTER CAPACITY. There is hereby appropriated from general revenue \$4,400,000 in fiscal year 1991 for additional computer capacity subject to the conditions established below.

Prior to the expenditure of any funds appropriated by this provision, the Automated Information and Telecommunications Council (AIRC) or its successor agency shall review and certify whether during any one month in fiscal year 1991 for any four days, the Comptroller's production computer systems (known as "CICS") exceed 850,000 transactions per day.

If the AIRC or its successor agency certifies that transaction levels have been exceeded as described above, funds appropriated by this provision may be expended only pursuant to budget execution approval by the Governor and the Legislative Budget Board. Approval of the expenditure of any or all of the appropriations made in this provision may be proposed by either the Governor or the Legislative Budget Board. A proposed change made by the Governor to the Legislative Budget Board or by the Legislative Budget Board to the Governor may be: (1) ratified through adoption of an order changing the relevant appropriation in the manner specified in the proposal; (2) rejected; or (3) amended. An amended proposal must be finally approved by the originator of the initial proposal.

No action on a proposal made pursuant to this provision may be taken until at least ten days after the publication of the proposal in the Texas Register. A proposal made under this provision expires if an order has not been ratified or finally approved before the 31st day after the proposal is published in the Texas Register.

The Governor shall notify the Comptroller, the State Treasurer, and affected state agencies of the final action taken on a proposal and shall direct the Secretary of State to publish notice of the action in the Texas Register.

The authority to propose and adopt changes granted in this provision is independent of any other authority established by this Act or under other law.

14. ELIMINATION OF OPTIONAL TEACHER RETIREMENT FUND. The Comptroller of Public Accounts is hereby authorized and directed to eliminate the Optional Teacher Retirement Fund and transfer any balances in that fund to the General Revenue Fund.

COMPTROLLER OF PUBLIC ACCOUNTS, STATE COMPTROLLER'S OFFICE
(Continued)

15. APPROPRIATION OF DEBT COLLECTIONS. Contingent on enactment of House Bill 1302, amounts collected by private debt collectors or collection agencies under contract with the Comptroller of Public Accounts are appropriated to the Comptroller and may be deposited in the Comptroller's Operating Fund to pay contract and other expenses connected with the collections including any administrative costs of the Comptroller directly associated with the House Bill 1302 collections program. Upon determination by the Comptroller that contract and other expenses connected with the collections have been deducted, the balance of collection proceeds shall be transferred to the General Revenue Fund or to any dedicated or special fund to which the collection proceeds may belong.
16. AUDITOR EXEMPT POSITIONS. It is the intent of the Legislature as provided under Section 2, Chapter 123, Page 238, Acts 1961, Fifty-seventh Legislature, that the auditors in the Comptroller of Public Accounts's Office shall be excluded from the Position Classification Act.
17. TREATMENT OF STATEWIDE ACCOUNTING SYSTEM FUNDS. Contingent upon funds being appropriated for a Uniform State Accounting System, all such funds appropriated and allocated to the Comptroller for the Comptroller's implementation and operating costs may be transferred into the Comptrollers Operating Fund No. 062, and shall be considered as part of the Funds Management Program.
18. EXEMPT POSITIONS, STATEWIDE ACCOUNTING SYSTEM. In addition to the exempt positions granted in the Schedule of Exempt Positions, six additional exempt positions not to exceed the Director III level are hereby provided for the administration of the State Government Accounting Division. These positions are for the exclusive use of this division and are not transferable to any other program item.
19. UNIFORM STATEWIDE ACCOUNTING AND PAYROLL SYSTEM. Notwithstanding any procedural prerequisites in this Act, the Comptroller may contract for the goods and services that are necessary to implement a uniform statewide accounting and payroll system.
20. CONTINGENCY APPROPRIATION, HOUSE BILL NO. 1588. Contingent upon enactment of House Bill No. 1588 relating to a groundwater protection cleanup program, there is hereby appropriated to the Comptroller of Public Accounts all amounts deducted as the state's charge for its services under Subchapter 1, Chapter 26, Water Code, Section 26.3575, as amended by House Bill No. 1588. All such amounts received may be transferred into the Comptrollers Operating Fund No. 062, and into the Line Item program determined by the Comptroller. Such funds are for the purpose of administering the functions and duties of the Act.
21. APPROPRIATION TRANSFER, HOUSE BILL NO. 342. Contingent upon passage of House Bill No. 342, Seventy-first Legislature, Regular Session, appropriations to the Comptroller of Public Accounts, Line-Item 2.a., Tax Policy and Taxpayer Services, are hereby decreased by \$850,542 in FY 1990 and \$850,542 in FY 1991. Appropriations for Capital Outlay are decreased \$34,025 each year of the biennium.

UNIFORM STATEWIDE ACCOUNTING SYSTEM

	For the Years Ending	
	August 31, 1990	August 31, 1991
The following amounts are hereby appropriated to the Comptroller of Public Accounts for allocation to state agencies for implementation of the Uniform Statewide Accounting System:		
Out of the General Revenue Fund	32,300,000	U.B.
Out of Other Special Funds, estimated	<u>1,300,000</u>	<u>U.B.</u>
GRAND TOTAL, UNIFORM STATEWIDE ACCOUNTING SYSTEM	<u>\$ 33,600,000</u>	<u>\$ U.B.</u>

SOCIAL SECURITY

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. The following estimated amounts are hereby appropriated to the Comptroller of Public Accounts for allocation to agencies to provide the state matching contribution for social security in accordance with Section 6, Article 695h, Texas Civil Statutes:		
a. Out of the General Revenue Fund	\$ 195,402,501	\$ 201,596,294
b. Out of the State Highway Fund No. 006	40,151,664	41,116,298
c. Out of the Comptroller's Operating Fund No. 062	5,576,620	5,710,597
d. Out of the Welfare Administration Operating Fund No. 166	22,306,481	22,842,388

SOCIAL SECURITY
(Continued)

e. Out of Other Special Funds	<u>43,488,573</u>	<u>44,835,317</u>
Total, Social Security, State Matching Contribution, estimated	<u>\$ 306,925,839</u>	<u>\$ 316,100,894</u>
2. The following estimated amounts are hereby appropriated to the Comptroller of Public Accounts for allocation to agencies to provide the state's contribution of the employee's share of Article 695h, Texas Civil Statutes:		
a. Out of the General Revenue Fund	\$ 110,580,902	\$ 111,940,890
b. Out of the State Highway Fund No. 006	21,939,078	22,209,276
c. Out of the Comptroller's Operating Fund No. 062	2,976,235	3,012,749
d. Out of the Welfare Administration Operating Fund No. 166	13,634,626	13,802,588
e. Out of Other Special Funds	<u>20,889,647</u>	<u>21,145,241</u>
Total, Social Security, State's Contribution of Employee's Share, estimated	<u>\$ 170,020,488</u>	<u>\$ 172,110,744</u>
GRAND TOTAL, SOCIAL SECURITY	<u>\$ 476,946,327</u>	<u>\$ 488,211,638</u>
Method of Financing:		
Out of the General Revenue Fund	\$ 305,983,403	\$ 313,537,184
Out of the State Highway Fund No. 006	62,090,742	63,325,574
Out of the Comptroller's Operating Fund No. 062	8,552,855	8,723,346
Out of the Welfare Administration Operating Fund No. 166	13,657,620	13,925,091
General Revenue Transfer	22,283,487	22,719,885
Other Fund No. 166 Receipts	<u>22,283,487</u>	<u>22,719,885</u>
Subtotal, Welfare Administration Operating Fund No. 166	<u>\$ 35,941,107</u>	<u>\$ 36,644,976</u>
Out of Other Special Funds	<u>\$ 64,378,220</u>	<u>\$ 65,980,558</u>
Total, Method of Financing	<u>\$ 476,946,327</u>	<u>\$ 488,211,638</u>

ALLOCATION - BANK FRANCHISE TAX

	For the Years Ending August 31, 1990	August 31, 1991
For allocation of taxes received under Texas Tax Code Annotated, Chapter 171, as amended by the 71st Legislature, from Banking corporations which are for allocation to units of local government. There is hereby appropriated out of the Local Bank Franchise Tax Fund No. 535, estimated	\$ 50,896,000	\$ 46,023,000
GRAND TOTAL, ALLOCATION - BANK FRANCHISE TAX	\$ 50,896,000	\$ 46,023,000

VOTER REGISTRATION

	For the Years Ending August 31, 1990	August 31, 1991
For payment to each county for the total number of voters registered in the county as shown by certified statement submitted by the Registrar to the Comptroller of Public Accounts, as required by V.A.C.S., Election Code, Article 19.002.		
Out of the General Revenue Fund:		
For payment to counties for voter registration, estimated	\$ 3,000,000	\$ 500,000
GRAND TOTAL, VOTER REGISTRATION	\$ 3,000,000	\$ 500,000

CLAIMS - VENDORS, TEXAS CONSERVATION CORPS

There is hereby appropriated from the General Revenue Fund, the sum of \$150,000 for payment of Texas Conservation Corps vendor claims. The funds are to be used to pay amounts due to vendors of the former Texas Conservation Corps. However, a claim made by a vendor of the former Texas Conservation Corps may not be paid until the following conditions have been satisfied in full for each claim submitted for payment:

- 1. Each claim must be verified and substantiated by the Texas Department of Community Affairs or Department of Commerce as appropriate;
- 2. Each claim must be audited by the State Auditor.

Eligible vendors may be paid the approved amount of their claim to the extent that the total amount paid to each eligible vendor does not exceed \$2,500. Any claim amount in excess of \$2,500 may be submitted to the Comptroller of Public Accounts for payment consideration under the provisions of Texas Government Code, Title 4, Chapter 403, Section 403.074, Miscellaneous Claims.

All claims must be submitted in accordance with procedures that may be promulgated by the Comptroller of Public Accounts.

Any balance remaining after payment of the approved claims in conformance with the provisions herein may be transferred to the appropriation for Miscellaneous Claims.

MISCELLANEOUS CLAIMS - ART 4351B, V.A.C.S - PAYMENT OF SMALL CLAIMS

	For the Years Ending	
	August 31, 1990	August 31, 1991
For the purpose of Section 403.074, Govt. Code, the following sums are hereby appropriated:		
Out of the General Revenue Fund	\$ 500,000	\$ 500,000 & U.B.
Special Funds, estimated	<u>1,000,000</u>	<u>1,000,000</u>
GRAND TOTAL, MISCELLANEOUS CLAIMS - ART 4351B, V.A.C.S - PAYMENT OF SMALL CLAIMS	\$ 1,500,000 =====	\$ 1,500,000 =====

REIMBURSEMENT - COMMITMENT HEARINGS, ARTICLE 5547-300, V.A.C.S.

	For the Years Ending August 31, 1990	August 31, 1991
For reimbursement of counties for the cost of commitment hearings required by the Mentally Retarded Persons Act of 1977 pursuant to Article 5547-300, V.A.C.S., there is hereby appropriated out of the General Revenue Fund	\$ 3,000	\$ U.B.
GRAND TOTAL, REIMBURSEMENT - COMMITMENT HEARINGS, ARTICLE 5547-300, V.A.C.S.	\$ 3,000	\$ U.B.

REIMBURSEMENT - MIXED BEVERAGE TAX

	For the Years Ending August 31, 1990	August 31, 1991
For reimbursement of taxes received under Texas Alcoholic Beverage Code Annotated, Section 202.02, 205.03. Amended by House Bill No. 122, Sixty-eighth Legislature, Second Called Session. There is hereby appropriated out of the Mixed Beverage Tax Clearance Fund No. 068	\$ 50,000,000	\$ 55,000,000
GRAND TOTAL, REIMBURSEMENT - MIXED BEVERAGE TAX	\$ 50,000,000	\$ 55,000,000

CLAIMS - CHAPTER 101, 104, 110 & FEDERAL COURT JUDGMENTS

For the Years Ending	
August 31,	August 31,
<u>1990</u>	<u>1991</u>

Funds appropriated in this section are subject to the following provisions:

(1) Payments shall be made for eligible medical malpractice claims in conformance with Chapter 110, Title 5, Civil Practice and Remedies Code. Of the total general revenue funds appropriated, not more than \$13,556,437 of general revenue funds may be utilized for Chapter 110 claims. All such funds are to be paid out by the Comptroller on vouchers which shall be prepared, verified, and signed by the Attorney General's Office.

(2) Payments for settlements and judgments for claims against state agencies arising under V.T.C.A., Civil Practice and Remedies Code, Chapter 101 and 104, and Federal Court Judgments shall be paid from special funds of the involved agency to the extent such funds are available, and then from General Revenue. Such funds are to be paid out by the Comptroller on vouchers drawn by the Attorney General and approved by the Governor. The Comptroller shall maintain records of such amounts paid from General Revenue for purposes of future reimbursement from special funds.

Out of the General Revenue Fund	\$ 22,556,437	\$ U.B.
Special Funds, estimated	<u>5,000,000</u>	<u>U.B.</u>
GRAND TOTAL, CLAIMS - CHAPTER 101, 104, 110 & FEDERAL COURT JUDGMENTS	<u>\$ 27,556,437</u>	<u>\$ U.B.</u>

COUNTY TAXES ON UNIVERSITY LANDS

	For the Years Ending	
	August 31,	August 31,
	1990	1991
For payment of taxes, for county purposes only, to counties in which are located endowment lands set aside to The University of Texas by the Constitution and the Act of 1883, there is hereby appropriated out of the General Revenue Fund to the State Comptroller of Public Accounts, estimated	\$ 900,000	\$ 900,000
GRAND TOTAL, COUNTY TAXES ON UNIVERSITY LANDS	\$ 900,000	\$ 900,000

RANGER PENSIONS

	For the Years Ending	
	August 31,	August 31,
	1990	1991
There is hereby appropriated from the Confederate Pension Fund the following amounts, estimated to be, to pay Ranger Pensions. The Comptroller is authorized to transfer sufficient cash into the Confederate Pension Fund from General Revenue to allow these payments.		
Out of the General Revenue Fund, estimated	\$ 30,000	\$ 30,000
GRAND TOTAL, RANGER PENSIONS	\$ 30,000	\$ 30,000

CONSERVATION FOUNDATION

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Administration	\$ 81,651	\$ 81,651
GRAND TOTAL, CONSERVATION FOUNDATION	\$ 81,651 =====	\$ 81,651 =====

Schedule of Exempt Positions

Executive Director	\$ 36,671	\$ 36,671
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SCHEDULE OF CLASSIFIED POSITIONS, CONSERVATION FOUNDATION

GROUP 11

1502 Administrative Technician II

1. APPROPRIATION OF RECEIPTS. Donations of cash to the Texas Conservation Foundation, income from investment of cash donations and any income from the sale, lease, or operation of property donated to the Foundation shall be deposited in a special account/fund in the Treasury for use by the Foundation and such funds are hereby appropriated to the Foundation, subject to any restriction in the instrument of transfer, for the uses authorized in Title 8, Chapter 181 of the Texas Natural Resources Code, including operation, maintenance and development of property. All balances of principal and income relating to gifts and grants to the Foundation on hand on August 31, 1989, are hereby reappropriated to the Foundation for use in the 1990-1991 biennium.
2. CONTRIBUTION GOALS. It is the intent of the Legislature that the Texas Conservation Foundation shall raise at least \$1,000,000 in contributions during the biennium, beginning with the effective date of this Act.

DEPARTMENT OF CORRECTIONS

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Central Administration:		
a. Executive Administration	367,201	367,201
b. Legal Affairs	862,606	861,606
c. Management Services	2,336,032	2,336,032

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DEPARTMENT OF CORRECTIONS
(Continued)

d. Inmate Legal Counsel	3,043,515	3,043,515
e. Finance	2,175,961	2,173,387
f. Data Services	2,591,962	2,598,262
g. Internal Affairs	931,959	931,959
h. Internal Audit	<u>388,357</u>	<u>388,357</u>
Total, Central Administration	<u>\$ 12,697,593</u>	<u>\$ 12,700,319</u>
2. Support Services:		
a. Agriculture	\$ 20,187,093	\$ 20,187,093
b. Construction Administration	2,778,139	2,778,139
c. Building Maintenance	17,789,965	17,808,680
d. Sanitary Control	1,116,477	1,108,477
e. Fire and Safety	964,055	964,055
f. Industry	9,008,162	9,008,162
g. Print Shop	756,799	742,153
h. Vehicle Repairs and Transportation	8,718,536	8,549,429
i. Institutional Supplies	2,819,497	2,822,497
j. Utilities	22,808,640	22,808,640
k. Laundry	2,991,377	2,937,597
l. Food Service	23,221,726	23,043,726
m. Communications	<u>3,214,718</u>	<u>3,211,718</u>
Total, Support Services	<u>\$ 116,375,184</u>	<u>\$ 115,970,366</u>
3. Security and Correctional Operations:		
a. Security Administration	\$ 12,195,045	\$ 12,192,065
b. Security	242,414,691	242,414,691
c. Classification and Treatment	21,275,665	22,009,169
d. Training	1,831,272	1,831,272
e. Education and Recreation	4,945,155	4,945,155
f. Aircraft	187,923	187,923
g. Release Payments for Adult Offenders	<u>7,034,000</u>	<u>7,068,000</u>
Total, Security and Correctional Operations	<u>\$ 289,883,751</u>	<u>\$ 290,648,275</u>
4. Health Services:		
a. Medical Services	\$ 65,920,127	\$ 65,895,187
b. Psychiatric Services	<u>38,707,953</u>	<u>38,707,953</u>
Total, Health Services	<u>\$ 104,628,080</u>	<u>\$ 104,603,140</u>
5. Industrial Program, estimated	\$ 31,019,434	\$ 33,903,850
6. Legal Expenses Related to Ruiz Litigation:		
a. Payments to Special Master	733,227	733,227

DEPARTMENT OF CORRECTIONS
(Continued)

b. Payments to Plaintiff's Attorneys	<u>397,000</u>	<u>397,000</u>
Total, Legal Expenses	\$ <u>1,130,227</u>	\$ <u>1,130,227</u>
7. Contracted Capacity	\$ 33,631,919	\$ 33,753,044 & U.B.
8. Payments to County Prosecutors	322,000	322,000
9. Operation of Additional Capacity		
a. Current Construction	16,967,171	27,037,782
b. New Construction	<u>15,000,000</u>	<u>U.B.</u>
Total, Operation of Additional Capacity	\$ <u>31,967,171</u>	\$ <u>27,037,782</u>
GRAND TOTAL, DEPARTMENT OF CORRECTIONS	\$ <u>621,655,359</u> =====	\$ <u>620,069,003</u> =====

Method of Financing:

General Revenue Fund	\$ 571,438,955	\$ 581,968,184
Mineral Fund No. 272, estimated	4,196,970	4,196,969
Industrial Revolving Fund No. 156, estimated	31,019,434	33,903,850
Reappropriated Unexpended Balances	<u>15,000,000</u>	<u>U.B.</u>
Total, Method of Financing	\$ <u>621,655,359</u> =====	\$ <u>620,069,003</u> =====

BOND DEBT SERVICE	Actual	\$ 35,141,534	\$ 38,835,542
	Estimated		17,600,000

Schedule of Exempt Positions

Director	\$	80,000	\$	80,000
Deputy Director	2	68,000	2	68,000
Assistant Director II	7	55,000	7	55,000
Assistant Director I	13	53,878	13	53,878
General Counsel		55,000		55,000
Senior Warden II	11	52,933	11	52,933
Senior Warden I	22	50,490	24	50,490
Correctional Medical Director		68,000		68,000
Correctional Physician	UL	55,472	UL	55,472
Correctional Supervisor Anesthetist	3	34,039	3	34,039
Correctional Chief Dentist		49,378		49,378
Correctional Dentist II	7	45,911	7	45,911
Correctional Dentist I	UL	41,289	UL	41,289
Correctional Podiatrist	2	44,020	2	44,020
Correctional Chief Pharmacist		36,876		36,876

DEPARTMENT OF CORRECTIONS
(Continued)

Correctional Pharmacist	25	33,409	25	33,409
Correctional Optometrist	2	27,316	2	27,316
Correctional Psychiatrist IV		94,150		94,150
Correctional Psychiatrist III	UL	89,050	UL	89,050
Correctional Psychiatrist II	UL	81,714	UL	81,714
Correctional Psychiatrist I	UL	76,614	UL	76,614
Correctional Psychiatrist	25	57,993	25	57,993
Correctional Chief Psychologist		53,476		53,476
Correctional Psychologist II	5	48,117	5	48,117
Correctional Psychologist I	38	40,973	40	40,973
Director of Nurses		46,561		46,561
Regional Director of Nurses V	UL	43,587	UL	43,587
Unit Director of Nurses IV	UL	38,189	UL	38,189
Correctional Charge Nurse III	UL	35,667	UL	35,667
Correctional Nurse II	UL	34,480	UL	34,480
Physical Therapist IV	UL	40,771	UL	40,771
Physical Therapist III	UL	32,412	UL	32,412
Occupational Therapist IV	UL	38,189	UL	38,189
Occupational Therapist III	UL	32,412	UL	32,412
Dental Hygienist II	UL	32,412	UL	32,412
Dental Hygienist I	UL	26,598	UL	26,598
Respiratory Therapist Supervisor	UL	34,590	UL	34,590
Respiratory Therapist III	UL	32,412	UL	32,412

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Department of Corrections. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Construction, Repair and Renovation	\$196,091,500	\$ 9,054,720 & U.B.
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Informational Listing of Capital Construction Projects:

<u>Additional Capacity</u>		
a. Michael-type Unit	64,200,000	U.B.
b. Three Regional Centers	66,000,000	U.B.
c. Northern Region Psychiatric Facility	39,000,000	U.B.
d. Dormitory Housing for Geriatrics	553,435	U.B.
<u>Renovation, Repair, Minor Construction</u>		
a. Expand TDC Galveston	5,458,915	U.B.
b. Additions to Textile Mill (Finishing Area)	600,000	U.B.
c. Warehouse for Stainless Steel Plant	303,750	U.B.
d. Road, Bridge, and Parking Lot Construction and Repair	6,000,000	U.B.
e. Upgrade Locking System for		

DEPARTMENT OF CORRECTIONS
(Continued)

any Unit	3,750,000	3,750,000 & U.B.
f. Upgrade Security Fencing and Lighting (Any Unit)	1,000,000	U.B.
g. Waste Clean-Up	1,000,000	U.B.
h. Educational and Vocational Facilities	1,403,000	1,142,920 & U.B.
i. Domestic Water Supply	500,000	500,000 & U.B.
j. Wastewater Treatment	500,000	500,000 & U.B.
k. Ruiz Requirements, TDC Needs, and Minor Construction	2,000,000	2,000,000 & U.B.
l. Construction Equipment Repair and Replacement	480,000	480,000 & U.B.
m. Repair to Structural Damage - Ellis II	2,500,000	U.B.
n. Warden's Residence (14)	642,400	481,800 & U.B.
o. Industrial Facility Expansion	200,000	200,000
2. Acquisition of Computer Equipment and Software	<u>4,738,651</u>	<u>310,851</u>
Total, Capital Outlay	<u>\$200,830,151</u> =====	<u>\$ 9,365,571</u> =====
Method of Financing:		
Bonded Construction Funds	\$189,411,500	\$ 8,374,720
General Revenue Fund	5,218,651	790,851
State Highway Fund No. 006	6,000,000	U.B.
Industrial Revolving Fund No. 156	<u>200,000</u>	<u>200,000</u>
Total, Method of Financing	<u>\$200,830,151</u> =====	<u>\$ 9,365,571</u> =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

CONSTRUCTION, REPAIRS AND RENOVATION:

2. DISPOSITION OF CONSTRUCTION APPROPRIATION. Construction appropriations may be used to pay salaries of engineers, architects, superintendents, supervisors and administrative expenses and support personnel of construction projects; architectural fees and the actual and necessary travel expenses incurred by them or their representatives in making special trips of inspection at the instance of the Board of Corrections or the

DEPARTMENT OF CORRECTIONS
(Continued)

Director of the Texas Department of Corrections during construction or repair of buildings or installation of fixed equipment in such buildings. The State Classification Officer shall approve job titles and rates of pay for such salaried positions.

3. TEMPORARY LOAN OF CONSTRUCTION RESOURCES. The Texas Department of Corrections may temporarily utilize materials and equipment acquired and personnel paid from one project appropriated or reappropriated for construction, repairs, and renovation, including construction of additional capacity, and/or from the appropriation for Item 2.c., Building Maintenance, to construct any other similar project for which funds have been appropriated. The receiving project must reimburse the providing project within twelve months with funds and/or a like amount of materials, equipment, equipment usage or personnel of equivalent value. Reimbursement with funds may be accomplished by transfer in a manner which records appropriate expenditures to the borrowing project and negative expenditures to the lending project. These transfers may be summary amounts in a manner approved by the Comptroller of Public Accounts. However, the Department of Corrections must maintain adequate detailed records to support such summary transfer amounts.

4. UNEXPENDED BALANCES. Any unexpended balances as of August 31, 1989, for the Texas Department of Corrections in the general appropriations made and/or reappropriated by the Seventieth Legislature, Second Called Session, 1987 (Senate Bill 1) for Construction Appropriations (including funds from the Mineral Fund No. 272), and the Capital Trust Fund, and any unexpended balances remaining from the reimbursements and/or transfers authorized by the Seventieth Legislature, Regular Session, 1987 (House Bill 1503) are hereby reappropriated to the Texas Department of Corrections for the biennium beginning September 1, 1989, for the same purpose or for transfer and use in completing other authorized building projects in authorized amounts, provided that such reappropriated funds shall not be expended without approval of the Board of Corrections and that copies of such approvals shall be filed with the Governor and the Legislative Budget Board.

Of the general revenue amounts reappropriated by this provision, the amount of \$15.0 million shall be used only for the purpose of operating additional capacity shown in item 9.b., New Construction.

5. ARCHITECTURAL FEES. Notwithstanding other provisions of this Act, in those instances where inmate labor is used on construction projects, the Department of Corrections is authorized to pay architectural fees based on the estimated total cost of a project as if it were to be done by a private contractor. The department shall employ an independent firm, separate from the architect, to estimate the total cost of a project. Architectural fees based on the estimated cost shall be governed by other provisions of this Act.

DEPARTMENT OF CORRECTIONS
(Continued)

OTHER PROVISIONS:

6. TRANSFER LIMITATION. Upon any order from a federal court that requires the Texas Department of Corrections to transfer funds from any appropriation made hereinabove, those funds which were attempted to be transferred shall lapse and the Comptroller shall return the amount appropriated to its respective source.
7. SALARY ADJUSTMENT AUTHORIZED. Notwithstanding other provisions of this Act, the Texas Department of Corrections is authorized to adjust salaries of Correctional Officers I, Correctional Officers II, Correctional Officers III, and Sergeants of Correctional Officers positions to rates within the designated salary group, not to exceed Step 6, for the purpose of recruiting, employing and retaining career correctional personnel. Merit raises are prohibited for all Correctional Officers and Sergeants of Correctional Officers who are receiving or are eligible to receive step adjustments in the career ladder system.
8. TRANSFER AUTHORITY. The Texas Department of Corrections is authorized to transfer such amounts as may be necessary from one sub-item to another sub-item within program appropriations items numbered 1., Central Administration, 2., Support Services, 3., Security and Correctional Operations, 4., Health Services and 9., Operation of Additional Capacity. Funds may be transferred between program appropriation items numbered 1., Central Administration, 2., Support Services, 3., Security and Correctional Operations, 4., Health Services, 7., Contracted Capacity and 9., Operation of Additional Capacity. At least 15 days prior to any transfer of funds within the appropriation for the Texas Department of Corrections, and at least 15 days prior to a meeting of the Board of the Texas Department of Corrections to adopt program expansion that could result in a subsequent transfer of funds, a written report shall be delivered to the Governor's Office of Budget and Planning; the Legislative Budget Office; the offices of each member of the Legislative Budget Board and the offices of the Chairs of both the House Committee on Corrections and the Senate Criminal Justice Committee. The report shall include the source of funds to be transferred; the program from which the transfer is made and the program to which the transfer is made; the need which was to be served through the original appropriation and the basis for the decrease in need; the need to be served in the program receiving the funds and the basis for such selection; and the amounts of funds to be spent on inmate services as opposed to both general and operating support costs.
9. STATE-OWNED HOUSING AUTHORIZED.
 - a. Exempt positions, Wardens, the Director of Classification, and the Director of Food Service may be authorized to reside in state-owned housing free of charge.

DEPARTMENT OF CORRECTIONS
(Continued)

- b. Other department employees may be authorized to reside in employee housing free of charge if they are in job classification titles for which residence in state-owned housing is required under policies adopted by the Board of Corrections in January 1984.
- c. No employees other than those listed above may be authorized to reside in state-owned housing unless rental fees are charged for the housing, with the exception that employees shall not be charged for residing in employee dormitories or an area in which to locate a privately owned mobile home. Fees for employee housing are reappropriated for Item 2.c., Building Maintenance, to be used for maintaining employee housing.

10. UTILITIES.

- a. Utilities shall be provided free of charge for employees authorized to reside in state-owned housing free of charge under the provisions of subsection A. of rider 9 above.
- b. None of the funds appropriated above shall be utilized to pay more than one-half of the metered utility bills of employees required to reside in state-owned housing under policies adopted by the Board of Corrections in January 1984. The metered usage times a composite rate based on a prior full twelve-month billing cycle from the previous year will be considered compliance. Water is not considered a utility for purposes of this subsection.
- c. None of the funds appropriated above shall be used to pay the utility bills of any employee residing in state-owned housing who is required to pay a rental fee for the housing. For purposes of this subsection the rate calculation for utilities will be the same as that in Section 9, subsection B. Water is considered a utility for the purposes of this subsection and a flat rate of \$10.00 per month shall be sufficient for compliance.
- d. Fees collected from employees for utilities are reappropriated to Item 2.j., Utilities.

11. MEALS AUTHORIZED. Department employees assigned to work inside prison units or on travel status may receive up to two free meals per shift and employees residing in employee dormitories may receive three free meals per day. None of the funds appropriated above shall be utilized to provide meals to other employees for a charge of less than \$1.00 per meal or to grow, purchase, prepare, or provide food products for employees to use at their homes. Fees for meals are reappropriated to Item 2.i., Food Service.

12. LAUNDRY SERVICE. The department may launder or dry clean the uniforms of correctional officers at no charge. None of the funds appropriated above may be used to launder or dry clean other employee clothing or to provide other services unless fees are charged to recover the cost of providing the services. Fees collected for other services are reappropriated to the line item from which the expenditures were made.

DEPARTMENT OF CORRECTIONS
(Continued)

13. PAYROLL DEDUCTION. The charges for fees for laundry/dry cleaning are reappropriated to Item 2.k., Laundry. Fees for housing, utilities, meals and laundry/dry cleaning and other services will be made by payroll deduction whenever practical.
14. INMATE LABOR. It is the intent of the Legislature that inmate labor not be provided to employees other than those authorized inmate labor on August 31, 1985.
15. RECREATIONAL FACILITY FEES. Fees charged for recreation facilities owned and operated by the Department are to be deposited in a special account in the State Treasury. Any balances on hand August 31, 1989, and all revenues collected are hereby reappropriated for the 1990-91 biennium for the operation and maintenance of the facilities.
16. RESTRICTION, FOOD SERVICE. The Texas Department of Corrections may provide food items to employees in employee dining facilities, only after the food requirements of inmates are met. The food served to inmates shall be of the same quality as food served to employees.
17. BENEFIT POLICY REQUIRED. The Board of Corrections shall adopt a written policy relating to benefits provided in riders 9. through 12. specifying the criteria used to award these benefits to employees, and shall develop a system to account for all costs related to these benefits and all revenues from collection of fees. The Board of Corrections' policy and a list of the employees approved to receive these benefits shall be filed annually with the Governor's Office of Budget and Planning, the Legislative Budget Board, and the Legislative Reference Library.
18. APPROPRIATION OF RECEIPTS. All receipts from the operation of the prison unit commissaries, prison-sponsored recreational shows and entertainment, all gifts and all other income for inmate welfare accruing together with balances at the beginning of each year of the biennium beginning September 1, 1989, and deposited in the local Educational and Recreational Fund, are hereby appropriated to the Department of Corrections subject to the following provisions:
 - a. Salaries of personnel employed out of the Educational and Recreational Fund shall conform with the provisions of the Classification Plan except as otherwise provided by this Act.
 - b. Such fund shall be expended only with the advance, written approval of the Board of Corrections.
 - c. It is the intent of the Legislature that such Educational and Recreational Funds shall be expended first for the purpose of meeting RUIZ requirements for construction, maintenance, equipment and operations of recreation facilities and for the income producing operations of the fund. Any balances remaining after meeting RUIZ requirements may be expended for non-court related activities.
 - d. None of the funds appropriated above other than the Educational and Recreational Fund shall be expended for costs related to the annual prison rodeo, including transportation, medical, and security costs. The department shall not permit employees to accrue compensatory time

DEPARTMENT OF CORRECTIONS
(Continued)

for duties related to the rodeo. The department shall develop a cost accounting system to determine the costs associated with the rodeo, including the costs of transportation, medical costs, and security personnel. The department shall also maintain records indicating the number and seriousness of injuries sustained by inmates, employees, and spectators which are related to the rodeo. The department shall provide the above-mentioned information annually to the Governor's Office of Budget and Planning and to the Legislative Budget Office.

19. **AUDIT REVIEW REQUIRED.** At the close of each year of the biennium beginning September 1, 1989, the State Auditor shall review and examine the following items and make a report to the Governor and the Legislative Budget Board:
 - a. Expenditures from and revenues accruing to the Industrial Revolving Fund No. 156.
 - b. Building appropriation expenditures by projects, showing building and other costs and establishing actual costs on completed buildings.
 - c. A complete list of the types of benefits furnished employees by class of employment, the estimated market value of such benefits, and the number of employees receiving each type of benefit. The report shall also include an enumeration of benefits provided employees where fees are charged, the schedule of fees by product or other benefit, the number of employees participating and total revenues collected.
20. **EMPLOYEE MEDICAL CARE.** It is expressly provided that guards and other employees of the Texas Department of Corrections, when injured in the performance of their duties, are to be given free medical attention and hospitalization by the prison physicians and prison hospital paid or financed from the foregoing appropriations, in accordance with Chapter 44, Acts, Forty-first Legislature, First Called Session, House Bill No. 19.
21. **PETTY CASH FUND AUTHORIZED.** The Petty Cash Revolving Fund in the amount of \$10,000 is continued for the biennium beginning September 1, 1989, and may be used to advance or reimburse transfer agents for the care and maintenance of convicts while enroute to Huntsville from points in Texas and elsewhere in the United States; and for the payment of C.O.D. freight and express charges and similar items requiring immediate cash disbursements. The funds shall be reimbursed by warrants drawn and approved by the Comptroller out of appropriated funds to the Texas Department of Corrections.
22. **DISPOSITION OF FUND BALANCE.** The State Comptroller shall transfer any cash fund balances in the Industrial Revolving Fund No. 156 in excess of \$3,000,000 to the General Revenue Fund at the end of each fiscal year.
23. **REVOLVING FUND AUTHORIZED.** The Discharged Convicts Revolving Fund of \$400,000 is continued for each year of the biennium beginning September 1, 1989, and is deposited in a bank or banks in Huntsville, Texas; and all discharged, paroled, or pardoned convicts shall be paid out of this fund. The fund shall be reimbursed by warrants drawn and approved by the Comptroller out of appropriated funds to the Texas Department of Corrections.

DEPARTMENT OF CORRECTIONS
(Continued)

24. CLASSIFICATION OF INDUSTRIAL ENTERPRISES. It is provided that the canning plant, dairy, and packing house operations shall be included as industrial enterprises insofar as they enter into interagency contracts.
25. APPROPRIATION, AGRICULTURE RECEIPTS. It is the intent of the Legislature that each year of the biennium the Texas Department of Corrections may exchange agricultural products for other agricultural products and finished goods, and revenue accruing from the sale of agricultural commodities or livestock is reappropriated to the Department of Corrections. Other revenues deposited are reappropriated as they apply to sales of equipment, salvage, refunds and to recover damage claims.
26. COMPENSATORY TIME. It is further provided that exceptions to the prohibition against substituting other days for holidays may be authorized by the Director of the Texas Department of Corrections for employees who are required to work on holidays due to the continuing operation of the department. Any employee who is required to work on any of the holidays authorized in Article V; and who does work on any of the said holidays, shall be entitled to compensating time off to be taken on such day as may be mutually agreed upon by the employee and his supervisor.
27. ACCEPTANCE OF GRANTS, GIFTS. The Board of Corrections is authorized to accept federal grants, donations and gifts, including those of real property, for the programs and projects intended to improve the care and treatment of inmates. Such gifts, donations, and grants are appropriated for the purposes for which they are made available; provided, however, that in taking advantage of or accepting such funds, the board shall not incur any indebtedness which would necessitate a supplemental or additional appropriation out of any funds of this State nor deplete any of the funds herein appropriated to an amount which would necessitate a supplemental or additional appropriation out of any funds of this state to replenish said fund or funds.
28. HAZARDOUS DUTY PAY. For the biennium beginning September 1, 1989, the Department of Corrections is authorized to pay hazardous duty pay at a rate of Seven Dollars (\$7.00) per month for each year of state service up to and including the 30th year for the following positions:
- a. All persons classified as Correctional Officer I through Warden.
 - b. All other employees assigned to work on a unit and whose job routinely requires direct contact with inmates. Examples of such positions include: Farm Manager; Livestock Supervisor; Maintenance Foreman; Shop Foreman; Medical Assistant; Food Service Supervisor; Steward; Education Consultant; Commodity Specialist; and Correctional Counselors.
 - c. Employees assigned to administrative offices whose job requires routine direct contact with inmates. Examples of such positions include, but are not limited to: Investigators; Compliance Monitors; Accountants routinely required to audit unit operations; Sociologists; Interviewers; Classification Officers; Supervising Counselors.

DEPARTMENT OF CORRECTIONS
(Continued)

- d. Administration positions whose jobs require response to emergency situations involving inmates. Examples of such positions include but are not limited to: Director; Deputy Directors; Assistant Directors; and not more than 25 Administrative Duty Officers.
 - e. It is the legislative intent that all persons receiving hazardous duty pay as of August 31, 1985 continue to receive it. However, all persons hired after August 31, 1985 must occupy positions approved by the Board of Corrections meeting the above criteria to receive hazardous duty pay. The Department of Corrections shall use the eligibility criteria to draw hazardous duty pay contained in Sections A through E of this rider to certify custodial officers as required by Vernon's Annotated Civil Statutes, Title 110B, Section 25.505.
 - f. The department shall file a report annually with the Governor's Office and the Legislative Budget Office indicating the numbers and position titles of employees authorized to receive hazardous duty pay.
29. SALARY SUPPLEMENT AUTHORIZED - MEDICAL PERSONNEL. In order to acquire and retain the employment of physicians, dentists and pharmacists, the Texas Department of Corrections may, upon written authorization of the Director, pay from funds appropriated by this Act to the Texas Department of Corrections an amount not to exceed \$5,000 per annum in addition to the salary rates specified in this Act. It is the intent of the Legislature that this authorization be used to prevent critical vacancies within the Texas Department of Corrections. Copies of the Director's written authorization shall be filed with the Governor's Office of Budget and Planning and the Legislative Budget Board.
30. HOUSING ALLOWANCE AUTHORIZED. Where Texas Department of Corrections housing is unavailable, physicians required under Texas Department of Corrections rules to maintain a residence in the immediate vicinity of their assigned place of duty as a condition of employment, upon written authorization of the Director of the Texas Department of Corrections, may be paid from funds appropriated by this Act to the Texas Department of Corrections a housing allowance in an amount not to exceed \$6,000 per annum in addition to the salary rates specified in this Act. It is the intent that this authorization be used to prevent critical vacancies within the department. Copies of the Director's written authorization shall be filed with the Governor's Office of Budget and Planning and the Legislative Budget Board.
31. REIMBURSEMENT OF EXPENSES. Notwithstanding other provisions of this Act, and due to the irregularity of flight time and schedules, Texas Department of Corrections pilots are authorized reimbursement for actual meal and lodging expenses up to, but not to exceed the maximum rates allowable for a full day as specified in Section V of this Act.
32. AIRCRAFT AUTHORIZATION. The Texas Department of Corrections is authorized to own or lease, operate, and maintain one airplane and two helicopters and to replace them if necessary. In the event that a temporary need arises, the Department of Corrections is authorized to expend funds for the lease or rental of aircraft or helicopters on an as needed basis.

DEPARTMENT OF CORRECTIONS
(Continued)

33. EXPENDITURE LIMITATION - SPECIAL MASTER. None of the funds appropriated above in Item 6.a., Payments to Special Master, may be expended in support of the special master appointed pursuant to the Ruiz decree without the prior approval by the Attorney General of staff salaries and professional fees. Such salaries shall be consistent with the compensation paid to state employees for similar duties and responsibilities.
34. EMPLOYEE MEDICAL EXPENSES. Appropriations made in this Act not otherwise restricted in use may also be expended for paying necessary medical expenses for employees injured while performing the duties of any hazardous position which is not reimbursed by workers' compensation and/or employees' state insurance. For the purpose of this section, "hazardous position" shall mean one for which the regular and normal duties inherently involve the risk of peril of bodily injury or harm.
35. SALARY LIMITATION - "BARBER FUNDS". None of the funds appropriated above shall be expended for the payment of salaries for employees who are involved in the collection of "barber" funds, or any other funds which are solely for the benefit of employees, during the employee's normal working hours.
36. EMPLOYEE CLASSIFICATION PLAN VARIANCE - WARDENS. Notwithstanding other provisions of this Act relating to the Position Classification Plan, the Department of Corrections may hire at any step within the appropriate salary pay group for Warden I and Warden II positions. It is the intent of the Legislature that this provision be used to enable the Department to acquire qualified Wardens.
37. EMPLOYMENT LIMITATION. It is the intent of the Legislature that no one shall be employed by the Department of Corrections who, in the course of his official duties, conducted business with individuals or firms with which the employee has either a direct or indirect financial interest.
38. EXPENDITURE LIMITATION - WINDHAM SCHOOL DISTRICT. None of the funds provided to the Windham School District through the Texas Education Agency shall be expended unless the Board of Corrections has approved an annual operating budget for the school district prior to the expenditure of any funds. The Department of Corrections shall file a copy of that operating budget of the Windham School District with the Governor's Office, the Legislative Budget Board and the appropriate legislative oversight committees at the beginning of each fiscal year.
39. APPROPRIATION OF RECEIPTS - MARIEL CUBANS. Any funds received by the department for incarceration of Mariel Cubans may be retained by the department and are appropriated for agency operations.
40. EXPENDITURE LIMITATION - TOBACCO PRODUCTS. None of the funds appropriated to the Department of Corrections may be used to provide tobacco products, free of charge, to inmates.

DEPARTMENT OF CORRECTIONS
(Continued)

41. RESIDENTIAL STATUS OF INMATES. All inmates of the Texas Department of Corrections are, for educational purposes only, residents of the State of Texas.
42. REPORTING REQUIREMENT - CONSTRUCTION PROJECTS. For all construction projects budgeted at \$100,000 or more, a report shall be submitted to the Construction Division, agency director, and Chairman of the Board of Corrections. Individual projects will be summarized and include at least the following:
 - (a) percent of completion;
 - (b) an estimate of total cost of completion; and
 - (c) change orders implemented during the reporting period.

The report shall be signed by the inspector and will document problems existing in the project at the time of inspection.
43. REVIEW OF CONSTRUCTION CHANGE ORDERS. It is the intent of the Legislature that the Texas Department of Corrections, upon the review of any change order, develop a procedure whereby cause of such change order shall be determined and documented in the project file. If it is determined that the change was necessitated by the error or omission of any contracted party, the Texas Department of Corrections is encouraged to hold such party financially responsible.
44. EXPENDITURE LIMITATION - COSMETIC SURGERY. The Department shall not expend any funds to provide elective cosmetic surgery to inmates until having developed a written policy pertaining to the provision of cosmetic surgery. It is the intent of the Legislature that no funds be expended to provide cosmetic surgery to any inmate unless the Department determines that the inmate suffers from a significant physical disfigurement and from psychological problems attributable to that physical disfigurement.
45. UTILIZATION OF EXISTING CORRECTIONAL FACILITIES. It is the intent of the Legislature that full consideration be given to utilizing existing correctional facilities located in the State of Texas and currently owned or operated by federal or local governments. Appropriations to the department may be used for the purposes of leasing, purchasing or contracting for operations if agreements can be reached which are beneficial to the State.
46. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware,

DEPARTMENT OF CORRECTIONS
(Continued)

software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

47. INTERNAL AUDITOR REQUIRED. From funds appropriated above, the Department of Corrections shall employ an internal auditor.
48. EXPENDITURE FOR MEDICAL PROCEDURES. The Department of Corrections is authorized to expend funds appropriated in sub-item 4.a., Medical Services for medical tests and procedures on employees that are required by federal or state law or regulations when the tests or procedures are required as a result of the employees' job assignment or when considered necessary due to potential or existing litigation.
49. SEX OFFENDER TREATMENT PROGRAM.
 - a. Of the amounts appropriated above in Item 4.b., Psychiatric Services, a minimum of \$750,000 each year is appropriated to support a treatment program for sex offenders. The department shall continually monitor the number of inmates participating in the program and its overall implementation; it shall submit a report on the program to the House Appropriations Committee by January 15, 1991.
 - b. It is the intent of the Legislature that the Texas Department of Corrections, in cooperation with other appropriate agencies, identify inmates which are either serving time for a sexual assault-related offense, or can otherwise be identified as being high-risk or high-probability for future like behavior. These inmates shall be segregated from the rest of the TDC population to the extent that this is practicable, and placed in the Ramsey units in the Houston-Galveston area. In addition, the Texas Department of Corrections shall make every possible effort to take advantage of resources and professional personnel associated with institutions of higher education in the area in an attempt to develop programs to habilitate these targeted inmates.

Out of the funds appropriated above, the department shall put in place the mechanisms necessary to measure the effectiveness of these treatment activities, and shall deliver a report to the Chairperson of the House Committee on Corrections and the Chairperson of the Senate Committee on Criminal Justice by November 1, 1989 detailing the means by which those measurements are to be accomplished. The department shall then deliver a report on the program required by this article to the regular session of the 72nd Legislature by January 15, 1991. The report shall contain a description of the treatment program provided by the department as a result of this rider, the number of inmates treated, the number of inmates eligible for treatment who did not receive treatment, and analysis of the effectiveness of the treatment program, as determined by recidivism rates among inmates who received treatment and by other factors considered relevant by the department.

DEPARTMENT OF CORRECTIONS
(Continued)

- c. Out of the funds appropriated above in item 4.b., Psychiatric Services, the department shall expend \$64,900 during each year of the biennium for support of the Sex Offender Treatment Council.
50. MANAGEMENT TRAINING PROGRAM. The Texas Department of Corrections may expend funds appropriated above for the purpose of establishing and maintaining a management training program. Employees participating in this program are exempted from the State Classification Plan while participating in the program and the department may pay moving expenses for an employee to participate in the program.
51. EMPLOYEE ASSISTANCE PROGRAM. Of the amounts appropriated in Item 1.c., Management Services, an amount of \$100,000 each year is appropriated for continuance of an employee assistance program.
52. PROJECT R10. From the funds appropriated above in Item 3.e., Education and Recreation, the department shall expend in each year of the biennium, sufficient funds to ensure that the operation of Project R10 continues at or above fiscal year 1989 levels. Any additional federal, state, or private funds received by the department for the operation of Project R10 are appropriated only for the purpose of enhancement of the project beyond fiscal year 1989 levels.
53. PAYMENTS - COUNTY PROSECUTORS. Out of funds appropriated above in Item 8., Payments to County Prosecutors, the district clerks in the following counties are to be allocated \$12,000 each year of the biennium for the purpose of supporting enhanced efforts to prosecute persons charged with controlled substances violations on Texas Department of Corrections property: Fort Bend County, Brazoria County, Walker County, Madison County, Grimes County, Anderson County and Houston County.
54. EMPLOYMENT OF MEDICAL PERSONNEL. The Texas Department of Corrections may not establish eligibility requirements for use in hiring or promoting personnel for medical positions that are more restrictive than applicable requirements provided by Texas occupational licensing statutes, by rules or regulations promulgated pursuant to those statutes, or by any applicable court stipulations or decrees. This provision shall not prohibit the department from establishing requirements related to work experience.
55. APPROPRIATION - DEFENSE OF INDIGENT INMATES. The Texas Department of Corrections is hereby appropriated an amount not to exceed \$300,000 from the General Revenue Fund for each year of the biennium for the purpose of providing legal counsel for the defense of indigent Texas Department of Corrections prisoners being prosecuted for offenses committed while in the custody of the Texas Department of Corrections. Such counsel shall provide defense only against prosecution for the offense alleged to have been committed while the prisoner was in the custody of the Texas Department of Corrections and shall not provide legal defense or counsel in any court proceeding relating to an offense alleged to have been committed by the prisoner prior to being placed in the custody of the Texas Department of Corrections.

DEPARTMENT OF CORRECTIONS
(Continued)

The Texas Department of Corrections shall not provide the above-mentioned legal defense in cases where the defendant-prisoner was originally committed to the Texas Department of Corrections for an offense committed in the county in which the defendant-prisoner is currently being charged.

Out of the funds appropriated by this provision, the Texas Board of Corrections shall employ the services of legal and support staff who shall be directly responsible to the Board of Corrections in the performance of their duties.

56. BUDGET EXECUTION APPROVAL REQUIRED FOR TRANSFERS BETWEEN FISCAL YEARS. In addition to transfer authority granted elsewhere in this Act, and pursuant to Article 16, Section 69 of the Texas Constitution, the Texas Department of Corrections may transfer between appropriations for fiscal year 1990 and fiscal year 1991 with the approval of the Governor and the Legislative Budget Board. Approval of the transfer of any or all of the appropriations made above may be proposed by either the Governor or the Legislative Budget Board. A proposed change made by the Governor to the Legislative Budget Board or by the Legislative Budget Board to the Governor may be: (1) ratified through adoption of an order changing the relevant appropriation in the manner specified in the proposal; (2) rejected; or (3) amended. An amended proposal must be finally approved by the originator of the initial proposal.

No action on a proposal made pursuant to this provision may be taken until at least ten days after the publication of the proposal in the Texas Register. A proposal made under this provision expires if an order has not been ratified or finally approved before the 31st day after the proposal is published in the Texas Register.

The Governor shall notify the Comptroller, the State Treasurer, and affected state agencies of the final action taken on a proposal and shall direct the Secretary of State to publish notice of the action in the Texas Register.

The authority to propose and adopt changes granted in this provision is independent of any other authority established by this Act or under other law.

57. OPERATION OF NEW PRISON UNITS. The Department of Corrections is authorized to expend any of the funds appropriated above out of the General Revenue Fund for the operation of newly constructed prison units should such units become available prior to the end of fiscal year 1991.

COSMETOLOGY COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration	177,220	177,720

COSMETOLOGY COMMISSION
(Continued)

2. Licensing, Certification and Examination:

a. Satellite Examinations	145,000	145,000
b. Other Activity Operations	<u>193,272</u>	<u>196,322</u>
Total, Licensing, Certification and Examination	<u>\$ 338,272</u>	<u>\$ 341,322</u>

3. Enforcement and Investigation	\$ 557,015	\$ 557,495
4. Data Services	<u>312,604</u>	<u>312,604</u>

GRAND TOTAL, COSMETOLOGY COMMISSION	\$ 1,385,111	\$ 1,389,141
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Method of Financing:

General Revenue	\$ 1,305,111	\$ 1,309,141
Reappropriated Receipts	<u>80,000</u>	<u>80,000</u>

Total, Method of Financing	\$ 1,385,111	\$ 1,389,141
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BOND DEBT SERVICE	\$ 34,214	\$ 213,588
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Schedule of Exempt Positions and Per Diem of Commission Members

Executive Director	\$ 40,000	\$ 40,000
Per Diem of Commission Members	4,000	4,000

SCHEDULE OF CLASSIFIED POSITIONS, COSMETOLOGY COMMISSION

GROUP 17

1164 Chief Accountant I
1563 Program Administrator I

GROUP 16

0233 ADP Supervisor III

GROUP 15

1504 Administrative Technician IV

GROUP 13

1162 Accountant II
4143 Inspector III, 7

GROUP 11

1502 Administrative Technician II
4142 Inspector II, 13

COSMETOLOGY COMMISSION
(Continued)

GROUP 09

0065 Clerical Supervisor III
0211 Key Entry Supervisor I
4141 Inspector I, 6

GROUP 08

0205 Key Entry Operator III, 2
0292 Word Processing Operator II
1003 Accounting Clerk III
1501 Administrative Technician I

GROUP 07

0245 ADP Record Control Clerk II

GROUP 06

0055 Clerk III, 4
0203 Key Entry Operator II
0340 Microfilm Camera Operator I

GROUP 04

0053 Clerk II

1. RECOVERY OF COSTS. To provide for the recovery of costs for the preceding appropriations, the following fee rates are established pursuant to Article 5429n., V.A.C.S., to be effective during the fiscal biennium covered by this Act:

New Salon Inspection Fee \$40

2. REIMBURSEMENT OF TRAVEL EXPENSE. None of the funds appropriated hereinabove may be expended to reimburse the travel expense of any member or director of such commission for out-of-state travel in excess of two out-of-state trips per year each.
3. PER DIEM LIMITATIONS. Out of the appropriations above for per diem and travel, no one commissioner may expend for travel expenses during any fiscal year more than twenty-eight hundred dollars (\$2,800). The Cosmetology Commission is authorized to pay travel expenses for ex-officio members of the Commission.
4. INSPECTIONS AND ENFORCEMENT. It is the intent of the Legislature that none of the funds appropriated for inspections be expended unless an interagency contract has been signed by the Board of Barber Examiners and the Cosmetology Commission for the purpose of implementing a statewide crossover inspection and enforcement program during the 1990-91 biennium.
5. AITC CERTIFICATION REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:

COSMETOLOGY COMMISSION
(Continued)

- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AIRC); and,
- b. The AIRC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AIRC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AIRC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

6. CONTINGENCY APPROPRIATION. Appropriations to the Cosmetology Commission for the 1991 fiscal year are contingent upon the agency's implementing guidelines for the routine collection and reporting of accurate expenditure, workload, and performance data.

CREDIT UNION DEPARTMENT

	For the Years Ending August 31, 1990	August 31, 1991
Out of the Credit Union Department Expense Fund No. 510:		
<u>Regulation of the Credit Union Industry</u>		
1. Administration	226,231	221,481
2. Examination and Supervision	943,421	1,001,982
3. Outside Legal Counsel	10,000	10,000
 GRAND TOTAL, CREDIT UNION DEPARTMENT	 \$ 1,179,652	 \$ 1,233,463

Schedule of Exempt Positions

Commissioner	\$ 78,795	\$ 78,795
Deputy Commissioner	60,042	60,042
Director of Examination and Supervision	48,000	48,000

CREDIT UNION DEPARTMENT
(Continued)

1. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during each year of the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Credit Union Department Expense Fund No. 510.
2. APPROPRIATION OF RECEIPTS. There is hereby appropriated to the Credit Union Department all monies received as incidental or necessary to the implementation of Supervision or Conservatorship Proceedings authorized under Article 2461-1, Section 10.01, Texas Credit Union Act of 1975, as amended. Such monies may be expended by the department to pay costs incidental to such proceedings, including, but not limited to, the salary and per diem expenses of the appointed supervisor or conservator.
3. CONTINGENCY APPROPRIATION, OUTSIDE LEGAL COUNSEL. In the appropriation above, Item 3., Outside Legal Counsel, is contingent upon the Credit Union Department requesting and receiving certification by the Attorney General that such services cannot be performed by his office.
4. TRANSFER AUTHORITY. The Credit Union Department is hereby authorized to transfer such amounts as necessary between Line Items 1. and 2.
5. RECEIPTS AUTHORITY. The Credit Union Department is hereby authorized to accept funds from any source whatsoever for payment of costs incident to attending graduate schools of banking, seminars, conferences, or any other training or educational activity considered by the Commissioner to be to the benefit of the agency and for reimbursement by the National Credit Union Share Insurance Fund for costs incidental to examination or supervision of credit unions.
6. CLASSIFIED POSITIONS AUTHORIZED. Funds appropriated above may be expended to employ personnel in classified position titles listed in Article V of the Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Officer for use by this department.
7. SALARY ADJUSTMENT AUTHORIZED. Notwithstanding other provisions of this Act, the Credit Union Department is authorized to adjust salaries of Financial Institutions Examiners I through IV positions to rates within the designated salary group, not to exceed step 6, for the purposes of recruiting, employing, and retaining career examiner personnel.

The Credit Union Department is required to submit for review and final approval a career ladder for Financial Institutions Examiners to the State Classifications Officer by October 1, 1989. The proposed career ladder should detail employment salary rates, experience, and time periods required for progression.

CREDIT UNION DEPARTMENT
(Continued)

In the event that approval is not granted by November 1, 1989, the Department shall revert to the provisions of Article V of this Act as it pertains to employment and salary.

8. LIMITATION, USE OF AUTOMOBILES. None of the funds appropriated above may be used by the agency for the purchase and/or maintenance of any additional or replacement automobiles during the biennium. It is the intent of the Legislature that the agency's current fleet of automobiles be phased out by August 31, 1990, and that the agency begin reimbursing its personnel on a standard mileage basis.
9. ENTRY-LEVEL EXAMINER TRAINING REQUIREMENTS. The Credit Union Department shall increase the amount of classroom training hours provided to entry-level examiners and ensure that each individual entry-level examiner receives an approximately equal number of training hours covering an appropriate range of courses, including the National Credit Union Administration's New Examiner Training School.
10. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 510 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

CRIMINAL JUSTICE POLICY COUNCIL

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration	<u>307,982</u>	<u>307,982</u>
GRAND TOTAL, CRIMINAL JUSTICE POLICY COUNCIL	\$ 307,982 =====	\$ 307,982 =====
Method of Financing:		
Criminal Justice Planning Fund No. 421	\$ 270,982	\$ 270,982
Federal Funds, estimated	<u>37,000</u>	<u>37,000</u>
Total, Method of Financing	\$ 307,982 =====	\$ 307,982 =====

CRIMINAL JUSTICE POLICY COUNCIL
(Continued)

Schedule of Exempt Positions

Executive Director	\$ 54,100	\$ 54,100
Deputy Director	51,000	51,000
Director of Research	38,250	38,250

SCHEDULE OF CLASSIFIED POSITIONS, CRIMINAL JUSTICE POLICY COUNCIL

GROUP 19
0517 Planner II

GROUP 16
0515 Planning Assistant

GROUP 15
0544 Research Specialist I

GROUP 13
1503 Administrative Technician III

GROUP 06
0055 Clerk III, 2

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Commission on Alcohol and Drug Abuse. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	\$ 9,000	\$ 9,000
Total, Capital Outlay	\$ 9,000	\$ 9,000
	=====	=====
Method of Financing:		
Criminal Justice Planning Fund No. 421	\$ 6,000	\$ 6,000
Federal Funds	3,000	3,000
Total, Method of Financing	\$ 9,000	\$ 9,000
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

CRIMINAL JUSTICE POLICY COUNCIL
(Continued)

2. POSITION AUTHORITY. In the event the Criminal Justice Policy Council receives a grant or donation as authorized by Article 413.06, Texas Government Code, the Policy Council is authorized to employ such persons as are required to perform the duties specified by the grant or donation in accordance with the Position Classification Act of 1961 in provisions listed in Article V of this Act.

BOARD OF DENTAL EXAMINERS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the Dental Registration Fund No. 86:		
1. Administration	703,571	699,705
2. Travel	125,931	125,931
GRAND TOTAL, BOARD OF DENTAL EXAMINERS	\$ 829,502 =====	\$ 825,636 =====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 49,168	\$ 49,168
Per Diem of Board Members	21,030	21,030

SCHEDULE OF CLASSIFIED POSITIONS (UL), BOARD OF DENTAL EXAMINERS

GROUP 21
1051 Hearings Examiner IV
4195 Assistant Executive Director, Dental Board

GROUP 16
1163 Accountant III
1550 Staff Services Assistant
4199 Investigator, Dental Board

GROUP 09
0211 Key Entry Supervisor I

GROUP 08
0205 Key Entry Operator III
1003 Accounting Clerk III

GROUP 07
0135 Secretary III

BOARD OF DENTAL EXAMINERS
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Board of Dental Examiners. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the Dental Registration
Fund No. 86:

1. Acquisition of Computer Equipment and Software	\$ 488	\$ -0-
Total, Capital Outlay	\$ 488 =====	\$ -0- =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during each year of the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Dental Registration Fund No. 86.
3. DEPOSIT OF FEES. All fees collected by the State Board of Dental Examiners shall be deposited in the State Treasury to the credit of the "Dental Registration Fund," as provided by Chapter 475, Acts of the Fifty-second Legislature (Senate Bill No. 453, Fifty-second Legislature, 1951).
4. BOARD PER DIEM APPROVAL. None of the funds appropriated above, for per diem of Board Members may be obligated without the prior approval of the President of the State Board of Dental Examiners. This restriction shall not apply to per diem required in the conduct of regularly called meetings of the Dental Board or Dental Hygiene Advisory Committee.
- It is the intent of the Legislature that expenditures for per diem of both the Dental Board and Dental Hygiene Advisory Committee be limited to the amounts appropriated in Per Diem of Board Members, above.
5. LEGAL SERVICES AUTHORIZED. Of the funds in Item 1., Administration, \$40,000 per year is to be used for legal services. At the option of the agency, these funds may be used to employ a staff General Counsel (3606), or to enter into a contract with outside legal counsel knowledgeable in the administration of the Dental Practices Act. This does not preclude the agency from using the services of the Attorney General in instances where such services are warranted.

BOARD OF DENTAL EXAMINERS
(Continued)

6. ADDITIONAL CLASSIFIED POSITIONS. Funds appropriated above may be expended to employ personnel in classified position titles listed in Article V of this Act subject to the prior approval of the State Classification Office for use by this agency.
7. EMPLOYMENT OF HEARING EXAMINERS. The Board of Dental Examiners may use hearing examiners in adjudicatory proceedings and such examiners may be employed by contract or otherwise from the funds appropriated for the administration of the Dental Practices Act.
8. USE OF SEPARATE ATTORNEY. The board shall use a separate attorney to advise the board on legal procedure from any attorney acting as prosecutor before the board.
9. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 86 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

10. PEER ASSISTANCE PROGRAM. If House Bill No. 1453, Seventy-first Legislature, Regular Session, is enacted and becomes law, in addition to other amounts appropriated by this Act, the fees, surcharges, and fines described by Section 4A, Chapter 701, Acts of the Sixty-ninth Legislature, Regular Session, 1985 (Article 5561c-3, Vernon's Texas Civil Statutes), as added by House Bill No. 1453, and collected during the biennium ending August 31, 1991, are appropriated for that period from the Dental Registration Fund to the Texas State Board of Dental Examiners, for the purpose of financing an approved peer assistance program, including costs of administration of the program. If House Bill No. 1453 does not become law, this provision has no effect. For purposes of this provision, a bill becomes law on signature by the Governor or on becoming law under Article IV, Section 14, of the Texas Constitution without the Governor's signature.
11. CONTINGENCY FOR S.B. NO. 586. Contingent upon enactment of S.B. No. 586, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$5,000 for fiscal year 1990 and \$5,000 for fiscal year 1991, from the Dental Registration Fund No. 86 is hereby appropriated for the purpose of implementing the provisions of the Act.
12. CONTINGENCY FOR H.B. NO. 1010. Contingent upon enactment of H.B. No. 1010, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$8,200 for fiscal year 1990 and \$8,200 for fiscal year 1991, from the Dental Registration Fund No. 86 is hereby appropriated for the purpose of implementing the provisions of the Act.

EMPLOYEE INCENTIVE COMMISSION

	For the Years Ending	
	August 31,	August 31,
	1990	1991
Out of the General Revenue Fund:		
1. Administration		50,000
GRAND TOTAL, EMPLOYEE INCENTIVE COMMISSION	\$	\$ 50,000
	=====	=====

1. APPROPRIATION SOURCE, CONTRIBUTIONS. Contributions accepted by the State Employee Incentive Commission from September 1, 1989 through August 31, 1991, along with contribution balances on hand at August 31, 1989, are appropriated to the Commission for the biennium ending August 31, 1991 for purposes authorized by Article 6252-28, Vernon's Texas Civil Statutes.
2. ALLOCATION OF NET ANNUAL SAVINGS. Net annual savings realized from employee suggestions adopted by a state agency under the provisions of Article 6252-28 and rules promulgated by the Employee Incentive Commission must be allocated by the state agency as follows:
- a. Transfer 20 percent of the annual net savings from amounts appropriated to the agency in the fiscal year(s) and program area(s) in which the savings were realized to the Employee Incentive Commission.
 - b. Lapse 40 percent of the annual net savings in the fiscal year(s) and program area(s) in which the savings were realized. The lapsed amount will be held in the fund from which the savings were realized for future appropriation by the Legislature.
 - c. Retain 40 percent of the original annual net savings from the fiscal year(s) and program area(s) in which the savings were realized for merit pay increases. The merit increases awarded under this provision must fall within the guidelines of Article V, Section 1(d) (2) of this Act. Merit award money resulting from the annual net savings is appropriated to the agency for the biennium for payment of merit awards.

The Comptroller of Public Accounts shall develop rules for the above provisions.

3. APPROPRIATION SOURCE, NET ANNUAL SAVINGS. Amounts transferred under Section 2.a. above, along with balances on hand from prior year general revenue and transfer appropriations at August 31, 1989, are appropriated to the State Employee Incentive Commission for the biennium ending August 31, 1991. The funds are to be utilized for awards made and administrative costs incurred under Article 6252-28, Vernon's Texas Civil Statutes. If the amounts

EMPLOYEE INCENTIVE COMMISSION
(Continued)

transferred to the Commission under this Act exceed the amount necessary for the purposes for which they are appropriated, the Commission shall transfer the amounts to the fund from which the original appropriation was made.

4. NET SAVINGS ENCUMBERED. The net savings realized in a fiscal year are to be considered encumbered by the agency implementing the suggestion and the Employee Incentive Commission for purposes of carrying out the transfers listed in Section 2.a-c. above.
5. GENERAL REVENUE REIMBURSEMENT. At such time as sufficient revenues from agency transfers are available to the Employee Incentive Commission to finance the operations of the commission, the General Revenue Fund shall be reimbursed for the amount expended by the commission out of the appropriation made above in Line Item 1., Administration, and agency operations shall be financed wholly from the receipt of agency transfers of net annual savings realized from employee suggestions.

EMPLOYEES RETIREMENT SYSTEM

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. <u>Employees Retirement</u>		
a. For funding benefits at the state contribution rate of 7.4% as provided under Public Retirement Systems, Section 25.401 and Section 25.403, Subtitle C, Title 110B, Texas Civil Statutes, including annual membership fees of \$10 for contributing members for each fiscal year, estimated	\$ 193,872,000	\$ 198,389,000
Subtotal, Retirement Contributions	\$ 193,872,000	\$ 198,389,000
b. For funding death benefits as provided under section 25.403, Subtitle C, Title 110B, Texas Civil Statutes, for contributing members for each fiscal year, estimated	\$ 3,537,000	\$ 3,537,000
Total, State Contributions Employees Retirement System, estimated	\$ 197,409,000	\$ 201,926,000

EMPLOYEES RETIREMENT SYSTEM
(Continued)

2. Group Insurance, State Contributions

a. For the purpose of providing the state's contributions for each full-time active employee and retired employee covered by the uniform plan of group insurance administered by the Employees Retirement System (Article 3.50-2, Texas Insurance Code), estimated	\$ 236,491,000	\$ 305,950,000
Total, State Contributions Group Insurance, estimated	\$ 236,491,000	\$ 305,950,000

3. Judicial Retirement

a. To reimburse the State Employees Retirement System in accordance with Section 45.102, Subtitle E, Title 110B, Texas Civil Statutes, for the costs of maintaining the Judicial Retirement System, the Comptroller shall transfer the following sums to the Employees Retirement System Trust Fund	\$ 105,000	\$ 120,000
b. For the payment of judges retirement as provided by Subtitle E, Title 110B, Texas Civil Statutes (Plan One), estimated	9,390,000	9,960,000
c. To establish an actuarially funded retirement benefit for judges who become members of the Judicial Retirement System as of September 1, 1985 as provided by Subtitle H, Title 110B, Texas Civil Statutes (Plan Two), estimated	1,000,000	1,250,000
d. To refund accumulated contributions of judges as provided by Sections 42.004, 44.303 and 44.304, Subtitle E, Title 110B, Texas Civil Statutes, estimated	113,000	113,000

EMPLOYEES RETIREMENT SYSTEM
(Continued)

e. To provide for payment to retired judges who are called to duty pursuant to Sections 74.054 through 74.061, Government Code, Texas Civil Statutes, there is hereby appropriated an amount, estimated	1,542,000	1,542,000
f. To provide for payments to retired appellate judges and justices who are assigned to service in an appellate court pursuant to Section 74.003, Government Code, Texas Civil Statutes. There is hereby appropriated an amount, estimated	<u>53,000</u>	<u>53,000</u>
Total, Judicial Retirement, Certain and Estimated Appropriations	\$ <u>12,203,000</u>	\$ <u>13,038,000</u>

4. Death Benefits

a. To reimburse the State Employees Retirement System for the costs of maintaining the Death Benefit Program, the Comptroller shall transfer from the General Revenue Fund, to the Employees Retirement System Trust Fund	\$ 28,000	\$ 33,000
b. For the payment of death benefits to survivors of Commissioned Peace Officers and Custodial Officers as provided by Article 6228f, Texas Civil Statutes, estimated	<u>619,000</u>	<u>619,000</u>
Total, Death Benefits, Certain and estimated appropriations	\$ <u>647,000</u>	\$ <u>652,000</u>

EMPLOYEES RETIREMENT SYSTEM
(Continued)

5. Commissioned Law Enforcement Officer
Supplemental Retirement Compensation

a. Out of the Law Enforcement and Custodial Officer Supplemental Retirement Fund No. 977, to reimburse the Employees Retirement System for the costs of administering the Commissioned Law Enforcement Officer Supplemental Retirement Compensation Act as provided by Section 25.403, Subtitle C, Title 110B, Texas Civil Statutes	\$ 90,000	\$ 90,000
Total, Law Enforcement and Custodial Supplemental Retirement, Certain and estimated appropriations	\$ 90,000	\$ 90,000
 GRAND TOTAL, EMPLOYEES RETIREMENT SYSTEM	 \$ 446,840,000 =====	 \$ 521,656,000 =====

Method of Financing:

1. General Revenue Fund:		
a. Employees Retirement	\$ 99,960,000	\$ 102,206,000
b. Group Insurance	125,355,000	162,173,000
c. Judicial Retirement	12,203,000	13,038,000
d. Death Benefits	647,000	652,000
Total, General Revenue Fund	\$ 238,165,000	\$ 278,069,000
2. State Highway Fund No. 006:		
a. Employees Retirement	\$ 38,702,000	\$ 39,604,000
b. Group Insurance	46,897,000	60,671,000
Total, State Highway Fund No. 006	\$ 85,599,000	\$ 100,275,000
3. Comptroller's Operating Fund No. 062:		
a. Employees Retirement	\$ 6,538,000	\$ 6,691,000
b. Group Insurance	4,984,000	6,447,000
Total, Comptroller's Operating Fund No. 062	\$ 11,522,000	\$ 13,138,000
4. Welfare Administration Operating Fund No. 166:		
a. Employees Retirement	\$ 23,496,000	\$ 24,043,000
b. Group Insurance	25,869,000	33,467,000
Total, Fund No. 166	\$ 49,365,000	\$ 57,510,000

EMPLOYEES RETIREMENT SYSTEM
(Continued)

5. Other Special Funds:			
a. Employees Retirement	\$	28,713,000	\$ 29,382,000
b. Group Insurance		33,386,000	43,192,000
c. Commissioned Law Enforcement Officer Supplemental Retirement Compensation		<u>90,000</u>	<u>90,000</u>
Total, Other Special Funds	\$	<u>62,189,000</u>	\$ <u>72,664,000</u>
Total, Method of Financing	\$	<u>446,840,000</u>	\$ <u>521,656,000</u>

1. OUTSIDE LEGAL COUNSEL. Notwithstanding the Article V provision relating to outside legal counsel, the Employees Retirement System may retain such legal counsel as it deems necessary or proper to comply with its fiduciary duties or to protect the assets held in trust by the system.
2. UPDATED ACTUARIAL VALUATION. The Employees Retirement System shall contract with an actuary to perform a limited actuarial valuation of the assets and liabilities of the Employees Retirement System as of February 28 in those years when the Legislature meets in regular session. The purpose of the valuation shall be to determine the effect of investment, salary, and payroll experience on the unfunded liability, the amortization period, and the state contribution rate which results in a 30-year amortization period of the Retirement System.
3. GROUP INSURANCE COST CONTAINMENT REPORTING. The Employees Retirement System shall report to the Legislative Budget Board and the Governor's Office of Budget and Planning on the effectiveness and efficiency of the cost containment practices used by the agency to control the claims in inpatient, outpatient, and other medical care of the Uniform Group Insurance Program indemnity plan. The report shall be completed no later than January 1 of each year.
4. MANAGEMENT AUDIT. The Legislative Audit Committee shall issue a contract for a management audit on the insurance benefits contract, the bidding process and the use of a single source bid of the Employees Retirement System. The cost of the audit shall be paid by the State Auditor and reimbursed by the Employees Retirement System with 30 days of payment by the State Auditor. A copy of the audit shall be filed with the Governor, the Legislative Budget Board, the Legislative Audit Committee, and the Pension Review Board within 30 days of completion of the audit. The State Auditor shall conduct a review on the implementation of the audit and report the findings on an annual basis to the Legislative Audit Committee.
5. CONTINGENCY APPROPRIATION, SENATE BILL 897/HOUSE BILL 1710. Contingent upon enactment and becoming law of Senate Bill 897 or House Bill 1710, Seventy-first Legislature, Regular Session, 1989, \$380,000 is appropriated from the General Revenue Fund to the Employees Retirement System for the fiscal year ending August 31, 1991. These funds may be used only for the administration of the state's deferred compensation plans for state officers and employees.

EMPLOYEES RETIREMENT SYSTEM
(Continued)

6. STATE CONTRIBUTION TO GROUP INSURANCE. The appropriation made above for group insurance shall provide a state's contribution as follows:
- a. For each full-time active and retired employee enrolled in the "Employee Only" category, the state's monthly contribution shall not exceed the smaller of (1) \$130 in fiscal year 1990 and \$155 in fiscal year 1991, or (2) the actual premium for basic health and life indemnity insurance plus \$20.
 - b. For each full-time active and retired employee enrolled in a coverage category which includes a spouse and/or dependent(s), the state's monthly contribution shall not exceed \$115 plus the actual increase in basic health and life indemnity insurance premiums over fiscal year 1989 for the category in which the employee enrolls, less \$10 in fiscal year 1990 and \$20 in fiscal year 1991. As a further limitation, monthly contributions in fiscal year 1991 may not exceed \$180 for "Employee and Children", \$205 for "Employee and Spouse" and \$250 for "Employee and Family".

The Board of Trustees of the Employees Retirement System shall establish procedures to administer this provision.

7. FINANCING OF SICK LEAVE CREDIT. If House Bill No. 827, Seventy-first Legislature, Regular Session, is enacted and becomes law, amounts appropriated by this Act to pay the salaries of state employees also are authorized to be used to make payments required by Section 23.509(d), Title 110B, Revised Statutes, as added by House Bill No. 827, for credit established under Section 23.509, under the terms provided by that section. The Comptroller shall make the payments on certification by the Retirement System of the amount payable. If House Bill No. 827 does not become law, this provision has no effect. For purposes of this provision, a bill becomes law on signature by the Governor or on becoming law under Article IV, Section 14, of the Texas Constitution without the Governor's signature.

EMPLOYMENT COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration Program, estimated	\$ 19,008,692	\$ 17,493,778
2. Manpower Services Program, estimated	68,588,219	69,351,180
3. Unemployment Insurance Program, estimated	64,107,711	62,885,907
4. Section 903, Social Security Act, estimated	90,000	90,000
5. State Occupational Information Coordinating Council, estimated	284,094	289,461
6. Out of the Unemployment Compensation Special Administration Fund No. 165:		
a. Building Construction, Repairs and Renovation		

EMPLOYMENT COMMISSION
(Continued)

b. Salaries of Assistant Attorney Generals (4 positions)	181,152	181,152
c. Deaf Interpreter Services Program	25,000	25,000
d. Membership Fees and Cafeteria Repairs	<u>15,000</u>	<u>15,000</u>
Total, Out of Unemployment Compensation Special Administration Fund No. 165	\$ <u>221,152</u>	\$ <u>221,152</u>
GRAND TOTAL, EMPLOYMENT COMMISSION	\$ <u>152,299,868</u>	\$ <u>150,331,478</u>

Method of Financing:

Unemployment Compensation Administration Fund No. 026 (Federal Funds), estimated	\$ 151,988,716	\$ 150,020,326
Section 903, Social Security Act (Federal Funds), estimated	90,000	90,000
Unemployment Compensation Special Administration Fund No. 165	<u>221,152</u>	<u>221,152</u>
Total, Method of Financing	\$ <u>152,299,868</u>	\$ <u>150,331,478</u>

Schedule of Exempt Positions

Commissioners	3	\$ 76,000	3	\$ 76,000
Administrator		74,000		74,000
Deputy Administrator	3	62,000	3	62,000
Special Counsel		62,000		62,000
Executive Assistant for Planning and Information		55,845		55,845
Division Director	5	55,845	5	55,845
Program Director II	9	52,000	9	52,000
Regional Director II	5	52,000	5	52,000
Program Director I	9	48,042	9	48,042
Regional Director I	5	48,000	5	48,000
Assistant Attorney Generals	4	45,288	4	45,288

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Employment Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Construction, Repair and Renovation	\$ 2,880,000	\$ 3,791,800
2. Acquisition of Computer Equipment and Software	<u>21,574,905</u>	<u>4,145,077</u>
Total, Capital Outlay	\$ 24,454,905	\$ 7,936,877

EMPLOYMENT COMMISSION
(Continued)

Method of Financing:

	=====	=====
Unemployment Compensation Administration Fund	\$ 21,574,905	\$ 4,145,077
Section 903, Social Security Act (Federal Funds)	1,500,000	2,166,800
Unemployment Compensation Special Administration Fund No. 165	1,380,000	1,625,000
Total, Method of Financing	\$ 24,454,905	\$ 7,936,877

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. LIMITATION ON EXPENDITURE OF UNEMPLOYMENT COMPENSATION SPECIAL ADMINISTRATION FUND NO. 165. Funds appropriated above in Item 6., Out of the Unemployment Compensation Special Administration Fund No. 165 are maximum amounts to be expended for the administration of the Texas Employment Commission, notwithstanding any other provisions in this Act. No funds may be transferred between sub-items.

3. CLASSIFIED POSITIONS AUTHORIZED. Out of the funds appropriated hereinabove the Texas Employment Commission is authorized to pay classified salaries in accordance with the Salary Schedule and the List of Classified Positions as set out in the General Provisions of this Act. Salary adjustments within designated salary ranges shall be governed by agreements with the federal government pursuant to federal standards for a Merit System of Personnel Administration.

4. EMPLOYEE CLASSIFICATION PLAN. Position requirements include such substitutions and additional requirements as may be set forth in the Employee Classification Plan required under standards of the Employment Training Administration; and provided further, that in order to meet additional program demands, and in order to comply with personnel audits conducted by the appropriate federal authority, the commission may establish, in accordance with procedures for amending the State Classification Plan adopted by the Legislature, such new classes as may be found necessary.

5. APPROPRIATION OF FEDERAL FUNDS. All moneys granted to this state by the federal government for the administration of the Unemployment Compensation Act or which are now on deposit to the credit of any funds maintained by the State Treasurer for the Texas Employment Commission, except the Unemployment Compensation Special Administration Fund No. 165, and any moneys received for the credit of such funds are hereby appropriated for the purposes authorized by the provisions of the Texas Unemployment Compensation Act and/or for the purposes for which such moneys were granted.

EMPLOYMENT COMMISSION
(Continued)

6. APPROPRIATION OF FEDERAL GRANTS FOR PROFESSIONAL EDUCATION STIPENDS. The Texas Employment Commission is hereby authorized to receive from the federal government any grants that may be allocated to the said commission for the purpose of providing professional educational stipends which will include only such items as cost of tuition, books, fees, cost of travel to and from an accredited college or university, and living costs while attending such school, to enable selected employees of the Texas Employment Commission to attend accredited colleges and universities in order to gain professional and technical education which will provide the knowledge and skill necessary for improved performance of the duties required in the administration of the manpower programs for which the Texas Employment Commission is responsible; and the said Texas Employment Commission is hereby authorized to use such federal funds as may be allocated for the purposes herein stated; and such federal funds as are allocated for this purpose are hereby appropriated to the Texas Employment Commission for the purposes herein stated.
7. MANPOWER PROGRAM EXPENDITURES AUTHORIZED. Members of the commission or any of its employees so designated are hereby specifically authorized to represent the commission and the state in the field of manpower programs before members of Congress, the Department of Labor, or other federal or state agencies, in Washington, D.C., or elsewhere as the commission may within its discretion deem necessary with a view to preserving the rights of the states in the joint Federal-State Manpower Program and not permitting the position of the states to be overbalanced. Funds herein appropriated for the Texas Employment Commission may be used for these purposes, and it is specifically provided that the Texas Employment Commission may use such funds to pay membership dues to Interstate Conference of Employment Security Agencies. Such representatives may act in concert with the representatives of other states in the pursuit of this objective.
8. COMPLIANCE WITH FEDERAL REGULATIONS; SALARY AND TRAVEL EXPENSES AUTHORIZED. In order to comply and conform with the terms of federal laws and regulations and standards under which such moneys are granted, moneys granted for administration shall be expended in accordance with the terms of the Texas Unemployment Compensation Act, the standards of the Employment Training Administration and/or United States Employment Service or successors, and the rules or regulations adopted by the Texas Employment Commission to meet such standards. Travel expense and salaries of the employees of the Texas Employment Commission and members of the commission shall be paid in accordance with agreements made between the commission, the Employment Training Administration and/or the United States Employment Service or successors, which agreements shall provide for salaries within the limits herein prescribed and in conformity with federal standards of a Merit System for Personnel Administration, provided, however, that salary rates and travel expense reimbursements shall conform with the provisions of this Act governing state employees. Upon the submission of any budget or request for funds to any federal agency such budget or request shall be submitted to and filed with the Governor. It is provided that if any of the requirements of this Act are contrary to any of the terms of federal legislation or regulations under which moneys are granted to the Texas Employment Commission, such requirements may be suspended if the commission files a report containing specific documentation from the appropriate federal agencies which clearly delineates the basis for deviation.

EMPLOYMENT COMMISSION
(Continued)

9. APPROPRIATION OF FUNDS - SECTION 903, SOCIAL SECURITY ACT.

- a. Out of amounts credited to this state's account in the Federal Unemployment Trust Fund under Section 903 of the Social Security Act, there is hereby appropriated for withdrawal and use by the Texas Employment Commission in the payment of expense to be incurred by it for the administration of the Texas Unemployment Compensation Act and its Public Employment Offices.
- b. No part of said amounts specified immediately above, herein appropriated out of amounts credited to this state's account in the Federal Unemployment Trust Fund under Section 903 of the Social Security Act, shall be expended after the close of the period covered by this Appropriation Act and any unused portion of such amounts shall, at such close, revert to this state's said account in the Federal Unemployment Trust Fund. Only that portion of the total of said amounts shall be used during a federal fiscal year which does not exceed the amount by which (i) the aggregate of the amounts credited to the account of this state pursuant to Subsection (a) of Section 903 of the Social Security Act, as amended, during such fiscal year and the thirty-four (34) preceding federal fiscal years exceeds (ii) the aggregate of the amounts used by this state pursuant to said section and charged pursuant to said section against the amounts credited to the account of this state during any such thirty-five (35) federal fiscal years.

10. UNEXPENDED BALANCES. It is further provided that any unexpended balances and appropriations to the Texas Employment Commission as of August 31, 1990, are respectively reappropriated for the same purpose for the fiscal year beginning September 1, 1990.
11. UNEXPENDED BALANCES. Any unexpended balances in the amounts heretofore appropriated in House Bill No. 558, Acts, Sixty-sixth Legislature, Regular Session, for the purchase of land for the construction of a state headquarters office building, including parking space and facilities, and equipment and furnishings for the Texas Employment Commission, out of amounts credited to this state's account in the Federal Unemployment Trust Fund under Section 903 of the Social Security Act as of August 31, 1989, are hereby reappropriated for the same purposes for the biennium beginning September 1, 1989, and the Texas Employment Commission is authorized to pay all claims against the prior appropriation of these funds which are now barred or may be barred by the operation of Article 4357, Revised Civil Statutes.
12. APPROPRIATION OF FUNDS - MANPOWER PROGRAMS; PETTY CASH FUNDS. The Texas Employment Commission is hereby authorized to receive any and all funds granted to it by the Federal Department of Labor, Manpower Administration and/or from any other federal agency, the State of Texas, any political subdivision thereof or from any recognized institution or organization for the purpose of carrying out any manpower programs which have been or may be established by federal or state legislation and the commission is authorized to disburse such funds for the payment of administrative expenses, allowances, benefits, stipends, training and training-related expenses, gathering labor market information, paying group insurance premiums for unemployed individuals and dependents and for any other miscellaneous expenses in connection with such programs. The Texas Employment Commission

EMPLOYMENT COMMISSION
(Continued)

is authorized to establish and maintain adequate petty cash funds in local offices to carry out program requirements in accordance with the regulations of the agency or agencies granting such funds. Any and all such funds received by the Texas Employment Commission are hereby appropriated for the purposes authorized and the Texas Employment Commission is authorized to disburse such funds for the purposes for which they are granted.

13. SALE OF AGENCY-OWNED BUILDINGS AUTHORIZED. In order to accommodate sudden and unexpected fluctuations in federal funding, the agency is hereby authorized to sell agency-owned buildings as it deems necessary, provided they have obtained prior written approval from the Governor, Lieutenant Governor and Speaker of the House.
14. ACTUAL TRAVEL EXPENSES AUTHORIZED. The administration of the Texas Employment Commission is hereby authorized to designate agency representation at out-of-state meetings and approve actual travel expense reimbursements, if such representation is in the performance of the requirements of this section. Texas Employment Commission employees required by the Department of Labor to travel beyond the state boundaries shall receive actual expense with the approval of the Administrator. The actual travel expense reimbursement shall not exceed the maximum daily amount allowed as of the first of January of that year for federal income tax purposes as a deduction for ordinary and necessary business expenses.
15. PROVISIONS RELATING TO APPROPRIATIONS FOR SECTION 903, SOCIAL SECURITY ACT. Out of the funds appropriated above in Item 4., from Section 903 of the Social Security Act and Capital Outlay Provision, the Texas Employment Commission may provide the following:
 - a. \$15,000 each year of the biennium to improve the unemployment program in relation to claims taking, claims investigation, fraud prevention, claims processing, claims payment, and fund solvency, including salaries, travel and per diem expense, supplies and equipment.
 - b. \$25,000 each year of the biennium to improve the employment service program in relation to applicant interviewing, job finding, job placement, industrial services, including salaries, travel and per diem expense, supplies and equipment.
 - c. \$1,500,000 for 1990 and \$2,166,800 for 1991 to provide necessary office facilities to carry out the purpose of the agency to include purchase of land and construction of building, and the construction of improvements on property owned by the Texas Employment Commission, including the cost of repairs and alterations to such property.
 - d. \$50,000 each year of the biennium to provide training for commission employees through in-service training or by recognized agencies, including but not limited to privately owned training organizations, colleges and universities, and including necessary travel and per diem in connection with such training; provided, however, that the commission shall approve all organizations with which such training is contracted.

EMPLOYMENT COMMISSION
(Continued)

16. PAYMENT OF UNEMPLOYMENT BENEFITS - STATE AGENCIES. It is the intent of the Legislature that the Texas Employment Commission charge the Comptroller of Public Accounts only for unemployment benefits paid based on wages earned from agencies appropriated funds under the General Appropriations Act, and that agencies outside the General Appropriations Act be set up as individual reimbursing employers.
17. LIMITATION ON EXPENDITURES - SALARY INCREASES. None of the funds appropriated above from Fund 165 shall be used to provide a general salary increase for Texas Employment Commission employees.
18. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.
19. CAFETERIA. The Texas Employment Commission is hereby authorized to operate, or to have operated, a cafeteria in its state headquarters office building in Austin, Texas.
20. APPROPRIATION SOURCE-COMMUNITIES IN SCHOOLS. Out of the funds appropriated above in Item 2., Manpower Services Program, \$590,218 in fiscal year 1990 and \$1,090,218 in fiscal year 1991 shall be allocated by contract to the Texas Employment Commission from the Texas Department of Commerce JTPA funds for expansion of the Communities in Schools Program.
21. CONTINGENCY APPROPRIATION, LABOR LAW ENFORCEMENT. Contingent upon enactment of House Bill No. 863, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$182,910 for fiscal year 1990 and \$273,000 for fiscal year 1991, from the Unemployment Compensation Special Administration Fund No. 165 is hereby appropriated for the purpose of implementing the provisions of the Act.

EMPLOYMENT COMMISSION
(Continued)

22. CONTINGENCY APPROPRIATION, LABOR LAW ENFORCEMENT. Contingent upon enactment of House Bill No. 863, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$250,000 for fiscal year 1990 and \$250,000 for fiscal year 1991, from the General Revenue Fund is hereby appropriated for the purpose of implementing the provisions of the Act.

REIMBURSEMENTS TO THE UNEMPLOYMENT COMPENSATION BENEFIT ACCOUNT

	For the Years Ending	
	August 31, 1990	August 31, 1991
There is hereby appropriated to the Texas Employment Commission for the purpose of reimbursing the Unemployment Compensation Benefit Account No. 937 for unemployment compensation benefits paid to former employees of the State of Texas which are based on service for the State pursuant to House Bills No. 266 and No. 1424, Sixty-second Legislature, estimated to be	<u>8,000,000</u>	<u>8,000,000</u>
GRAND TOTAL, REIMBURSEMENTS TO THE UNEMPLOYMENT COMPENSATION BENEFIT ACCOUNT	\$ <u>8,000,000</u> =====	\$ <u>8,000,000</u> =====
Method of Financing:		
General Revenue Fund	\$ 1,208,864	\$ 1,433,588 & U.B.
Unemployment Compensation Special Administration Fund No. 165, est.	<u>6,791,136</u>	<u>6,566,412</u> & U.B.
Total, Method of Financing	\$ <u>8,000,000</u> =====	\$ <u>8,000,000</u> =====

1. EXCESS REIMBURSEMENT. In the event actual costs of reimbursement for unemployment compensation benefits paid to former employees of the State of Texas exceeds the amounts appropriated above, such excess reimbursement will be paid from the Unemployment Compensation Special Administration Fund No. 165 in accordance with accounting instructions provided by the State Comptroller and are hereby appropriated for this purpose.

REIMBURSEMENTS TO THE UNEMPLOYMENT COMPENSATION BENEFIT ACCOUNT
(Continued)

2. FUND NO. 165 EXPENDED PRIOR TO GENERAL REVENUE. Reimbursements to the Unemployment Compensation Benefit Account shall be made from funds appropriated above from the Unemployment Compensation Special Administration Fund No. 165 to the full extent of the amounts identified in the Method of Finance prior to the expenditure of any General Revenue Funds for this purpose.

BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

	For the Years Ending August 31, <u>1990</u>	August 31, <u>1991</u>
Out of the Professional Engineers Fund No. 56:		
<u>Administration, Licensing and Enforcement</u>		
1. Administration	\$ 336,918	\$ 336,918
2. Applications and Examinations:		
a. Applications	189,781	189,581
b. Examinations	128,520	128,520
c. Purchasing and Grading of National Examinations, estimated:	<u>86,129</u>	<u>86,129</u>
Total, Applications and Examinations:	<u>\$ 404,430</u>	<u>\$ 404,230</u>
3. Compliance and Enforcement	\$ 182,153	\$ 182,153
4. Roster Preparation and Distribution		75,000
5. Professionalism and Ethics Course Development	<u>79,500</u>	<u>U.B.</u>
GRAND TOTAL, BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS	<u>\$ 1,003,001</u> =====	<u>\$ 998,301</u> =====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 54,326	\$ 54,326
Per Diem of Board Members	6,500	6,500

SCHEDULE OF CLASSIFIED POSITIONS, (UL)
BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

GROUP 21

1559 Director of Programs II

GROUP 18

3646 Supervising Investigator

BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS
(Continued)

GROUP 17

1506 Administrative Assistant

GROUP 16

3645 Investigator III

GROUP 15

1504 Administrative Technician IV

GROUP 13

1162 Accountant 11

1503 Administrative Technician III

GROUP 11

0067 Clerical Supervisor IV

1161 Accountant I

1502 Administrative Technician II

GROUP 09

0065 Clerical Supervisor III

GROUP 08

0205 Key Entry Operator III

0292 Word Processing Operator II

1003 Accounting Clerk III

1501 Administrative Technician I

GROUP 07

0063 Clerical Supervisor II

0245 ADP Record Control Clerk II

GROUP 06

0055 Clerk III

0203 Key Entry Operator 11

0290 Word Processing Operator I

1002 Accounting Clerk II

GROUP 04

0053 Clerk II

0201 Key Entry Operator I

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Board of Registration for Professional Engineers. The amount shown shall be expended only for the purposes of the categories shown and is not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the Engineers Fund
No. 056:

- ## 1. Construction, Repair and Renovation

a. Repair or Replacement of Roof	\$ 55,000	\$ -0-
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BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS
(Continued)

Total, Capital Outlay	\$ 55,000	\$ -0-
	<u> </u>	<u> </u>

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Professional Engineers Fund No. 56.

3. PURCHASE OF EXAMINATIONS. The amount appropriated above for Item 2.c., Purchasing and Grading of National Examinations, shall be expended solely for the purpose of purchasing and grading examinations from the national testing services.

4. TRANSFER AUTHORITY. The Board of Registration for Professional Engineers is hereby authorized to transfer such funds as may be necessary from Item 1. Administration, to Items 2.a., Applications, 2.b., Examinations, and 3. Compliance and Enforcement.

5. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 056 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

6. FUNDS APPROPRIATED FOR ROOF REPAIR. The amount appropriated above for fiscal year 1990 for Roof Repair, may be expended only for the repair or replacement of the roof of the Board of Registration for Professional Engineers Building. Funds may be expended only after consideration of a qualified consultant's report, or reports, on the condition of the roof. The Board of Registration for Professional Engineers is authorized to make reasonable repairs or replacement as recommended in the consultant's report.

PUBLIC FINANCE AUTHORITY

	For the Years Ending August 31, <u>1990</u>	August 31, <u>1991</u>
1. Administration	190,041	190,041

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PUBLIC FINANCE AUTHORITY
(Continued)

2. Bond service requirements for Department of Corrections, Department of Mental Health and Mental Retardation, and Youth Commission bond construction appropriations funded under provisions of Senate Bill No. 1407, 70th Legislature, Regular Session, 1987	31,882,000	31,772,000
3. Bond service requirements for Department of Corrections and Youth Commission bond construction appropriations funded under provisions of House Bill No. 1477, 71st Legislature, Regular Session, 1989	9,400,000	13,311,000
4. Bond service requirements for Department of Corrections, Department of Mental Health and Mental Retardation, and Youth Commission bond construction appropriations funded under provisions of Senate Bill No. 558, 71st Legislature, Regular Session, 1989, or similar legislation, estimated	23,200,000	U.B.
5. Bond service requirements for Department of Mental Health and Mental Retardation bond construction appropriations funded under provisions of Senate Bill No. 1407, 70th Legislature, Regular Session, 1989, estimated	<u>2,900,000</u>	<u>U.B.</u>
GRAND TOTAL, PUBLIC FINANCE AUTHORITY	\$ 67,572,041 =====	\$ 45,273,041 =====

Method of Financing:

General Revenue Fund	\$ 67,382,000	\$ 45,083,000
Public Building Bond-Project Fund No. 610	<u>190,041</u>	<u>190,041</u>
Total, Method of Financing	\$ 67,572,041 =====	\$ 45,273,041 =====

Schedule of Exempt Positions and Per Diem of Authority Members

Executive Director	\$ 50,000	\$ 50,000
Per Diem of Authority Members	1,200	1,200

PUBLIC FINANCE AUTHORITY
(Continued)

1. APPROPRIATION SOURCE. The use of bond proceeds for agency operations shall be limited to the amounts appropriated above. It is the intent of the Legislature that bond proceeds be used as a sole source of funding.
2. CLASSIFIED POSITIONS AUTHORIZED. Funds appropriated above may be expended to employ personnel in classified position titles listed in Article V of the Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Office for use by this agency.

FINANCE COMMISSION OF TEXAS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Per Diem of Commission Members, 12 at \$30	<u>4,140</u>	<u>4,140</u>
GRAND TOTAL, FINANCE COMMISSION OF TEXAS	\$ <u>4,140</u> =====	\$ <u>4,140</u> =====

Method of Financing:

Department of Banking Expense Fund No. 508	\$ 2,070	\$ 2,070
Office of Consumer Credit Commissioner Expense Fund No. 509	1,035	1,035
Savings and Loan Department Expense Fund No. 511	<u>1,035</u>	<u>1,035</u>
Total, Method of Financing	\$ <u>4,140</u> =====	\$ <u>4,140</u> =====

1. CONTINGENCY FOR SENATE BILL NO. 607. Contingent upon enactment of Senate Bill No. 607, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$211,050 for fiscal year 1990 and \$251,041 for fiscal year 1991, is hereby appropriated proportionately from the Department of Banking Expense Fund No. 508, the Office of Consumer Credit Commissioner Expense Fund No. 509 and the Savings and Loan Department Expense Fund No. 511 for the purpose of employing an Executive Director and staff deemed necessary as well as related operating expenses.

DEPARTMENT OF BANKING

For the Years Ending
August 31, August 31,
1990 1991

Regulation of Banking Industry

1. Administration and Support Services	\$ 1,093,578	\$ 1,094,073
2. Bank Examination and Supervision	7,724,855	7,701,685
3. Prepaid Funeral Contracts and Other Non-Banking Regulation	438,160	433,850
4. Reserve for Regulatory Response	<u>1,080,094</u>	<u>919,984</u>
GRAND TOTAL, DEPARTMENT OF BANKING	\$ 10,336,687 =====	\$ 10,149,592 =====

Method of Financing:

Department of Banking Expense Fund No. 508	\$ 10,114,345	\$ 9,926,785
Prepaid Funeral Contract Fund No. 076	<u>222,342</u>	<u>222,807</u>
Total, Method of Financing	\$ 10,336,687 =====	\$ 10,149,592 =====

Schedule of Exempt Positions

Commissioner	\$ 80,896	\$ 80,896
Deputy Commissioner	63,240	63,240
General Counsel	60,151	60,151
Director of Internal Affairs	58,834	58,834
Regional Director	4 58,650	4 58,650
Departmental Examiner	60,000	60,000
Assistant Regional Director	4 54,570	4 54,570
Deputy Departmental Examiner	55,000	55,000
Director, Corporate Activities	53,500	53,500
Senior Examiner	UL 52,500	UL 52,500
Director, Special Audits	48,000	48,000

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Department of Banking. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the Department of Banking
Expense Fund No. 508:

1. Acquisition of Computer

DEPARTMENT OF BANKING
(Continued)

Equipment and Software	\$ <u>37,000</u>	\$ <u>17,700</u>
Total, Capital Outlay	\$ <u>37,000</u> =====	\$ <u>17,700</u> =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION OF RECEIPTS. There is hereby appropriated to the Department of Banking all monies received as incidental or necessary to the implementation of Supervision or Conservatorship Proceedings authorized under Article 1, Chapter 8, Texas Banking Code of 1943, as amended. Such monies may be expended by the department to pay costs incidental to such proceedings, including, but not limited to, the salary and per diem expenses of the appointed supervisor or conservator.
3. APPROPRIATION LIMITATION. Funds appropriated in line-item 4., Reserve for Regulatory Response, may be expended only upon a finding by the Finance Commission of Texas that additional funds are necessary to enable the Department of Banking to meet the legislative mandates of regulation and examination of the various entities under the oversight of the department, and a report by the commission to the Governor detailing the anticipated manner in which the funds will be expended. Such funds are available for payment of salaries of new personnel in existing job titles, both classified and exempt, and for other such job classifications as may be established by the Governor or approved by the State Classification Officer, for travel expenses, and for supplies and equipment associated with the increases in the level of regulatory activity. Funds must be generated from the examination and/or assessment of the regulated entities and shall not be a charge to the General Revenue Fund of the State of Texas. The Banking Department shall file a quarterly report with the Governor's Office and the Legislative Budget Board detailing the expenditure of funds under the authority of this rider and the workload measures and performance measures relating to increased activity funded under these provisions.
4. TRANSFER AUTHORITY. The Department of Banking is hereby authorized to transfer an amount not to exceed 15 percent in fiscal year 1990 and 10 percent in fiscal year 1991 of any line item appropriation between Items 1. Administration 2. Bank Examination and Supervision and 3. Prepaid Funeral Contracts and Other Non-Banking Regulation. All transfers between items must have prior approval of the Finance Commission of Texas.
5. CLASSIFIED POSITIONS AUTHORIZED. Funds appropriated above may be expended to employ personnel in classified position titles listed in Article V of the Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Office for use by this department.

DEPARTMENT OF BANKING
(Continued)

6. RECEIPT AUTHORITY. The Department of Banking is hereby authorized to accept funds from any source whatsoever for payment of costs incident to attending graduate schools of banking, seminars, conferences, or any other training or educational activity considered by the Commissioner to be to the benefit of the agency.
7. SALARY ADJUSTMENT AUTHORIZED. Notwithstanding other provisions of this Act, the Banking Department is authorized to adjust salaries of the Financial Institutions Examiners to rates within the designated salary group for the purpose of recruiting, employing and retaining examination personnel.

The Department of Banking is required to submit for review and final approval a career ladder for Financial Institutions Examiners to the State Classifications Officer by October 1, 1989. The proposed career ladder should detail employment salary rates, experience, and time periods required for progression.

In the event that approval is not granted by November 1, 1989, the Department shall revert to the provisions of Article V of this Act as it pertains to employment and salary.

8. FEDERAL PER DIEM AUTHORIZED. Financial Institutions Examiners employed by the Banking Department, when (1) traveling on official state business related to the examining function of the Banking Department and (2) participating in a joint examination with the Federal Reserve Bank or the Federal Deposit Insurance Corporation shall be authorized reimbursement for travel expenses at a rate of per diem equal to that of the participating federal regulatory agency.
9. LIMITATION, USE OF AUTOMOBILES. None of the funds appropriated above may be used by the agency for the purchase and/or maintenance of any additional or replacement automobiles during the biennium. It is the intent of the Legislature that the agency's current fleet of automobiles be phased out by August 31, 1990 and that the agency begin reimbursing its personnel on a standard mileage basis.
10. PER DIEM AUTHORIZED. With money appropriated by this Act to the Department of Banking, the Department may pay the travel and per diem costs incurred by a member of the Banking Section of the Finance Commission in the course of the member's participation on the Commission and the travel and per diem costs incurred by a citizen member of the State Banking Board incurred in the course of the member's participation on the Board.
11. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 508 and Fund No. 076 to the General Revenue Fund.

DEPARTMENT OF BANKING
(Continued)

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

OFFICE OF CONSUMER CREDIT COMMISSIONER

	For the Years Ending August 31, 1990	August 31, 1991
<u>Regulation of the Consumer Credit Industry</u>		
1. Administration	599,071	601,599
2. Examination and Supervision	661,998	669,029
GRAND TOTAL, OFFICE OF CONSUMER CREDIT COMMISSIONER	\$ 1,261,069	\$ 1,270,628

Method of Financing:

Office of Consumer Credit		
Commissioner Expense Fund No. 509	\$ 1,259,969	\$ 1,269,528
Interagency Contract, estimated	1,100	1,100
Total, Method of Financing	\$ 1,261,069	\$ 1,270,628

Schedule of Exempt Positions

Commissioner	\$ 63,036	\$ 63,036
Assistant Commissioner	51,475	51,475
Counsel	51,412	51,412

1. TRANSFER AUTHORITY. The Office of Consumer Credit Commissioner is hereby authorized to transfer an amount not to exceed 15 percent in fiscal year 1990 and 10 percent in fiscal year 1991 of any line item appropriation between Items 1. Administration and 2. Examination and Supervision. All transfers between items must have prior approval of the Finance Commission of Texas.

2. CLASSIFIED POSITIONS AUTHORIZED. Funds appropriated above may be expended to employ personnel in classified position titles listed in Article V of the Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Office for use by this department.

OFFICE OF CONSUMER CREDIT COMMISSIONER
(Continued)

3. SALARY ADJUSTMENT AUTHORIZED. Notwithstanding other provisions of this Act, the Office of Consumer Credit Commissioner is authorized to adjust salaries of Financial Institutions Examiners I through IV positions to rates within the designated salary group for the purposes of recruiting, employing, and retaining career examiner personnel.

The Office of Consumer Credit Commissioner is required to submit for review and final approval a career ladder for Financial Institutions Examiners to the State Classifications Officer by October 1, 1989. The proposed career ladder should detail employment salary rates, experience, and time periods required for progression.

In the event that approval is not granted by November 1, 1989, the Office shall revert to the provisions of Article V of this Act as it pertains to employment and salary.

4. LIMITATION, USE OF AUTOMOBILES. None of the funds appropriated above may be used by the agency for the purchase and/or maintenance of any additional or replacement automobiles during the biennium. It is the intent of the Legislature that the agency's current fleet of automobiles be phased out by August 31, 1990, and that the agency begin reimbursing its personnel on a standard mileage basis.
5. PER DIEM AUTHORIZED. With money appropriated by this Act to the Office of Consumer Credit Commissioner, that office may pay the travel and per diem costs incurred by a member of the Consumer Credit Section of the Finance Commission in the course of the member's participation on the Commission.
6. EQUAL CREDIT OPPORTUNITY ACT ENFORCEMENT REQUIRED. The office of the Consumer Credit Commissioner shall vigorously monitor Federal Trade Commission publications (including the FTC NEWS) and other sources for regulatory and court actions concerning Equal Credit Opportunity Act and related federal and state credit code violations, and shall impose statutory penalties and/or suspend or revoke licenses of licensees who are found to be in violation of the law. The Commissioner shall submit a report to the Seventy-second Legislature which describes the agency's system of monitoring Equal Credit Opportunity Act violations by licensees and which details agency enforcement actions for the two years ending December 31, 1990.
7. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 509 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

SAVINGS AND LOAN DEPARTMENT

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the Savings and Loan Department Expense Fund No. 511:		
<u>Regulation of the Savings and Loan Industry</u>		
1. Administration	436,547	436,547
2. Examination and Supervision	<u>2,552,192</u>	<u>2,552,192</u>
GRAND TOTAL, SAVINGS AND LOAN DEPARTMENT	\$ <u>2,988,739</u>	\$ <u>2,988,739</u>

Schedule of Exempt Positions

Commissioner	\$	78,795	\$	78,795
Deputy Commissioner	2	64,087	2	64,087
General Counsel		57,783		57,783
Director of Examination		52,530		52,530
Director of Supervision		52,530		52,530
Director of Enforcement		52,530		52,530
Deputy General Counsel		48,000		48,000

1. CONTINGENCY APPROPRIATION. Because of the significant uncertainty as to the size of the Savings and Loan industry which will be under the Texas Savings and Loan Department's jurisdiction, the Comptroller shall increase or decrease the above appropriation for line-item 2., Examination and Supervision by the amount set forth below in the event that the level of regulated assets equals or exceeds the levels indicated.

Total Savings and Loan Regulated Asset Levels	Authorized Appropriation Levels
\$30 billion	\$1,485,038
\$35 billion	\$1,635,491
\$40 billion	\$1,843,394
\$45 billion	\$2,080,439
\$50 billion	\$2,226,952
\$60 billion or more	\$2,552,192

SAVINGS AND LOAN DEPARTMENT
(Continued)

Specific Requirements. On September 1, 1989, the Savings and Loan Department is required to submit to the Directors of the Legislative Budget Board and the Governor's Office of Budget and Planning a report which sets forth the level of regulated assets under the Department's jurisdiction for approval of the appropriate appropriations level. Upon such approval, the Comptroller shall establish the appropriation level equal to the amount designated above.

Thereafter, the Savings and Loan Department may report on a quarterly basis, any change in the Department's total regulated assets which exceed one of the Regulated Asset thresholds indicated above for approval of the higher level of appropriations on an annualized basis. Upon such approval, the Comptroller shall establish the appropriation on an annualized basis to the amount designated above.

2. CLASSIFIED POSITIONS AUTHORIZED. Funds appropriated above may be expended to employ personnel in classified position titles listed in Article V of the Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Office for use by this department.
3. APPROPRIATION OF RECEIPTS. There is hereby appropriated to the Texas Savings and Loan Department all monies received as incidental or necessary to the implementation of authorized Supervision Proceedings. Such monies may be expended by the department to pay costs incidental to such proceedings, including, but not limited to, the salary and per diem expenses of the appointed supervisory agent.
4. Department is hereby authorized to transfer an amount not to exceed 15 percent in fiscal year 1990 and 10 percent in fiscal year 1991 of any line item appropriation between items 1. Administration and 2. Examination and Supervision. All transfers between items must have prior approval of the Finance Commission of Texas.
5. SALARY ADJUSTMENT AUTHORIZED. Notwithstanding other provisions of this Act, the Savings and Loan Department is authorized to adjust salaries of the Financial Institutions Examiners to rates within the designated salary group for the purpose of recruiting, employing and retaining examination personnel.

The Savings and Loan Department is required to submit for review and final approval a career ladder for Financial Institutions Examiners to the State Classifications Officer by October 1, 1989. The proposed career ladder should detail employment salary rates, experience, and time periods required for progression.

In the event that approval is not granted by November 1, 1989, the Department shall revert to the provisions of Article V of this Act as it pertains to employment and salary.

SAVINGS AND LOAN DEPARTMENT
(Continued)

6. PER DIEM AUTHORIZED. With money appropriated by this Act to the Texas Savings and Loan Department, the Department may pay the travel and per diem costs incurred by a member of the Savings and Loan Section of the Finance Commission in the course of the member's participation on the Commission.
7. FEDERAL PER DIEM AUTHORIZED. Financial Institutions Examiners employed by the Savings and Loan Department, when (1) traveling on official state business related to the examining function of the Savings and Loan Department and (2) participating in a joint examination with the Federal Home Loan Bank or its successor or other federal regulatory agencies, shall be authorized reimbursement for travel expenses at a rate of per diem equal to that of the participating federal regulatory agency.
8. LIMITATION, USE OF AUTOMOBILES. None of the funds appropriated above may be used by the agency for the purchase and/or maintenance of any additional or replacement automobiles during the biennium. It is the intent of the Legislature that the agency's current fleet of automobiles be phased out by August 31, 1990, and that the agency begin reimbursing its personnel on a standard mileage basis.
9. FEDERAL DATA COMMUNICATION REQUIRED. The Savings and Loan Department shall develop and implement an on-line data link-up capability with the Federal Home Loan Bank's central computers in Dallas and Washington, D.C. or its successor or other federal regulatory agencies.
10. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 511 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.
11. EXAMINER TRAINING PROGRAM REQUIRED. The Savings and Loan Department shall develop and implement an examiner training program for all levels of examiners that ensures an adequate number and appropriate range of classroom training hours for each examiner and that makes maximum use of the subsidized training opportunities offered by the Federal Home Loan Bank's Office of Education or its successor, or other federal regulatory agencies.
12. JOINT EXAMINATION REQUIRED. The Savings and Loan Department shall develop a formal plan of examination in cooperation with the Federal Home Loan Bank or its successor, or other federal regulatory agencies which focuses on those areas of greatest regulatory need and where cooperation between state and federal regulators would be mutually beneficial and cost-effective.

COMMISSION ON FIRE PROTECTION PERSONNEL STANDARDS AND EDUCATION

	For the Years Ending	
	August 31,	August 31,
	1990	1991
Out of the General Revenue Fund:		
1. Administration, Certification and Inspection	212,300	211,909
GRAND TOTAL, COMMISSION ON FIRE PROTECTION PERSONNEL STANDARDS AND EDUCATION	\$ 212,300	\$ 211,909
	=====	=====

Schedule of Exempt Positions

Executive Director	\$ 35,000	\$ 35,000
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SCHEDULE OF CLASSIFIED POSITIONS,
COMMISSION ON FIRE PROTECTION PERSONNEL STANDARDS AND EDUCATION

GROUP 17
7010 Consultant, Instructional Services

GROUP 15
1504 Administrative Technician IV, 4

GROUP 07
0135 Secretary III

GROUP 06
0203 Key Entry Operator II, 2

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Commission on Fire Protection Personnel Standards and Education. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ 6,980	\$ -0-
Total, Capital Outlay	\$ 6,980	\$ -0-
	=====	=====

COMMISSION ON FIRE PROTECTION PERSONNEL STANDARDS AND EDUCATION
(Continued)

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

3. REAPPROPRIATION OF RECEIPTS, TEST FEES. All funds collected from state certification tests administered to full-time, paid fire protection personnel are hereby appropriated to the Commission on Fire Protection Personnel Standards and Education. Any balance remaining from test fees collected as of August 31, 1990 are hereby reappropriated for the same purpose for the biennium beginning September 1, 1990. Test fees collected by the Commission shall cover all costs associated with the state certification tests as required by Sec. 6A(b), Article 416.010, Government Code, including the employment of additional commission personnel.
4. TRAINING ASSISTANCE FUNDS CONTINGENCY. Contingent upon passage of House Bill 457, Seventy-first Legislature, Fire Department Training Assistance funds are hereby appropriated to the Commission on Fire Protection Personnel Standards and Education for the 1990-91 biennium for the purpose as designated in the legislation.

FIREMEN'S PENSION COMMISSIONER

	For the Years Ending	
	August 31,	August 31,
	1990	1991
Out of the General Revenue Fund:		
<u>Administration and Certification</u>		
1. Administration	<u>170,671</u>	<u>168,350</u>
GRAND TOTAL, FIREMEN'S PENSION COMMISSIONER	\$ <u>170,671</u>	\$ <u>168,350</u>

Schedule of Exempt Positions

Commissioner	\$ 35,000	\$ 35,000
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SCHEDULE OF CLASSIFIED POSITIONS, FIREMEN'S PENSION COMMISSIONER

GROUP 17
1506 Administrative Assistant

GROUP 14
1089 Auditor II, 2

GROUP 09
0138 Administrative Secretary

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Firemen's Pension Commissioner. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ <u>750</u>	\$ <u>-0-</u>
Total, Capital Outlay	\$ <u>750</u>	\$ <u>-0-</u>

FIREMEN'S PENSION COMMISSIONER
(Continued)

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

FUNERAL SERVICE COMMISSION

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Administration, Licensing and Enforcement	325,110	325,110
GRAND TOTAL, FUNERAL SERVICE COMMISSION	\$ 325,110	\$ 325,110

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 39,588	\$ 39,588
Per Diem of Board Members	9,900	9,900

SCHEDULE OF CLASSIFIED POSITIONS, FUNERAL SERVICE COMMISSION

GROUP 17

1563 Program Administrator I

GROUP 15

3535 Attorney II

GROUP 14

3644 Investigator II, 2

GROUP 13

1503 Administrative Technician III

GROUP 08

1501 Administrative Technician I

GROUP 06

0055 Clerk III

OFFICE OF THE GOVERNOR

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Main Office	3,119,914	3,119,914
2. Mansion Operations	161,216	161,216
3. Personnel and Employment Opportunity Office and Commission for Women	215,054	215,054
4. Budget and Planning Office	<u>3,026,198</u>	<u>3,001,678</u>
Total, Office Operations	\$ <u>6,522,382</u>	\$ <u>6,497,862</u>
5. Assistance to Regional Planning Commissions	\$ 2,337,237	\$ 2,337,237
6. Criminal Justice Planning Division Administration and Grants to State Agencies and Local Entities, estimated	40,019,496	40,026,101 & U.B.
7. Contributions Incident to Memberships	540,675	565,195
8. Deficiency and Emergency Grants, estimated	U.B.	U.B.
9. Payments to National Guard Troops	U.B.	U.B.
10. Energy Grants and Oil Overcharge	85,574,257	85,574,257
11. Disaster Contingency Grants	<u>U.B.</u>	<u>U.B.</u>
GRAND TOTAL, OFFICE OF THE GOVERNOR	\$ <u>134,994,047</u> =====	\$ <u>135,000,652</u> =====

Method of Financing:

General Revenue Fund	\$ 7,785,705	\$ 7,785,705
Oil Overcharge Funds	85,671,426	85,671,426
Criminal Justice Planning Fund No. 421, estimated	40,019,496	40,026,101
Federal Funds, estimated	1,255,467	1,255,467
Earned Federal Funds	53,545	53,545
Interagency Contracts, estimated	208,408	208,408
Disaster Contingency Fund No. 453	<u>U.B.</u>	<u>U.B.</u>
Total, Method of Financing	\$ <u>134,994,047</u> =====	\$ <u>135,000,652</u> =====

Schedule of Exempt Positions

Governor	\$ 93,432	\$ 93,432
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OFFICE OF THE GOVERNOR
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Office of the Governor. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the Criminal Justice
Planning Fund No. 421:

1. Acquisition of Computer Equipment and Software	\$ 17,648	\$ 11,043
Total, Capital Outlay	\$ 17,648 =====	\$ 11,043 =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFER AUTHORITY. In case of an emergency and to provide for the effective and efficient operation of the Governor's Office, the Governor shall have the authority to transfer between items of appropriation up to 35 percent of the amounts shown in Items 1., Main Office, 2., Mansion Operations, 3., Personnel and Employment Opportunity Office and Commission for Women, 4., Budget and Planning Office, 5., Assistance to Regional Planning Commissions, 6., Criminal Justice Planning Division, Administration and Grants to State Agencies and Local Entities, 7., Contributions Incident to Memberships, and 8., Deficiency and Emergency Grants. An annual report detailing all such transfers shall be submitted to the Legislative Budget Board.
3. UNEXPENDED BALANCES. Any unexpended balances as of August 31, 1990, in the appropriations made herein to the Office of the Governor are hereby reappropriated for the same purposes for the fiscal year beginning September 1, 1990.
4. USE OF ASSISTANCE TO REGIONAL PLANNING COMMISSIONS. Funds appropriated above in Item 5., Assistance to Regional Planning Commissions, are to provide assistance to metropolitan and rural regional planning commissions exercising the planning functions authorized by Chapter 570, Acts of the Fifty-ninth Legislature, Regular Session, 1965, as amended, and for administrative expenses (including salaries, professional fees and services, part-time and seasonal help, travel, consumable supplies and materials, current and recurring operating expenses, and capital outlay) relating to services to the regional planning agencies.
5. REPORTING REQUIREMENTS, ASSISTANCE TO REGIONAL PLANNING COMMISSIONS. Every recipient of funds appropriated in Item 5., Assistance to Regional Planning Commissions shall annually publish a complete financial statement, including a listing of receipts and expenditures by accounts, together with an enumeration of each employee of the recipient, by job title, and the annual

OFFICE OF THE GOVERNOR
(Continued)

compensation of each, and such financial statement shall be made available to each member of the Legislature, and other state officials in compliance with the Distribution of Reports listed in Article V of this Act.

6. APPLICATION REQUIREMENTS, CRIMINAL JUSTICE PLANNING FUND. None of the funds received by the Criminal Justice Planning Division and appropriated by this Act shall be used to finance any program of any state agency which receives state funds appropriated by this Act unless the state agency submits the application to the Legislative Budget Board prior to the formal consideration of the application by the Criminal Justice Advisory Board.
7. FINANCIAL AUDIT REQUIRED FOR GRANTEEES. Each city, county, and council of government awarded grant applications by the Criminal Justice Planning Division in excess of a total of fifty thousand dollars during a calendar year shall have an independent annual CPA financial audit of grant applications whose grant period expired during the preceding calendar year. Each non-profit corporation awarded a grant shall be audited annually by the Criminal Justice Planning Division or by an independent CPA firm. A copy of each independent CPA audit shall be filed with the Criminal Justice Planning Division and the Legislative Budget Board. Anti-fencing, sting, and similar grants shall be audited only by the Criminal Justice Planning Division. In the event any audit exceptions result in funds being returned to the state, the Criminal Justice Division is authorized to charge interest on such amounts until fully repaid.
8. POLITICAL AID AND LEGISLATIVE INFLUENCE PROHIBITED. None of the funds appropriated to the Criminal Justice Planning Division, regardless of their source or character, may be used for influencing the outcome of any election, or the passage or defeat of any legislative measure. Before the Criminal Justice Planning Division may release any funds to a grantee who receives funds from the Criminal Justice Planning Division under this Act, each grantee shall certify in writing to the Criminal Justice Planning Division that none of the funds provided in such grant will be used for influencing the outcome of any election, or the passage or defeat of any legislative measure.
9. REPORTING REQUIREMENTS, CRIMINAL JUSTICE PLANNING DIVISION. The Criminal Justice Planning Division shall notify the members of the Senate and House of Representatives of each grant application received from their individual district prior to the formal consideration of the application by the Criminal Justice Advisory Board and shall further advise each such member of the Legislature of the approval of any grant prior to announcement thereof to the grantee or the public.
10. USE OF POSITION CLASSIFICATION PLAN. Notwithstanding the provisions of this Act relating to the Position Classification Plan, the Governor may, at his discretion, determine the step within the salary pay group for compensation for personnel employed in the Governor's Office under the Position Classification Plan.

OFFICE OF THE GOVERNOR
(Continued)

11. TRAVEL FOR SECURITY PERSONNEL. Notwithstanding other provisions of this Act, commissioned Department of Public Safety personnel when transporting and providing security for the Governor and his or her spouse shall be reimbursed for their actual meals, lodging and incidental expenses when on official travel in or out of the state.
12. UNEXPENDED BALANCES, EMERGENCY AND DEFICIENCY GRANTS. Any unexpended balances as of August 31, 1989, in appropriations for deficiency and emergency grants made in Senate Bill 1, Seventieth Legislature, Second Called Session, are hereby reappropriated for the biennium beginning September 1, 1989. The purposes of these appropriations are for payments of claims arising prior to the convening of the next Legislature by the Governor in accordance with Article 4351, V.A.C.S., and for grants-in-aid in cases of disasters with the need for and the amount of such aid to be determined by the Governor, and for other purposes needed in the operations of State departments and agencies, including legal defense of officials and employees; and for emergency use in accordance with Article 689a-4c, V.A.C.S.

Additionally, upon certification by the Governor that an emergency exists within the scope of the above cited provisions in an agency funded out of special funds, there are hereby appropriated amounts necessary from special funds to meet the deficiency or emergency and the Comptroller of Public Accounts shall transfer from the special fund to the necessary appropriation account the amount certified as necessary to meet the deficiency or emergency. Transfers made under this provision shall be made only when sufficient balances over appropriated amounts exist in the special fund. The Governor may, according to the terms of the deficiency or emergency award, require the agency to repay all or part of the award. The repayment may be accomplished by purchase voucher, journal entry, or other procedures established by the Governor's Office with the concurrence of the Comptroller of Public Accounts.

13. UNEXPENDED BALANCES, PAYMENTS TO NATIONAL GUARD TROOPS. Any unexpended balances as of August 31, 1989, in Item 10. Payments and Emergencies to National Guard Troops, in Senate Bill 1, Seventieth Legislature, Second Called Session, are hereby reappropriated for the same purposes for the biennium beginning September 1, 1989.
14. DESIGNATION OF EXEMPT POSITIONS. Pursuant to the provisions of this Act and other state and federal legislation, and notwithstanding restrictions in this Act relative to the authority of the Governor to exempt positions from the Position Classification Act of 1961, the Governor may designate the title, number and compensation rate of exempt positions to be used by the Office of the Governor.
15. UNEXPENDED BALANCES, DISASTER CONTINGENCY FUND. Any unobligated balances as of August 31, 1989 in the Disaster Contingency Fund No. 453 are hereby reappropriated for the biennium beginning September 1, 1989, for the purpose of implementing the provisions of House Bill No. 2032, Acts of the Sixty-fourth Legislature.

OFFICE OF THE GOVERNOR
(Continued)

16. APPROPRIATION OF EARNED FEDERAL FUNDS. Any balances remaining as of August 31, 1989, plus any revenues received during the biennium beginning September 1, 1989 identified as earned federal funds are hereby appropriated to the Office of the Governor for use in the operations of the office.
17. LIMITATION OF CONTRIBUTIONS INCIDENT TO MEMBERSHIPS. Payments for contributions incident to memberships shall be limited to those organizations paid in 1987. None of the funds appropriated above shall be used to make any payment to the Southern Growth Policies Board.
18. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.
19. OFFICE OF FEDERAL FUNDS MANAGEMENT. In compliance with the Office of the State Auditor report on Maximizing Federal Grant Funding, the Office of the Governor is authorized from the funds appropriated above to expend up to \$219,996 in each year of the biennium to establish a Central Office of Federal Funds Management. The primary duty of the Central Office of Federal Funds Management will be to provide the state with federal funds analysis, oversight function and to act as the state's grant information clearinghouse. The office shall work closely with the Texas Office of State-Federal Relations, particularly in the area of monitoring the impact of proposed federal grant legislation and regulation.
20. CONTINGENCY, CRIME STOPPERS ASSISTANCE FUND. Contingent upon the final passage of Senate Bill 1451 or House Bill 2425, Seventy-first Legislature, there is hereby appropriated to the Office of the Governor, Criminal Justice Division all receipts deposited to the Crime Stoppers Assistance Fund for fiscal years 1990-1991 to implement the provisions of the bill.

OFFICE OF THE GOVERNOR
(Continued)

21. CONTINGENCY FOR SENATE BILL 1147. Contingent upon passage of legislation establishing a Texas Education Excellence Award System, there is hereby appropriated \$10 million out of the General Revenue Fund to the Office of the Governor for the biennium beginning September 1, 1989.

BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING AIDS

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Administration, Licensing and Enforcement	64,939	64,939
GRAND TOTAL, BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING AIDS	\$ 64,939	\$ 64,939

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 25,500	\$ 25,500
Per Diem of Board Members	3,240	3,240

SCHEDULE OF CLASSIFIED POSITIONS,
BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING AIDS

GROUP 11

1502 Administrative Technician II

INVESTIGATION EXPENDITURE AUTHORIZED. From amounts appropriated to Per Diem of Board Members, and Administration, Licensing and Enforcement, the Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids is authorized to expend an amount, not to exceed \$5,000, for investigations by the Board and/or Executive Director deemed necessary by the Board.

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

	For the Years Ending August 31, 1990	August 31, 1991
1. Administration and Support:		
a. Executive Administration	1,489,193	1,499,339
b. Planning and Research	22,888,363	23,314,691

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
(Continued)

c. Support Operations	<u>94,635,106</u>	<u>95,506,580</u>
Total, Administration and Support	\$ <u>119,012,662</u>	\$ <u>120,320,610</u>
2. Highway Maintenance:		
a. Maintenance Management	\$ 15,311,803	\$ 15,335,689
b. Maintenance Work	402,450,531	401,389,792
c. Ferries and Tunnel Operations	11,851,562	16,649,460
d. Contractor Payments - Maintenance	147,588,093	145,000,000
		<u>& U.B.</u>
Total, Highway Maintenance	\$ <u>577,201,989</u>	\$ <u>578,374,941</u>
3. Highway Construction:		
a. Construction Management	\$ 18,190,874	\$ 18,028,844
b. Preliminary and Construction Engineering	179,279,719	174,776,125
c. Right of Way Acquisition	135,000,000	135,000,000
d. Contractor Payments - Construction (estimated to be)	1,373,171,928	1,530,681,036
		<u>& U.B.</u>
Total, Highway Construction	\$ <u>1,705,642,521</u>	\$ <u>1,858,486,005</u>
4. Highway Auxiliary Operations:		
a. Public Travel and Information Services	\$ 11,770,410	\$ 12,793,356
b. Motor Vehicle Registration and Titling	33,065,584	34,000,726
c. Contractor Payments-Off System Railroad Grade Protection	1,500,000	U.B.
d. Outdoor Advertising and Junkyard Control	117,666	118,071
e. Traffic Safety Promotion	11,345,248	11,351,422
f. Gulf Intracoastal Waterway Improvements	1,444,700	95,048
		<u>& U.B.</u>
Total, Highway Auxiliary Operations	\$ <u>59,243,608</u>	\$ <u>58,358,623</u>
5. Public Transportation Development:		
a. Coordination and Technical Support	\$ 1,042,122	\$ 1,042,613
b. Financial Assistance	<u>32,301,326</u>	<u>U.B.</u>
Total, Public Transportation Development	\$ <u>33,343,448</u>	\$ <u>1,042,613</u>
GRAND TOTAL, DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION	\$ <u>2,494,444,228</u> =====	\$ <u>2,616,582,792</u> =====

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
(Continued)

Method of Financing:

State Highway Fund No. 006, estimated	\$ 1,546,842,224	\$ 1,630,054,297
Traffic Safety Fund No. 029	1,745,248	1,701,422
Texas Highway Beautification Fund No. 071	117,666	118,071
Public Transportation Fund No. 451	234,611	
Federal Funds, estimated	<u>945,504,479</u>	<u>984,709,002</u>
Total, Method of Financing	<u>\$ 2,494,444,228</u>	<u>\$ 2,616,582,792</u>

Schedule of Exempt Positions and Per Diem of Commission Members

Engineer-Director	\$ 80,000	\$ 80,000
Deputy Engineer Director	76,000	76,000
Deputy Director	4 74,000	4 74,000
Director VII	2 74,000	2 74,000
Director VI	6 70,000	6 70,000
Director V	8 62,000	8 62,000
Director IV	32 60,000	32 60,000
Director III	38 52,000	38 52,000
Director II	55 50,000	55 50,000
Director I	59 48,500	59 48,500
General Counsel	52,000	52,000
Per Diem of Commission Members	21,600	21,600

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Department of Highways and Public Transportation. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Construction, Repair and Renovation	\$11,230,000	\$11,221,500 & U.B.
2. Acquisition of Computer Equipment and Software	12,792,333	29,206,739
3. Highway Construction Equipment	<u>8,485,200</u>	<u>9,800,600</u>
Total, Capital Outlay	<u>\$32,507,533</u>	<u>\$50,228,839</u>

Method of Financing:

State Highway Fund No. 006	\$32,501,973	\$50,223,279
Traffic Safety Fund No. 029	700	700
Public Transportation Fund No. 451	<u>4,860</u>	<u>4,860</u>
Total, Method of Financing	<u>\$32,507,533</u>	<u>\$50,228,839</u>

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
(Continued)

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. **TRANSFER AUTHORITY.** The State Department of Highways and Public Transportation is hereby authorized to transfer appropriations from any line item into item 2.d. Contractor Payments-Maintenance, Item 3.c. Right-of-Way Acquisition and Item 3.d. Contractor Payments-Construction. In addition funds may be transferred between sub-items within a program except that no funds may be transferred from any source into Item 1.a. Executive Administration, 2.a. Maintenance Management, 3.a. Construction Management and 5.a. Coordination and Technical Support. No funds may be transferred out of Items 2.d. Contractor Payments-Maintenance, or 3.c. Right-of-Way Acquisition, or 3.d. Contractor Payments-Construction except that transfers may be made between those items.

Provided, however, the Highway Commission may transfer such amounts between items/sub-items as necessary to fund emergency expenditures which includes periods of cash flow shortages as certified by the Governor and after filing a copy of this certification with the Legislative Budget Board.

3. **TRANSFER TO FUND NO. 029.** The Comptroller of Public Accounts is authorized to transfer \$1,800,000 from the constitutionally dedicated portion of State Highway Fund No. 006 to the Traffic Safety Fund No. 029 each year of the biennium and such funds are hereby appropriated for the biennium beginning with the effective date of this Act.
4. **APPROPRIATION SOURCES.** The amounts specified above from State Highway Fund No. 006, Traffic Safety Fund No. 029, Texas Highway Beautification Fund No. 071, and Public Transportation Fund No. 451 are appropriated from revenues received during the biennium beginning with the effective date of this act and from any balances on hand at the beginning of the biennium.
5. **PUBLIC TRANSPORTATION FINANCING.** Funds appropriated above to program 5., Public Transportation Development, include \$9,600,000 for the biennium from the non-constitutionally dedicated portion of State Highway Fund No. 006. Should the Seventy-first Legislature enact legislation which establishes new allocation formulas for expenditures from Public Transportation Fund No. 451, the \$9,600,000 of non-constitutionally dedicated revenues appropriated above shall be transferred to Public Transportation Fund No. 451 for expenditure from Fund No. 451.
6. **FUND NO. 451 BALANCES.** In addition to funds appropriated above, any funds remaining in the Public Transportation Fund No. 451 are hereby appropriated to Item 5.b. for the biennium beginning with the effective date of this act.
7. **MAGAZINE APPROPRIATIONS.** The State Highway and Public Transportation Commission is directed to set subscription rates and other charges for Texas Highways Magazine at a level that will generate receipts approximately sufficient to cover the costs incurred in the production and distribution of the magazine. In addition to funds appropriated above, the department is hereby appropriated to line item 4.a., Public Travel and Information Services, any magazine revenues generated above \$ 4,494,900 for the 1990 fiscal year and \$ 4,787,600 for the 1991 fiscal year. Funds may be utilized

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
(Continued)

- only for the purpose of magazine costs. The State Department of Highways and Public Transportation may transfer to Line Item 4.a. from revenue available from prior years subscription fees, in the event of unforeseen or unusual expenditures associated with the production costs of the Texas Highways Magazine.
8. ROAD UTILITY DISTRICT PROVISION. The Comptroller of Public Accounts is authorized to transfer to State Highway Fund No. 006 all receipts deposited in the General Revenue Fund pursuant to Section 5(c) of Senate Bill No. 33, Sixty-eighth Legislature, Second Called Session. Such funds are hereby appropriated for the biennium beginning with the effective date of this act for the purpose of defraying the costs of hearing and processing Road Utility District petitions. Any balance remaining after defraying such costs may be used by the department for the maintenance and construction of highways.
 9. HOURLY WAGE RATES. The State Highway and Public Transportation Commission is expressly authorized to determine the wage rates paid to hourly employees subject to the qualifications provided hereinafter; provided, however, that it is the intent of the Legislature that the commission, in carrying out its employee compensation policy, shall provide for a merit wage increase program for the department's hourly paid employees comparable to that authorized for its classified employees as provided by the General Provisions of this Act. It is provided further that it is the intent of the Legislature that such merit wage increase program for hourly paid employees be administered uniformly throughout the department, statewide, and as between administrative districts, and not be superseded by district administrative policy interpretation. In expending the funds appropriated herein, the department may award merit raises in varying amounts according to the nature of work performed or the job title held, provided such merit raises do not exceed the top step for a particular job as determined by the Department.
 10. RESTRICTION ON SALARY SUPPLEMENTATION. It is expressly provided that none of the funds appropriated hereinabove shall be used or expended in payment of full or partial salaries, or to participate in supplementing any salaries for any kind of work done for, by or under the supervision or direction of the State Department of Highways and Public Transportation, other than the amounts specifically provided for by the terms of this Appropriations Act.
 11. HOLIDAY PAY PROVISION. Notwithstanding the provisions of Article V, Section 7, of this bill, the State Department of Highways and Public Transportation is authorized to grant compensatory time off or to pay hourly employees for work performed on official state holidays in addition to any applicable holiday pay.
 12. COMPENSATORY PAY PROVISION. In order to operate in the most economical manner, when inclement weather or other circumstances beyond the control of the Department prevent construction or maintenance employees from performing their normal duties, the State Department of Highways and Public Transportation is authorized to grant such employees time off with pay with the hours charged to the Compensatory Time Taken Account, provided that such advanced time must be repaid by the employee at a time, and in the most appropriate manner as determined by the Department within the following twelve months or at termination, whichever is sooner.

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
(Continued)

13. EQUAL EMPLOYMENT. To the maximum extent feasible, the Department shall implement its Equal Employment Opportunity Plan to hire and promote qualified minority employees into vacant supervisory and management positions.
14. CLOTHING ALLOWANCE. From the funds appropriated above the State Department of Highways and Public Transportation is hereby authorized to pay a clothing allowance of \$500 per person per year for required uniforms to travel counselors and tourist bureau supervisors employed by the department.
15. WORKERS COMPENSATION INSURANCE. Any necessary amounts of the moneys appropriated above may be used to pay all expenses under and by virtue of the Act of the Forty-fifth Legislature, Regular Session, creating a system of compensation insurance for employees of the State Department of Highways and Public Transportation; and the department is expressly authorized to employ a sufficient number of employees necessary to carry out the terms and provisions of said Act.
16. LIMITATION ON RESIDENCES. None of the funds appropriated hereinabove may be expended for the purchase, construction, or maintenance of residences for employees of the State Department of Highways and Public Transportation except maintenance camps in isolated areas and bridge tenders' buildings.
17. COURT COSTS. Any necessary amounts of the moneys appropriated above may be used by the State Department of Highways and Public Transportation to pay refunds authorized by law, and to pay court costs in suits involving the State Department of Highways and Public Transportation.
18. LICENSE PLATE CONTRACTS. Any necessary amounts of the moneys appropriated above may be used by the State Department of Highways and Public Transportation to reimburse the Department of Corrections for the cost of manufacturing motor vehicle license plates, and said Department of Corrections shall be reimbursed as license plates are delivered and invoices are rendered to the department. At the time manufacture is started, the State Purchasing and General Services Commission shall fix a price to be paid per license plate, and shall use as the basis for such price the costs of steel, paints and other material purchased, and the inmate maintenance cost per day, and overhead expense, and miscellaneous charges, and the amount of profit previously approved for such work.
19. PAYMENT OF FUEL TAXES. The State Department of Highways and Public Transportation is authorized to pay directly to the Comptroller of Public Accounts out of funds appropriated for operations and maintenance any fuel taxes as required by law.
20. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
(Continued)

- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
- b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

21. AUTOMATED REGISTRATION SYSTEM. Funds appropriated in Article VII of this Act include \$1,311,416 in 1990 and \$19,010,213 in 1991 for automation of the state's motor vehicle title and registration system. These funds are contingent upon approval by the Automated Information and Telecommunications Council (AITC) that the proposed system is cost effective and includes clear objectives and a specific implementation schedule.
22. RAILROAD GRADE PROTECTION. The amount appropriated for Item 4.c., Contractor Payments - Off-System Railroad Grade Protection, represents actual disbursements to be made for this purpose during the biennium. This appropriation is contingent upon the following conditions: (a) that the department include a clause "subject to legislative appropriations" to all project approval agreements made by the department; (b) that the department's total project approvals made during the biennium do not exceed \$1,500,000; and (c) that the department submit, as part of its Annual Report, an itemized list giving a description and the amount of each project approved during the biennium and the status of all projects previously approved and not completed.
23. INTERNAL AUDIT. The State Department of Highways and Public Transportation shall establish and maintain a system of district and division internal auditors reporting directly to a central director of internal audits.
24. PUBLIC TRANSPORTATION ALLOCATION. Funds appropriated above in Item 5.b., Financial Assistance, are for assistance to any non-profit or public agency eligible to apply for or receive federal Department of Transportation funding for public transportation purposes. The department shall, to the extent possible, attempt to allocate funds so as to equally assist rural transportation providers and transit departments in small or medium population urban areas. It is the intent of the Legislature that these funds not be provided to metropolitan transportation authorities (MTAs) or city transit departments as authorized by Articles 1118x, y, or z, V.A.C.S. Should the Seventy-first Legislature enact legislation which establishes new allocation formulas for expenditures from the Public Transportation Fund No. 451, the restrictions above shall not apply.

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
(Continued)

25. LICENSE PLATE APPROPRIATION BALANCES. Any unobligated balance of the appropriation remaining after the first year of the biennium for Item 4.b. above which is intended for the purchase of vehicle license plates and vehicle registration validation stickers, may be used for the same purpose during the second year of the biennium.

26. CONSULTANT ENGINEERING CONTRACTS. In order to insure that the department maintains the lowest practicable staffing levels, engineers in private practices shall be utilized for highway design projects if proven to the satisfaction of the Highway Commission to be cost effective on highway construction projects.

27. NON-DEDICATED REVENUES. The Legislature hereby determines that all programs statutorily under the jurisdiction of the State Department of Highways and Public Transportation result in the improvement of the state highway system as specified in Article 6674e, V.A.C.S. Therefore, it is the intent of the Legislature that non-constitutionally dedicated revenues to State Highway Fund No. 006 may be utilized to finance any program statutorily under the jurisdiction of the State Department of Highways and Public Transportation. Non-constitutionally dedicated revenues may be expended for departmental purposes which are not authorized for constitutionally dedicated revenues.

28. MAINTENANCE CONTRACTS. (1) It is the intent of the Legislature that the State Department of Highways and Public Transportation utilize private sector contracts to the maximum extent when expending the amounts appropriated above for Item 2.b., Maintenance Work; provided if it is proven that a function of comparable quality and quantity can be purchased or performed at a savings of more than 10% through utilization of private sector contracts, then the department shall utilize private sector contracts for that function. Provided that the above mentioned criteria are met, it is the intent of the Legislature that the department shall utilize no less than 25% in each year of the biennium for Item 2.b., Maintenance Work contracts with the private sector.

 (2) The office of the State Auditor is hereby directed to report to the members of the Audit Committee and the Legislative Budget Office by September 1, 1990, on the department's implementation of recommendations included in the report entitled Review of Maintenance Management Controls: Texas State Department of Highways and Public Transportation (SAO) report number 9-070, February 1989).

29. MINIMUM WAGE CONTRACTS. In contracting for maintenance and construction contract work with the private sector, the State Department of Highways and Public Transportation shall require that contractors and subcontractors are paying all employees and contract labor at a rate at least equal to the federal minimum wage. The department shall withhold payments to contractors until their contractual obligations for paying employees and the contract labor have been fulfilled.

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
(Continued)

30. RUBBERIZED ASPHALT. (1) If the State Department of Highways and Public Transportation uses rubberized asphalt paving in its road construction, or for maintenance, the department shall use scrap tires converted to rubberized asphalt paving by a facility in this state if that paving material is available and competitively priced when compared with other asphalt products.
- (2) In comparing bids submitted for road construction that require paving, the department may give a preference to bids, the paving materials portion of which includes the use of rubberized asphalt paving made from scrap tires by a facility in this state if the cost of those materials is found to be cost-effective when considering both the initial cost of rubberized asphalt and the estimated additional benefits of pavement made of rubberized asphalt.
- (3) The department shall study the cost-effectiveness of rubberized asphalt for highway construction compared with other pavement materials and report those findings to the Legislative Budget Office. The department's report should include information on comparative costs of products, expected pavement lifetime, and availability of products.
31. RESEARCH PROJECTS. Funds appropriated above to Line Item 1.b., Planning and Research, include \$1,571,200 in 1990 and \$1,758,700 for research projects involved with the National Strategic Highway Research Program and the Highway Performance Monitoring System. The funds may be expended only for this purpose.
32. SCHOOL BUS SEAT BELTS. Contingent on the passage of House Bill 386 or Senate Bill 6, an additional \$1.0 million per year shall be transferred from State Highway Fund No. 006 to Traffic Safety Fund No. 029, and the appropriation for Line Item 4.e., Traffic Safety Promotion increased accordingly, for the purchase and installation of seat belts on school buses. The department shall contract with the Texas Education Agency to provide these funds to local school districts for the purchase and installation of seat belts in school buses.
33. EMERGENCY MEDICAL GRANTS. In addition to appropriations above \$500,000 for the biennium shall be transferred from State Highway Fund No. 006 to Traffic Safety Fund No. 029 with the appropriation for Line Item 4.e., Traffic Safety Promotion increased accordingly, and a minimum of \$1,500,000 for the biennium shall be expended for grants to improve emergency medical services.
34. COLLEGIATE LICENSE PLATES. If H.B. No. 121, 71st Legislature, Regular Session, is enacted and becomes law, in addition to other amounts appropriated by this Act, the portion of fees deposited, during the biennium ending August 31, 1991, in the state highway fund as provided by Section 5j, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-1 et seq., Vernon's Texas Civil Statutes), as added by H.B. No. 121, is appropriated to the State Department of Highways and Public Transportation for that period, for the purpose of payment of costs of administering Section 5j. If H.B. No. 121 does not become law, this provision has no effect. For purposes of this provision, a bill becomes law on signature by the governor or on becoming law under Article IV, Section 14, of the Texas Constitution without the governor's signature.

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
(Continued)

35. CAPITOL LICENSE PLATES. If H.B. No. 2409, 71st Legislature, Regular Session, is enacted and becomes law, in addition to other amounts appropriated by this Act, the portion of fees deposited, during the biennium ending August 31, 1991, in the state highway fund as provided by Section 51, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-1 et seq., Vernon's Texas Civil Statutes), as added by H.B. No. 2409, is appropriated to the State Department of Highways and Public Transportation for that period, for the purpose of payment of costs of administering Section 51. If H.B. No. 2409 does not become law, this provision has no effect. For purposes of this provision, a bill becomes law on signature by the governor or on becoming law under Article IV, Section 14, of the Texas Constitution without the governor's signature.

HISTORICAL COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Executive Administration:		
a. Agency Administration	325,599	325,599
b. Publication Services	118,008	118,008
Total, Executive Administration	\$ 443,607	\$ 443,607
2. Administration of National Historic Preservation Act:		
a. National Register	\$ 234,100	\$ 234,100
b. Division of Architecture	254,319	254,319
c. Archeological Planning and Review	238,464	238,464
d. Preservation Grants	20,157	20,157
Total, Preservation Act	\$ 747,040	\$ 747,040
3. Historic Coordination:		
a. County Historical Commission and Museum Services	\$ 82,984	\$ 82,984
b. Historical Markers	74,277	74,277
c. Main Street	289,780	286,794
d. Museum Grants	15,375	15,375
Total, Historic Coordination	\$ 462,416	\$ 459,430
4. Historic Management:		
a. Office of the State Archeologist	\$ 177,580	\$ 177,580
b. Antiquities Committee	124,958	124,958
Total, Historic Management	\$ 302,538	\$ 302,538

HISTORICAL COMMISSION
(Continued)

5. Sam Rayburn House	\$ 93,121	\$ 93,121
GRAND TOTAL, HISTORICAL COMMISSION	\$ 2,048,722	\$ 2,045,736
	=====	=====

Method of Financing:

General Revenue Fund	\$ 1,498,957	\$ 1,488,471
Federal Funds, estimated	454,359	454,359
Interagency Contracts	35,000	35,000
Reappropriated Receipts	60,406	67,906
Total, Method of Financing	\$ 2,048,722	\$ 2,045,736
	=====	=====

Schedule of Exempt Positions

Executive Director	\$ 47,904	\$ 47,904
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SCHEDULE OF CLASSIFIED POSITIONS (UL), HISTORICAL COMMISSION

GROUP 21

7310 State Archaeologist

GROUP 20

1557 Director of Programs I

GROUP 19

1551 Staff Services Officer I

2270 Restoration Consultant

GROUP 17

0546 Research Specialist II

1506 Administrative Assistant

1563 Program Administrator I

2256 Architect I

7308 Archaeologist III

GROUP 16

0515 Planning Assistant

1163 Accountant III

GROUP 15

0544 Research Specialist I

1504 Administrative Technician IV

1582 Technical Writer

1895 Museum Curator

2253 Architect Assistant II

7306 Archaeologist II

GROUP 14

1862 Information Specialist I

2251 Architect Assistant I

HISTORICAL COMMISSION
(Continued)GROUP 13

1162 Accountant II
1503 Administrative Technician III
7304 Archaeologist I

GROUP 12

1860 Journalist II
1946 Purchasing and Supply Officer I

GROUP 11

0540 Research Assistant I
1161 Accountant I
1502 Administrative Technician II

GROUP 10

0361 Photographer I
1859 Journalist I

GROUP 09

0138 Administrative Secretary
2009 Illustrator I

GROUP 08

0334 Photocomposer III
1003 Accounting Clerk III
1501 Administrative Technician I
2000 Drafter I

GROUP 07

0135 Secretary III
4206 Laboratory Technician III

GROUP 06

0133 Secretary II

GROUP 05

0131 Secretary I

GROUP 04

1001 Accounting Clerk I
1902 Stock Clerk II

GROUP 03

0103 Clerk Typist I

GROUP 02

8031 Groundskeeper I

HISTORICAL COMMISSION
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Historical Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ <u>250</u>	\$ <u>250</u>
Total, Capital Outlay	\$ <u>250</u> =====	\$ <u>250</u> =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. SAM RAYBURN HOUSE CARETAKER. A designated employee of the Texas Historical Commission may be provided the Caretaker's Cottage and utilities in return for living on the grounds of the Sam Rayburn House Museum in Bonham, Texas.
3. APPROPRIATION OF RECEIPTS. All fees that the Texas Historical Commission is authorized by statute to collect are hereby appropriated for the specific purpose named in the statute for the biennium beginning September 1, 1989.
4. TRANSFER AUTHORITY. The Texas Historical Commission is hereby authorized to transfer such amounts as may be necessary from the program item numbered 2., Administration of National Historic Preservation Act, sub-item d., Preservation Grants, to any other program and sub-item with the exception of the Executive Director's salary, when it is in the best interest of the state to make such transfers; provided, however, notice of any such transfers shall be shown in the minutes of the Commission.
5. COST RECOVERY OF HISTORICAL MARKERS. It is the intent of the Legislature that the Historical Commission recover the full costs of historical markers.
6. UNEXPENDED BALANCES, HISTORICAL MARKERS. Any balances on hand as of August 31, 1989 collected from the sale of historical markers are hereby reappropriated to the Historical Commission for the fiscal years beginning September 1, 1989 and September 1, 1990.
7. UNEXPENDED BALANCES, ANNUAL CONFERENCE. Any balances on hand as of August 31, 1989 and August 31, 1990, not to exceed \$1,500 each, collected from the Annual Conference are hereby reappropriated to the Historical Commission for the fiscal years beginning September 1, 1989 and September 1, 1990, respectively.

HISTORICAL COMMISSION
(Continued)

8. UNEXPENDED BALANCES, GIFTS AND DONATIONS. Any balances on hand as of August 31, 1989 and August 31, 1990 received as a gift or donation are hereby reappropriated to the Historical Commission for the fiscal years beginning September 1, 1989 and September 1, 1990 for the purpose specified by the donors.
9. PRESERVATION TRUST FUND CONTINGENCY APPROPRIATION. Contingent upon enactment of Senate Bill 294, funds appropriated in line item 2.d., Preservation Grants, are hereby appropriated to the Texas Preservation Trust Fund to be expended by the Texas Historical Commission in a manner consistent with the provisions of that bill.
10. PAYMENT FOR MAIN STREET SERVICES. All cities that are required by the Historical Commission to pay a fee for Main Street services must pay the commission's established fee before Main Street services are rendered.

COMMISSION ON HUMAN RIGHTS

	For the Years Ending	
	August 31, 1990	August 31, 1991
<u>Administration of Fair Employment Practices</u>		
1. Administration	80,601	80,601
2. Technical Assistance	170,481	170,481
3. Investigations - Federally Deferred Complaints	565,161	565,161
4. Investigations - Handicapped Complaints	65,492	65,492
	<u>65,492</u>	<u>65,492</u>
GRAND TOTAL, COMMISSION ON HUMAN RIGHTS	\$ 881,735 =====	\$ 881,735 =====
Method of Financing:		
General Revenue Fund	\$ 369,055	\$ 299,055
Federal Funds, estimated	512,680	512,680
Interagency Contracts, estimated	<u>70,000</u>	<u>70,000</u>
Total, Method of Financing	\$ 881,735 =====	\$ 881,735 =====

Schedule of Exempt Positions

Executive Director	\$ 49,650	\$ 49,650
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COMMISSION ON HUMAN RIGHTS
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Commission on Human Rights. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of Federal Funds:

1. Acquisition of Computer Equipment and Software	\$ <u>7,128</u>	\$ <u>7,128</u>
Total, Capital Outlay	\$ <u>7,128</u> =====	\$ <u>7,128</u> =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. ADDITIONAL CLASSIFIED POSITIONS. Funds appropriated above may be expended to employ personnel in classified position titles listed in Article V of the Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Office for use by this agency.
3. CASH FLOW CONTINGENCY. Contingent upon the receipt of federal funds allocated under the annual charge resolution contract with the U.S. Equal Employment Opportunity Commission, the Commission may temporarily utilize additional general revenue funds, pending the receipt of federal reimbursement, in an amount not to exceed 50 percent of the remaining estimated federal funds to be received in each year of the biennium. The general revenue amounts utilized above the general revenue method of finance must be repaid upon receipt of federal reimbursement and shall be utilized only for the purpose of temporary cash flow needs. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be in accordance with procedures established by the Comptroller. All transfers of the method of finance shall be reported by the Commission to the Legislative Budget Board.
4. SUNSET CONTINGENCY. Funds appropriated above for fiscal 1991 are made contingent on the continuation of the Commission on Human Rights by the Legislature. In the event the agency is not continued, the funds appropriated for fiscal 1990 or as much thereof as may be necessary are to be used to provide for the phase out of such agency operations.
5. APPROPRIATION OF REQUIRED COMPLIANCE TRAINING FUNDS. All receipts to the Commission on Human Rights from interagency contracts for training and any penalty received authorized in Article V of this Act are hereby appropriated to the commission for costs associated with training and assistance to state agencies in the 1990-1991 biennium.

COMMISSION ON HUMAN RIGHTS
(Continued)

6. EEO COMPLIANCE TRAINING FOR STATE AGENCIES. Out of funds appropriated for fiscal year 1990 in line item 2., Technical Assistance, the Commission on Human Rights shall make a good faith effort to recoup the cost of training agency personnel where the Commission has found the agency to be in violation of the Texas Commission on Human Rights Act pursuant to Article VI of that Act. Any costs paid for EEO compliance training to the Commission shall be deposited to the General Revenue Fund. The Commission shall concentrate training of managerial personnel to those in state agencies where complaints are being filed or violations have been found.
7. CONTINGENCY FOR SENATE BILL NO. 75. Contingent upon enactment of Senate Bill No. 75, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$149,500 for fiscal year 1990 and \$149,500 for fiscal year 1991, from Federal Funds is hereby appropriated for the purpose of implementing the provisions of the Act.

INDIAN COMMISSION

1. CONTINGENCY FOR SENATE BILL NO. 481. Contingent upon enactment of Senate Bill No. 481, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$139,046 for fiscal year 1990 and \$131,042 for fiscal year 1991, from the General Revenue Fund is hereby appropriated for the purpose of implementing the provisions of the Act.

INDUSTRIAL ACCIDENT BOARD

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Workers' Compensation Program:		
a. Administration	\$ 779,492	\$ 779,492
b. Staff Services	341,572	341,572
c. Records Maintenance	2,677,735	2,677,735
d. Review and Prehearing of Claim Files	4,232,274	4,232,274
e. Awards Evaluation	281,255	281,255
f. Medical Cost Evaluation	320,181	320,181
Total, Workers' Compensation Program:	<u>\$ 8,632,509</u>	<u>\$ 8,632,509</u>
2. Crime Victims Compensation Act:		
a. Administration	\$ 475,915	\$ 473,711
b. Medical Cost Evaluation	43,234	43,369

INDUSTRIAL ACCIDENT BOARD
(Continued)

c. Payment of Claims, estimated	<u>20,200,000</u>	<u>21,800,000</u>
Total, Crime Victims Compensation Act	\$ <u>20,719,149</u>	\$ <u>22,317,080</u>
GRAND TOTAL, INDUSTRIAL ACCIDENT BOARD	\$ <u>29,351,658</u>	\$ <u>30,949,589</u>

Method of Financing:

General Revenue Fund	\$ 8,046,509	\$ 8,046,509
Reappropriated Receipts, estimated	561,000	566,000
Federal Funds, estimated	5,478,360	5,720,035
Crime Victims Compensation Fund No. 469, estimated	15,205,789	16,557,045
Interagency Contracts	<u>60,000</u>	<u>60,000</u>
Total, Method of Financing	\$ <u>29,351,658</u>	\$ <u>30,949,589</u>

Schedule of Exempt Positions

Chairman	\$ 68,000	\$ 68,000
Board Members	2 68,000	2 68,000
Executive Director	58,500	58,500
Assistant Executive Director	53,000	53,000

SCHEDULE OF CLASSIFIED POSITIONS, INDUSTRIAL ACCIDENT BOARD

GROUP 21

0275 Director of ADP II
 1057 Senior Prehearing Examiner, Industrial Accident Board, 3
 1554 Chief of Staff Services
 1559 Director of Programs II, 3
 2164 Engineer V
 3501 Legal Examiner, 3
 5510 Regional Director, 2

GROUP 20

0252 Programmer Analyst II
 1056 Prehearing Examiner, Industrial Accident Board, 28
 1553 Staff Services Officer II, 4

GROUP 19

1551 Staff Services Officer I, 2

GROUP 18

0262 Systems Analyst II
 1084 Supervising Auditor I
 2845 Insurance Specialist V

INDUSTRIAL ACCIDENT BOARD
(Continued)GROUP 17

1563 Program Administrator I
1568 Staff Development Specialist I
1733 Personnel Officer III

GROUP 16

0241 ADP Programmer II, 2
1163 Accountant III
1550 Staff Services Assistant, UL
1863 Information Specialist II
4386 Nurse III
5061 Disability Determination Officer, UL

GROUP 15

1504 Administrative Technician IV, UL

GROUP 14

0143 Hearings Reporter III
0240 ADP Programmer I

GROUP 13

1162 Accountant II
1503 Administrative Technician III, UL

GROUP 12

1515 Office Services Supervisor III
1946 Purchasing and Supply Officer I

GROUP 11

0067 Clerical Supervisor IV, 2
1502 Administrative Technician II, UL

GROUP 09

0065 Clerical Supervisor III, 3
0138 Administrative Secretary

GROUP 08

0205 Key Entry Operator III, UL
1703 Personnel Clerk III

GROUP 07

0063 Clerical Supervisor II
0135 Secretary III, 5
0245 ADP Record Control Clerk II

GROUP 06

0055 Clerk III, UL
0128 Stenographer III
0133 Secretary II, 17
0203 Key Entry Operator II, UL

GROUP 05

0306 Duplicating Machine Operator I

INDUSTRIAL ACCIDENT BOARD
(Continued)

GROUP 04

0053 Clerk II
0106 Clerk Typist II, 2
0201 Key Entry Operator I

GROUP 02

0051 Clerk I

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Industrial Accident Board. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	\$ 150,000	\$ 150,000
Total, Capital Outlay	\$ 150,000	\$ 150,000
	=====	=====
Method of Financing:		
General Revenue Fund	\$ 150,000	\$ 150,000
Total, Method of Financing	\$ 150,000	\$ 150,000
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFER AUTHORITY. The Industrial Accident Board is hereby authorized to transfer funds appropriated hereinabove between Items 1.b., 1.c., 1.d., and 1.e.
3. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
- The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

INDUSTRIAL ACCIDENT BOARD
(Continued)

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

4. DATA COLLECTION REQUIRED. Out of funds appropriated above, the Industrial Accident Board shall continue to collect statistics on industrial accidents and deaths in the event that federal funds are reduced or terminated.
5. MEDICAL COST REVIEW REQUIRED. The Industrial Accident Board shall implement procedures to ensure that medical costs are reviewed by the Board staff in such a manner as to reduce or eliminate unreasonable charges.
6. INTERNAL AUDITOR REQUIRED. From the funds appropriated above, the Industrial Accident Board shall employ an internal auditor.
7. ACCOUNT AUTHORIZED. The Industrial Accident Board is authorized to accept deposits for prepayment of the purchase of copies, record checks, and similar services and such deposits are hereby appropriated for the fiscal biennium beginning September 1, 1989. Deposits shall be maintained in a separate account in the Comptroller's office until the services are provided and expensed. Refunds of unencumbered deposits shall be provided upon written request.
8. POSITION CLASSIFICATION AUTHORITY. Funds appropriated above may be expended to employ personnel in classified position titles in group 14 or below as listed in Article V of this Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Office for use by this agency.
9. CONTINGENT APPROPRIATION. Contingent upon passage of House Bill 1 or similar legislation, there is hereby appropriated for fiscal year 1991 out of the General Revenue Fund \$548,216 to the Industrial Accident Board, or its successor agency, who shall contract with the Department of Health to fund new health and safety requirements such as responding to complaints and on-site reviews. These funds will be used for the purpose of funding 20 positions: two in each region and four in the central office. In addition, an amount estimated to be \$107,169 is hereby appropriated out of the General Revenue Fund for the purpose of providing benefits for those employees hired pursuant to the above language. These appropriations from the General Revenue Fund shall be offset by increased revenues from the tax on workers' compensation insurance premiums.

BOARD OF INSURANCE

	For the Years Ending	
	August 31,	August 31,
	<u>1990</u>	<u>1991</u>
1. Board Offices	1,475,428	1,478,551
2. Commissioner's Office	1,316,571	1,316,367
3. Administrative Services	7,013,009	6,966,382
4. Regulated Lines and Licensing	16,500,072	16,588,704

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BOARD OF INSURANCE
(Continued)

5. Financial	9,611,024	9,691,981
6. Compliance	5,089,191	5,079,668
7. State Fire Marshal Office	2,765,604	2,847,572
8. Division of Consumer Protection	<u>986,823</u>	<u>985,508</u>
GRAND TOTAL, BOARD OF INSURANCE	\$ <u>44,757,722</u>	\$ <u>44,954,733</u>

Method of Financing:

Insurance Operating Fund No. 036	\$ 43,770,899	\$ 43,969,225
Consumer Protection Account	<u>986,823</u>	<u>985,508</u>
Total, Method of Financing	\$ <u>44,757,722</u>	\$ <u>44,954,733</u>

Schedule of Exempt Positions

Board Members	3	\$ 68,000	3	\$ 68,000
Commissioner of Insurance		66,000		66,000
State Fire Marshal		59,160		59,160
Associate Commissioner	6	59,160	6	59,160
Deputy Commissioner V	2	53,550	2	53,550
General Counsel		52,530		52,530
Liquidator/Receiver		52,530		52,530
Deputy Commissioner IV	9	52,530	9	52,530
Deputy Commissioner III	6	51,795	6	51,795
Deputy Commissioner II	12	50,534	12	50,534
Deputy Commissioner I	27	49,168	27	49,168
Executive Director, Division of Consumer Protection		58,600		58,600
Chief Actuary, Division of Consumer Protection		49,168		49,168
Chief Economist, Division of Consumer Protection		48,748		48,748

1. APPROPRIATION SOURCE, REHABILITATION OF INSURANCE COMPANIES. The Board of Insurance shall collect fees from companies that are successfully rehabilitated by the board. Fees collected shall be in amounts sufficient to cover, yet not exceed, the costs of the rehabilitation of those companies. All fees collected are hereby reappropriated for the biennium beginning September 1, 1989, for the sole purpose of the rehabilitation of other insurance companies.
2. LIQUIDATOR. Pursuant to Section 12A, Article 21.28, Insurance Code, the salaries and expenses of the liquidator and his employees are included in the above line item totals.

BOARD OF INSURANCE
(Continued)

3. TRAVEL EXPENSES. None of the moneys appropriated above to the State Board of Insurance may be expended for travel expense of employees of the Examination Division unless and until the State Board of Insurance has complied with the following requirements:
 - a. Has stationed such traveling employees at points within the state which will require only the smallest number of days of travel at the state's expense in the conduct of their official duties.
 - b. In the event that an employee's headquarters of work and place of residence are at different points, no per diem shall be allowed at either point regardless of duties performed. If the temporary post of duty is neither the employee's headquarters nor his place of residence, such employee may return to his headquarters or to his place of residence daily or on the weekend providing that the actual expense involved, including per diem, mileage or public transportation in returning to headquarters or place of residence daily or on weekends, shall never exceed the per diem allowance the employee would have received had he remained at this post of duty.
 - c. Has filed with the Comptroller on or before September 1, 1989, a statement giving the designated headquarters, place of residence, and reason for stationing each employee at the place designated as headquarters by the board. The reason for stationing must clearly show that the stationing requirement specified in paragraphs a. and b. above have been complied with. Such requirements must also be complied with when designated headquarters are changed from one point to another.
 - d. Has sent to each insurance company examined an itemized bill covering the costs of examination of such company.
4. CHANGING AN EMPLOYEE'S HEADQUARTERS. The above restrictions on the expenditure of appropriated funds for travel purposes shall not be construed as to prohibit the State Board of Insurance from changing an employee's headquarters from one place to another whenever in the board's judgment such change would result in more effective enforcement of the state's insurance laws or additional savings in travel expenditures.
5. OUT-OF-STATE EXAMINATIONS. The travel expense paid to examiners participating in out-of-state examinations may be paid at the rate of per diem recommended by the National Association of Insurance Commissioners. Such per diem shall commence at the time of departure from the employee's designated headquarters.
6. TRANSFER AUTHORITY. The State Board of Insurance is hereby authorized to transfer amounts not to exceed ten (10) percent per year between items of appropriation.

BOARD OF INSURANCE
(Continued)

7. APPROPRIATION - TEXAS GENERAL BASIS SCHEDULE. There is hereby appropriated from the Insurance Operating Fund an amount not to exceed \$136,000 for the biennium for the reprinting of the Texas General Basis Schedule.
8. APPROPRIATION - EMERGENCY DISASTER TRAVEL EXPENSE. Pursuant to the authority contained in Section 7 of the Texas Disaster Act of 1975, \$25,000 is hereby appropriated for the biennium out of the Insurance Board Operating Fund for emergency disaster travel expense for any employee assigned by the Commissioner of Insurance in carrying out the duties of this agency as prescribed by the above Act.
9. ADDITIONAL POSITIONS AUTHORIZED. Funds appropriated above may be expended to employ personnel in classified position titles listed in Article V of the Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Office for use by this agency.
10. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.
11. APPROPRIATION - DISASTER PROPERTY INSPECTIONS. Upon declaration under the Texas Disaster Act of 1975 of a disaster emergency which affects the geographical regions covered by the Texas Catastrophe Property Insurance Association, \$300,000 is hereby appropriated from the Insurance Operating Fund No. 36 for expenses related to property inspections as required by Section 6A, Article 21.49, Insurance Code.
12. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 036 to the General Revenue Fund.

BOARD OF INSURANCE
(Continued)

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

13. BONDED CONSTRUCTION PAYMENT. From the above appropriations, there shall be no appropriations made to pay off the bonds authorized under Senate Bill 64, Second Called Session, Seventieth Legislative Session for the Records and Equipment Warehouse for the State Board of Insurance (\$1,538,000) and for the State Board of Insurance Building (\$59,937,000) without the prior approval of the Legislative Budget Board.
14. COMPUTER PURCHASE CONTINGENCY. All purchases of computer equipment and software are contingent upon a prior finding of fact by the Director of the Legislative Budget Board that such purchases are in accordance with the agency's long-range plan filed with the Automated Information and Telecommunications Council.
15. APPROPRIATION SOURCE, DIVISION OF CONSUMER PROTECTION. Appropriations in Item 8. above for the Division of Consumer Protection shall be financed from revenues deposited into a general revenue account called "Consumer Protection Account". Any unobligated cash balances remaining in the account at August 31, 1989 may be brought forward to fiscal year 1990 to finance 1990 appropriations. Unobligated cash balances at August 31, 1990 may be brought forward to fiscal year 1991 to finance 1991 appropriations. Nothing in this provision shall be construed as authorizing additional appropriation authority.
16. FIRE DEPARTMENT EMERGENCY BOARD. If House Bill No. 708, Seventy-first Legislature, Regular Session, is enacted and takes effect, in addition to other amounts appropriated by this Act, the sum of \$1,000,000 is appropriated out of Insurance Operating Fund 036, for the period beginning on the effective date of House Bill No. 708 and ending on August 31, 1991, from the General Revenue Fund to the Fire Department Emergency Board, for the purpose of administering the program provided by House Bill No. 708. If House Bill No. 708 does not take effect, this provision has no effect. For purposes of this provision, House Bill No. 708 takes effect only if it is enacted by the Legislature and is signed by the Governor or becomes law under Article IV, Section 14, of the Texas Constitution without the Governor's signature, and if House Joint Resolution No. 33, Seventy-first Legislature, Regular Session, is proposed by the Legislature and adopted by the voters.
17. APPROPRIATION SOURCE, STATE FIRE MARSHALL. In the above appropriation for Line Item 7., State Fire Marshall, \$274,765 in fiscal year 1990 and \$352,882 in fiscal year 1991 is contingent upon the Board of Insurance increasing their fees to cover the costs of administering the program.

BOARD OF INSURANCE
(Continued)

18. REAPPROPRIATION OF UNEXPENDED BALANCES. Unexpended balances for fiscal years 1988, 1989, and 1990, not to exceed \$6,000,000, are hereby reappropriated for fiscal years 1990 and 1991. These funds are restricted to the installment purchase for a mainframe computer, related peripherals, software, services and maintenance and micro computer and image workstations. All expenditures for these purposes are contingent upon approval by the Automated Information and Telecommunications Council and the Legislative Budget Board.
19. EXPENDITURE LIMITATION, FINANCIAL. Of the funds appropriated above in Item 5., Financial, \$534,294 in fiscal year 1990 and \$574,264 in fiscal year 1991 is hereby made contingent upon the approval of a detailed management reorganization plan by the Legislative Budget Board.
20. EXPENDITURE LIMITATION, COMPLIANCE. Of the funds appropriated above in Item 6., Compliance, \$307,573 in fiscal year 1990 and \$298,050 in fiscal year 1991 is hereby made contingent upon the approval of a detailed management reorganization plan by the Legislative Budget Board.
21. CONTINGENCY APPROPRIATION, INSURANCE REFORM. Contingent upon enactment of Senate Bill No. 255, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$4,876,893 for fiscal year 1990 and \$3,654,515 for fiscal year 1991, from the Insurance Operating Fund No. 36 is hereby appropriated for the purpose of implementing the provisions of the Act. Such amounts are to be transferred to the appropriate program items.
22. CONTINGENCY APPROPRIATION, MEDICARE SUPPLEMENT INSURANCE. Contingent upon enactment of Senate Bill No. 672, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$87,990 for fiscal year 1990 and \$76,580 for fiscal year 1991, from the Insurance Operating Fund No. 36 is hereby appropriated for the purpose of implementing the provisions of the Act. Such amounts are to be transferred to the appropriate program items.
23. CONTINGENCY APPROPRIATION, THIRD PARTY ADMINISTRATORS. Contingent upon enactment of Senate Bill No. 832, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$105,000 for fiscal year 1990 and \$64,750 for fiscal year 1991, from the Insurance Operating Fund No. 36 is hereby appropriated for the purpose of implementing the provisions of the Act. Such amounts are to be transferred to the appropriate program items.
24. CONTINGENCY APPROPRIATION, MANAGING GENERAL AGENTS. Contingent upon enactment of Senate Bill No. 261, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$71,299 for fiscal year 1990 and \$71,299 for fiscal year 1991, from the Insurance Operating Fund No. 36 is hereby appropriated for the purpose of implementing the provisions of the Act. Such amounts are to be transferred to the appropriate program items.
25. CONTINGENCY APPROPRIATION, OFFICE OF PUBLIC INSURANCE COUNSEL. Contingent upon enactment of Senate Bill No. 415, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$70,130 for fiscal year 1990 and \$57,585 for fiscal year 1991, from the Consumer Protection Account is hereby appropriated for the purpose of implementing the provisions of the Act. Such amounts are to be transferred to the appropriate program items.

BOARD OF INSURANCE
(Continued)

26. CONTINGENCY APPROPRIATION, RURAL HEALTH CARE. Contingent upon enactment of House Bill No. 18, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$74,101 for fiscal year 1990 and \$54,873 for fiscal year 1991, from the Insurance Operating Fund No. 36 is hereby appropriated for the purpose of implementing the provisions of the Act. Such amounts are to be transferred to the appropriate program items.

INTERAGENCY COUNCIL ON MENTALLY IMPAIRED OFFENDERS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Central Administration	66,465	65,906
2. Client Contract Services	292,500	300,500
GRAND TOTAL, INTERAGENCY COUNCIL ON MENTALLY IMPAIRED OFFENDERS	\$ 358,965 =====	\$ 366,406 =====

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of Interagency and Other Contracts:		
<u>Implementation of the</u> <u>Intergovernmental Cooperation Act</u>		
1. Administration	\$ 473,447 & U.B.	\$ 473,447 & U.B.
GRAND TOTAL, ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS	\$ 473,447 =====	\$ 473,447 =====

Schedule of Exempt Positions

Executive Director	\$ 50,639	\$ 50,639
Director of Research	43,705	43,705

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS
(Continued)

SCHEDULE OF CLASSIFIED POSITIONS,
ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

GROUP 21

0266 Systems Analyst IV
0519 Planner IV, UL

GROUP 19

0552 Research Associate, UL

GROUP 17

0516 Planner I, UL
1164 Chief Accountant I, UL

GROUP 15

0544 Research Specialist I, UL
7403 Librarian III, UL

GROUP 14

1862 Information Specialist I, 2

GROUP 13

0542 Research Assistant II, UL
1162 Accountant II
1503 Administrative Technician III, UL

GROUP 11

0540 Research Assistant I, UL
1502 Administrative Technician II, UL

GROUP 09

0138 Administrative Secretary, 2
1811 Statistician I, 4

GROUP 08

1501 Administrative Technician I, 3

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Texas Advisory Commission on Intergovernmental Relations. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of Interagency Contracts:

1. Acquisition of Computer Equipment and Software	\$ 9,000	\$ 9,000
Total, Capital Outlay	\$ 9,000 =====	\$ 9,000 =====

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS
(Continued)

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. **ADDITIONAL CLASSIFIED POSITIONS.** Funds appropriated above may be expended to employ personnel in addition to the Schedule of Classified Positions listed above classified position titles listed in Article V of the Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Office for use by this agency.
3. **UNEXPENDED BALANCE, ADMINISTRATION.** Any unexpended balances remaining as of August 31, 1989 in the appropriation for 1. Administration, are hereby appropriated for the same purpose for the biennium beginning September 1, 1989. Any unexpended balance as of August 31, 1990, in this same line item are hereby reappropriated for the fiscal year beginning September 1, 1990.
4. **CASH FLOW CONTINGENCY.** The Advisory Commission on Intergovernmental Relations may temporarily utilize the General Revenue Fund in an amount not to exceed \$52,586 in fiscal year 1990. The general revenue amount utilized must be repaid by the end of the 1990-91 biennium upon the receipt of interagency contract funds and shall be utilized only for the purpose of temporary cash flow needs. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be in accordance with procedures established by the Comptroller. All transfers of the method of finance shall be reported by the Commission to the Legislative Budget Board.

BOARD OF PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES

	For the Years Ending August 31, 1990	August 31, 1991
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Licensing and Enforcement

1. Administration Division	221,548	223,447
2. Hearings Division	166,906	164,555
3. Investigation Division	626,711	629,470
4. License Division	437,087	438,472
5. Interagency Contract with Department of Public Safety for License Records Check	214,282	214,282

GRAND TOTAL, BOARD OF PRIVATE
INVESTIGATORS AND PRIVATE SECURITY
AGENCIES

	\$ 1,666,534	\$ 1,670,226
	=====	=====

Method of Financing:

General Revenue Fund	\$ 1,616,534	\$ 1,615,226
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BOARD OF PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES
(Continued)

Reappropriated Receipts	50,000	55,000
Total, Method of Financing	\$ 1,666,534	\$ 1,670,226

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 39,923	\$ 39,923
Per Diem of Board Members	4,000	4,000

SCHEDULE OF CLASSIFIED POSITIONS, (UL)
BOARD OF PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES

GROUP 19

1052 Hearings Examiner III
1551 Staff Services Officer I
1565 Program Administrator III

GROUP 18

3646 Supervising Investigator

GROUP 17

1563 Program Administrator I

GROUP 16

1163 Accountant III
3645 Investigator III

GROUP 14

3644 Investigator II

GROUP 13

1503 Administrative Technician III

GROUP 11

1161 Accountant I

GROUP 10

1940 Purchasing Assistant

GROUP 09

0065 Clerical Supervisor III

GROUP 07

0135 Secretary III

GROUP 06

0055 Clerk III
0133 Secretary II
1002 Accounting Clerk II

GROUP 04

0053 Clerk II
0106 Clerk Typist II

BOARD OF PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES
(Continued)

GROUP 02

0051 Clerk I

1. AITC APPROVAL REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software, and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunications devices to the Automated Information and Telecommunications Council (AITC); and
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease, or lease-purchase are the most cost-effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software, and/or telecommunications devices cannot be purchased from another agency; and (4) the agency has complied with efforts to purchase compatible hardware, software, or telecommunications systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

2. CERTIFICATION OF APPROPRIATIONS. Of the amounts appropriated above from the General Revenue Fund for fiscal year 1991, \$259,000 is contingent upon a finding of fact by the Comptroller of Public Accounts that revenue generated by the agency from all sources and deposited to the credit of the General Revenue Fund in fiscal year 1990 exceeds the amount of revenue generated by the agency from all sources and deposited to the credit of the General Revenue Fund in fiscal year 1989 by at least \$259,000.

BOARD OF IRRIGATORS

	For the Years Ending	
	August 31,	August 31,
	1990	1991
Out of the Irrigators Fund No. 468:		
1. Administration, Licensing and Enforcement	160,393	160,393
GRAND TOTAL, BOARD OF IRRIGATORS	\$ 160,393	\$ 160,393

Schedule of Exempt Positions and Per Diem of Board Members

Executive Secretary	\$ 30,000	\$ 30,000
Per Diem of Board Members	2,400	2,400

BOARD OF IRRIGATORS
(Continued)

SCHEDULE OF CLASSIFIED POSITIONS, BOARD OF IRRIGATORS

GROUP 13

1162 Accountant II

GROUP 11

1502 Administrative Technician II

1. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Texas Board of Irrigators Fund No. 468.
2. CONTRACT WITH WATER COMMISSION. Funds appropriated in Item 1., Administration, may be used to contract with the Water Commission for necessary support and investigative services on a cost reimbursement basis only. The amount appropriated for investigative services shall not exceed \$25,601 in each year of the biennium.
3. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 468 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

COMMISSION ON JAIL STANDARDS

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration	163,506	164,046
2. Inspections	141,176	141,176
3. Construction Document Review (Technical Assistance)	49,394	49,394
4. Jail Management & Consultation	<u>75,000</u>	<u>66,050</u>
GRAND TOTAL, COMMISSION ON JAIL STANDARDS	\$ 429,076 =====	\$ 420,666 =====

Method of Financing:

General Revenue Fund	\$ 304,076	\$ 295,666
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COMMISSION ON JAIL STANDARDS
(Continued)

Criminal Justice Grants, estimated	120,000	120,000
Other Funds	<u>5,000</u>	<u>5,000</u>
Total, Method of Financing	\$ 429,076 =====	\$ 420,666 =====

Schedule of Exempt Positions

Executive Director	\$ 41,184	\$ 41,184
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SCHEDULE OF CLASSIFIED POSITIONS, COMMISSION ON JAIL STANDARDS

GROUP 17

0516 Planner I
1164 Chief Accountant I

GROUP 16

0515 Planning Assistant, 3
3425 Supervising Inspector, 3

GROUP 11

1502 Administrative Technician II

GROUP 09

0138 Administrative Secretary

GROUP 07

0135 Secretary III

1. LIMITATION, EXPENDITURE OF FUNDS. None of the funds appropriated above may be expended unless all proposed rules and regulations and/or changes to current rules and regulations are distributed in writing at least 30 days in advance of the hearing for consideration of adoption to each law enforcement agency that may be affected by the proposed rules and/or regulations.

DEPARTMENT OF LABOR AND STANDARDS

	For the Years Ending August 31, 1990	August 31, 1991
1. Administration:		
a. Regional Operations	397,025	397,025
b. Data Processing	286,661	286,661
c. Other Administration	<u>518,733</u>	<u>518,733</u>
Total, Administration	\$ 1,202,419	\$ 1,202,419
2. Boiler Certification	\$ 773,459	\$ 777,012

DEPARTMENT OF LABOR AND STANDARDS
(Continued)

3. Manufactured Housing/Industrialized Housing and Buildings	2,362,557	2,362,557
4. Labor, Licensing and Enforcement	<u>843,490</u>	<u>843,490</u>
GRAND TOTAL, DEPARTMENT OF LABOR AND STANDARDS	\$ 5,181,925 =====	\$ 5,185,478 =====

Method of Financing:

General Revenue Fund	\$ 4,994,325	\$ 4,996,018
Interagency Contracts	1,200	1,200
Federal Funds, estimated	<u>186,400</u>	<u>188,260</u>
Total, Method of Financing	\$ 5,181,925 =====	\$ 5,185,478 =====

Schedule of Exempt Positions

Commissioner	\$ 56,102	\$ 56,102
Assistant Commissioner	48,000	48,000
Administrative Assistant	33,304	33,304

SCHEDULE OF CLASSIFIED POSITIONS, DEPARTMENT OF LABOR AND STANDARDS

GROUP 21

0275 Director of ADP II, UL
1208 Director of Accounting, UL
1545 Division Director, UL
3607 General Counsel, UL

GROUP 20

0252 Programmer Analyst II, UL
1557 Director of Programs I, UL

GROUP 19

1052 Hearings Examiner III, UL
1165 Chief Accountant II, UL
1565 Program Administrator III, UL

GROUP 18

0251 Programmer Analyst I, UL
1750 Personnel Director I, UL
2158 Engineer II, UL
3470 Nuclear Power Plant Inspector, UL

GROUP 17

1164 Chief Accountant I, UL
1563 Program Administrator I, UL
2156 Engineer I, UL
3536 Attorney III, UL

DEPARTMENT OF LABOR AND STANDARDS
(Continued)GROUP 16

0241 ADP Programmer II, UL
1163 Accountant III, UL
1942 Purchaser II, UL
3425 Supervising Inspector, UL
3471 Pressure Vessel Plant Inspector, UL

GROUP 15

1504 Administrative Technician IV, UL
1582 Technical Writer
3535 Attorney II, UL

GROUP 14

0240 ADP Programmer I, UL
2124 Engineering Technician IV, UL
3453 Inspector III, Labor and Standards, UL
3463 Investigator III, Labor and Standards, UL
3534 Attorney I, UL

GROUP 13

1162 Accountant II, UL
1503 Administrative Technician III, UL

GROUP 12

3452 Inspector II, Labor and Standards, UL
3462 Investigator II, Labor and Standards, UL

GROUP 11

1161 Accountant I, UL
1502 Administrative Technician II, UL

GROUP 10

3451 Inspector I, Labor and Standards, UL
3461 Investigator I, Labor and Standards, UL

GROUP 09

0137 Legal Secretary I, UL
0138 Administrative Secretary, UL
0223 ADP Equipment Operator II, UL
0309 Reproduction Equipment Operator I

GROUP 08

0308 Duplicating Machine Operator II, UL
1003 Accounting Clerk III, UL
1501 Administrative Technician I, UL
2121 Engineering Technician I, UL

GROUP 07

0135 Secretary III, UL
0221 ADP Equipment Operator I, UL

DEPARTMENT OF LABOR AND STANDARDS
(Continued)

GROUP 06

0133 Secretary II, UL
0203 Key Entry Operator II, UL
1002 Accounting Clerk II, UL

GROUP 05

0131 Secretary I, UL

GROUP 04

0201 Key Entry Operator I, UL
1001 Accounting Clerk I, UL

1. APPROPRIATION OF FEDERAL FUNDS. In addition to the appropriations otherwise provided in this Act, there is hereby appropriated to the Department of Labor and Standards any federal funds received by the department either directly or as an agent of the Governor. Such funds may be used for any purpose for which the federal grant, allocation, aid, or payment was made, any federal funds received as reimbursement for services performed using general revenue funds, shall be deposited into the General Revenue Fund, to the extent it is not inconsistent with appropriations made above.
2. TRAVEL EXPENSES AND FEES REIMBURSEMENTS REAPPROPRIATED. Reimbursements for travel expenses and special inspection fees are hereby reappropriated to the Texas Department of Labor and Standards in accordance with Senate Bill No. 305 and House Bill No. 760, Acts of the Sixty-fifth Legislature and Senate Bill No. 714, Acts of the Sixty-sixth Legislature, Regular Session.
3. ADDITIONAL POSITIONS AUTHORIZED. Funds appropriated to the Department of Labor and Standards for classified salaries may also be expended to employ personnel in those classified position titles that are established and approved by the State Classification Officer for use by the department.
4. LIMITATION ON EXPENDITURE OF FUNDS - WACO OFFICE. In order to operate in the most economic and efficient manner possible, it is the intent of the Seventy-first Legislature that none of the funds appropriated by this Act to the Department of Labor and Standards may be expended on an office in the City of Waco, Texas after August 31, 1989.
5. MANUFACTURED HOMEOWNERS' RECOVERY FUND APPROPRIATED. Pursuant to the provisions of House Bill No. 855, Seventieth Legislature, Regular Session there is hereby appropriated and reappropriated to the Manufactured Homeowners' Recovery Fund for the biennium beginning with the effective date of this Act, the sum of \$10 for each title transaction for which the Department of Labor and Standards charges a fee for the purposes of administering the provisions of the Act.
6. SUNSET CONTINGENCY. Funds appropriated above for fiscal year 1991 for the Department of Labor and Standards are made contingent on the continuation of the Department of Labor and Standards by the Legislature. In the event the agency is not continued, the funds appropriated for fiscal year 1990 or as much thereof as may be necessary are to be used to provide for the phase out of the agency.

DEPARTMENT OF LABOR AND STANDARDS
(Continued)

7. TRANSFER AUTHORITY. The Texas Department of Labor and Standards is hereby authorized to transfer funds appropriated hereinabove between sub-items 1.a. Regional Operations, 1.b. Data Processing, and 1.c. Other Administration in an amount not to exceed 15 percent in fiscal year 1990 and 10 percent in fiscal year 1991. No transfers shall be made from Items 2. Boiler Certification, 3. Manufacturer Housing/Industrialized Housing and Buildings, or 4. Labor, Licensing, and Enforcement for any purposes.
8. UNEXPENDED BALANCES. Any unexpended balances as of August 31, 1990, in the appropriations made herein to the Texas Department of Labor and Standards are hereby reappropriated for the same purposes for the fiscal year beginning September 1, 1990.
9. UNEXPENDED BALANCES - OFFICE RELOCATION EXPENSES. The Texas Department of Labor and Standards is hereby authorized to transfer \$3,000 from any unexpended balances as of August 31, 1989, to the fiscal year beginning September 1, 1989, for the purpose of paying for expenses incurred as a result of relocating their office within the G. J. Sutton State Office Complex in San Antonio.
10. CONTINGENCY-APPOINTMENT OF COMMISSIONER. Contingent upon enactment of House Bill No. 863, no exempt salaries shall be paid on or after November 1, 1989, unless, or until such time as, the Commission has appointed a Commissioner of the Department of Licensing and Regulation.
11. CONTINGENCY APPROPRIATION, STANDARDS FOR ELEVATORS. Contingent upon enactment of Senate Bill No. 626, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$412,818 for fiscal year 1990 and \$346,948 for fiscal year 1991, is hereby appropriated from fees generated by the Act for the purpose of implementing the provisions of the Act. Such amounts are to be transferred to the appropriate program items.
12. CONTINGENCY APPROPRIATION, TALENT AGENCIES. Contingent upon enactment of Senate Bill No. 759, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$20,983 for fiscal year 1990 and \$20,983 for fiscal year 1991, is hereby appropriated from fees generated by the Act for the purpose of implementing the provisions of the Act. Such amounts are to be transferred to the appropriate program items.
13. EXPENDITURE LIMITATION, MANUFACTURED HOUSING. None of the funds appropriated in line 3. for manufactured housing/industrialized housing and buildings shall be spent for any purpose other than for administering and enforcing the provisions of Articles 5221f and 5221f-1, Texas Revised Civil Statutes.
14. CONTINGENCY REDUCTION, LABOR LAW ENFORCEMENT. Contingent upon enactment of House Bill 863, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, the appropriation made above to Item 4. Labor, Licensing, and Enforcement is hereby reduced \$250,000 in general revenue in fiscal year 1990 and \$250,000 in general revenue in fiscal year 1991.

GENERAL LAND OFFICE AND VETERANS' LAND BOARD

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Central Administration:		
a. Executive	930,111	932,028
b. Legal	379,686	381,577
c. Archives and Records	737,261	741,024
d. Office Management	196,882	197,736
e. Personnel	205,530	206,010
f. Budget and Planning	145,962	146,394
g. Data Processing	1,005,271	862,315
Total, Central Administration	\$ 3,600,703	\$ 3,467,084
2. Energy and Land Resources Management:		
a. Royalty Audits	\$ 2,352,391	\$ 2,344,808
b. Revenue Processing	487,358	489,152
c. Management of State Leases	2,790,025	2,800,249
d. Surveying	1,512,691	1,497,025
e. Uplands Operations	482,701	485,663
f. Coastal Operations	710,776	712,483
g. Asset Management	848,041	849,831
Total, Energy and Land Resources	\$ 9,183,983	\$ 9,179,211
3. Veterans' Land Program:		
a. Applications and New Contracts	\$ 2,443,071	\$ 2,466,790
b. Administration	2,084,212	2,102,472
c. Contract Services	1,034,011	1,047,237
d. General Accounting	998,331	1,005,388
Total, Veterans' Land Program	\$ 6,559,625	\$ 6,621,887
GRAND TOTAL, GENERAL LAND OFFICE AND VETERANS' LAND BOARD	\$ 19,344,311	\$ 19,268,182

Method of Financing:

General Revenue Fund No. 001	\$ 10,783,684	\$ 10,698,249
Reappropriated Receipts, estimated	633,050	644,023
General Land Office Special Fee Fund No. 052	1,341,814	1,341,994
Land Office Fee Fund No. 065, estimated	664,773	664,976
Land Office Permit Fee Fund No. 080, estimated	180,079	176,188

GENERAL LAND OFFICE AND VETERANS' LAND BOARD
(Continued)

Coastal Public Lands Fee Fund		
No. 450, estimated	141,000	141,000
Veteran Land Board Fund No. 522	5,357,911	5,359,752
Interagency Contracts	<u>242,000</u>	<u>242,000</u>
Total, Method of Financing	\$ <u>19,344,311</u>	\$ <u>19,268,182</u>

Schedule of Exempt Positions

Commissioner	\$ 74,698	\$ 74,698
First Deputy Land		
Commissioner-Chief Clerk	72,000	72,000
Senior Deputy Land Commissioner	68,000	68,000
General Counsel	61,250	61,250
Deputy Land Commissioner	5 59,464	5 59,464
Deputy Land Commissioner -		
Executive Secretary, Veterans'		
Land Board	58,623	58,623
Assistant Land Commissioner	7 58,623	7 58,623
Director	10 55,262	10 55,262

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the General Land Office. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer		
Equipment and Software	\$ <u>792,684</u>	\$ <u>117,070</u>
Total, Capital Outlay	\$ <u>792,684</u>	\$ <u>117,070</u>

Method of Financing:

General Revenue Fund	\$ 415,072	\$ 6,329
Reappropriated Receipts, estimated	42,950	42,477
Land Office Sale Fee Fund		
No. 065, estimated	5,227	5,024
Land Office Permit Fee Fund		
No. 080, estimated	9,921	13,812
Veterans Land Program		
Administration Fund No. 522	<u>319,514</u>	<u>49,428</u>
Total, Method of Financing	\$ <u>792,684</u>	\$ <u>117,070</u>

GENERAL LAND OFFICE AND VETERANS' LAND BOARD
(Continued)

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act. There are hereby appropriated all balances on hand at the beginning of each fiscal year and all fees collected during each fiscal year of said biennium in General Land Office Special Fee Fund No. 052, Land Office Fee Fund No. 065, Land Office Permit Fee Fund No. 080, Coastal Public Lands Fee Fund No. 450.
3. TRANSFER AUTHORITY. Unless specifically restricted, the Commissioner of the General Land Office is hereby authorized to transfer such amounts as may be necessary from one sub-item within program appropriation items numbered (1.) Central Administration, (2.) Energy and Land Resources, and (3.) Veterans Land Program. None of the funds appropriated above for one program item may be transferred to another program item, except appropriations may be transferred into the Energy and Land Resources Program from the Central Administration Program and into any sub-item within the Central Administration Program, other than Executive, from the Energy and Land Resources Program. No transfers may be made into a line-itemed exempt salaried position.
4. DEPOSIT OF PERMIT FEES. The Commissioner of the General Land Office shall deposit in the State Treasury to a special fund called the Land Office Permit Fund No. 80 any moneys received by the Commissioner by contract or otherwise, as fees for the issuance of permits for geological, geophysical and other surveys and investigations, for minerals other than those contained in Chapter 497, Acts of the Fifty-fourth Legislature, 1955, and any amendments thereto, and which are in addition to the moneys received under the provisions of Chapter 321, Acts of the Fifty-first Legislature, 1949.
5. TRANSFER OF SURPLUS. As a charge for services rendered, the Land Commissioner shall designate the amounts to be transferred from residue accumulating as surplus in the Veterans' Land Group Insurance Account No. 957, and the Comptroller shall transfer such amounts to the General Land Office Special Fee Fund No. 52, and it shall become part of such fund and be available for regular appropriation.
6. MAPPING PROGRAM. It is the legislative intent that any program for the mapping of lands of this State by the General Land Office shall include the use of information and map resource material available through other agencies of this state and of the federal government to the greatest practical extent in order to avoid duplication.

GENERAL LAND OFFICE AND VETERANS' LAND BOARD
(Continued)

7. PER DIEM, SCHOOL LAND BOARD. Citizen members of the School Land Board may be paid per diem at a rate not to exceed Thirty Dollars (\$30) and actual expenses from funds appropriated above in the Land Resources Program.
8. PER DIEM, VETERANS' LAND BOARD. Citizen members of the Veterans' Land Board may be paid per diem at a rate not to exceed Thirty Dollars (\$30) and actual expenses from funds appropriated above in the Veterans' Land Program.
9. REIMBURSEMENT OF NOTARY PUBLIC FEES. Appropriations made above may be used to reimburse employees for the fees and the costs of a bond that would be required for appointment as a notary public.
10. TEXAS FOREST SERVICE. From funds appropriated above in Item 2.e., Energy and Land Resources, Upland Operations, the General Land Office shall engage the Texas Forest Service by interagency contract, to manage state timberland.
11. APPROPRIATION SOURCE, VETERANS' LAND PROGRAM. It is the intent of the Legislature that the Veterans' Land Program and Veterans' Housing Assistance Program shall be self-sustaining from fee revenue and bond proceeds and no General Revenue shall be used in funding the Veterans' Land Program and Veterans' Housing Assistance Program. In order to assure that the programs are self-sustaining and that no General Revenue shall be used in funding, there are hereby appropriated from the Veterans' Land Board fee accounts and from the Veterans' Land Funds and the Veterans' Housing Assistance Funds all amounts necessary to administer the Veterans' Land program and Veterans' Housing Assistance Program, including the amounts incurred in issuing bonds, in compensating a Housing Program Administrator, and in paying contracts for services rendered in administering the Land and Housing programs, as created and authorized by Article III, Sections 49b and 49b-1 of the Texas Constitution, as amended.
12. APPROPRIATION OF DEPOSITORY INTEREST. Pursuant to S.B. 192 and/or S.B. 1350, Sixty-ninth Legislature, Regular Session, 1985, there is hereby appropriated from the depository interest earned by the Capital Trust Fund, those amounts necessary for the General Land Office to carry out the provisions of these bills. Should the General Land Office incur expenses prior to there being sufficient depository interest earned to cover those expenses, the General Land Office may be reimbursed for those expenses as the depository interest is earned. This contingent appropriation is limited to those reasonable and necessary expenses incurred in developing sales master plans, appraising the properties, surveying the properties, advertising the properties, and conducting the sales of the properties. Reimbursements shall be accomplished by transfer vouchers, approved by the Comptroller, to reimburse the original appropriation accounts and funds from which the expenditures were made.
13. APPROPRIATION OF RECEIPTS, SURFACE DAMAGES. Pursuant to Senate Bill No. 493, Sixty-ninth Legislature, Regular Session, 1985, there is hereby appropriated to the General Land Office all amounts collected as surface damages deposited in the Special Conservation and Reclamation Fund Account for the purpose of funding conservation or reclamation projects making permanent improvements on Permanent School Fund land, and making grants to a

GENERAL LAND OFFICE AND VETERANS' LAND BOARD
(Continued)

lessee of Permanent School Fund land for these purposes. Because the conservation and reclamation projects are to be funded solely from surface damages collected, the General Land Office may not use general revenue to fund such activities.

14. APPROPRIATION OF RECEIPTS, LAND SALES. Pursuant to Senate Bill No. 493, Sixty-ninth Legislature, Regular Session, 1985, there is hereby appropriated to the General Land Office all receipts from land sales conducted by the General Land Office of Permanent School Fund property deposited in the Special Property Acquisition Fund Account that are necessary to purchase fee or lesser interests in replacement real property for the use and benefit of the Permanent School Fund. Any amounts remaining in the Special Property Acquisition Fund Account for a period exceeding two years are to be transferred into the Permanent School Fund as required by law.
15. APPROPRIATION SOURCE, FARM AND RANCH FINANCE PROGRAM. It is the intent of the Legislature that fees and bond proceeds generated by House Bill No. 196 Sixty-ninth Legislature, Regular Session, are to be used for the operation of a Farm and Ranch Finance Program as stated by the Act and such funds are hereby appropriated, and no general revenue shall be used to fund the Farm and Ranch Finance Program.
16. APPROPRIATION OF REFUNDS. Pursuant to House Bill No. 32, Sixty-ninth Legislature, Third Called Session, as much of the respective royalties, penalties, and interest which are collected and administered by the General Land Office as may be necessary is hereby appropriated and set aside from the appropriate fund to pay refunds as provided by law.
17. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

GENERAL LAND OFFICE AND VETERANS' LAND BOARD
(Continued)

18. APPROPRIATION OF SALES EXPENSES. Pursuant to Senate Bill No. 478, Seventieth Legislature, Regular Session, there is hereby appropriated to the General Land Office the costs of conducting the sales authorized to be retained by the School Land Board.
19. APPROPRIATION FOR EASEMENT PURCHASES. Pursuant to Senate Bill No. 611, Seventieth Legislature, Regular Session, there is hereby appropriated to the General Land Office such amounts from the Special Property Acquisition Fund Account and from the Special Conservation and Reclamation Fund Account that may be necessary to purchase easements for access to Permanent School Fund Land as authorized by Senate Bill No. 611. Any amounts remaining in the Special Property Acquisition Fund Account for a period exceeding two years are to be transferred into the Permanent School Fund as required by law.
20. MEMORANDUM OF AGREEMENT, AQUACULTURE. In a manner consistent with state and federal regulatory authority, the General Land Office shall enter into a memorandum of agreement with the Texas Agricultural Extension Service to support the establishment of fresh and saltwater aquaculture on lands owned by the Permanent School Fund and to develop plans for a technology transfer center to aid in the expansion of the aquaculture industry.

BOARD OF LAND SURVEYING

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the Land Surveying Fund No. 074:		
1. Licensing and Regulation of Land Surveyors:		
a. Purchasing and Grading of National Examinations, estimated	13,750	15,125
b. Other Administration	242,460	217,912
Total, Licensing and Regulation of Land Surveyors	\$ 256,210	\$ 233,037
GRAND TOTAL, BOARD OF LAND SURVEYING	\$ 256,210 =====	\$ 233,037 =====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Secretary	\$ 31,833	\$ 31,833
Per Diem of Board Members	6,460	6,460

BOARD OF LAND SURVEYING
(Continued)

SCHEDULE OF CLASSIFIED POSITIONS, BOARD OF LAND SURVEYING

GROUP 14
3644 Investigator II

GROUP 11
1502 Administrative Technician II

GROUP 09
0138 Administrative Secretary

GROUP 08
1003 Accounting Clerk III

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Board of Land Surveying. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the Land Surveying
Fund No. 074:

1. Acquisition of Computer Equipment and Software	\$ 1,000	\$ -0-
Total, Capital Outlay	\$ 1,000	\$ -0-
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of said biennium in the Land Surveying Fund No. 074.
3. APPROPRIATION FOR INVESTIGATIVE SERVICES. Out of the amounts specified above, \$26,000 for the fiscal year beginning September 1, 1989 is for contracting for investigative services to investigate complaints. Any balances remaining as of August 31, 1990 from this appropriation are hereby reappropriated for the same purpose for fiscal year 1991.

BOARD OF LAND SURVEYING
(Continued)

4. FEE RATES. To provide for the recovery of costs for the preceding appropriations, the following fee rate is established pursuant to Article 5429n, Vernon's Texas Civil Statutes, to be effective during fiscal years 1990 and 1991 beginning September 1, 1989:
 - (1) Certificate Renewal
 - (A) Registered Public Surveyors \$ 60.00
 - (B) Licensed State Land Surveyors \$ 35.00
 - (2) Examination Fee
 - (A) Registered Public Surveyors \$100.00
5. PURCHASE OF EXAMINATIONS. The amount appropriated above for Item 1.a., Purchasing and Grading of National Examination, shall be expended solely for the purpose of purchasing and grading of the Uniform Engineering Examination from the National Council of Engineering Examiners.
6. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 074 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.
7. CONTINGENCY FOR SENATE BILL NO. 795. Contingent upon enactment of Senate Bill No. 795, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$193,226 for fiscal year 1990 and \$160,226 for fiscal year 1991, from the Land Surveying Fund No. 074 is hereby appropriated for the purpose of implementing the provisions of the Act.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

7. CONTINGENCY FOR SENATE BILL NO. 795. Contingent upon enactment of Senate Bill No. 795, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$193,226 for fiscal year 1990 and \$160,226 for fiscal year 1991, from the Land Surveying Fund No. 074 is hereby appropriated for the purpose of implementing the provisions of the Act.

Funds appropriated to implement the provisions of this Act may also be expended to employ personnel in those classified position titles that are established and approved by the State Classification Officer for use by the agency.

COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION

	For the Years Ending	
	August 31,	August 31,
	1990	1991
1. Administration	354,527	350,584
2. Law Enforcement Management Institute	1,122,315	2,056,847
3. Standards and Education:		
a. Licensing and Certification	548,842	541,713

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COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION
(Continued)

b. Training	478,977	471,863
c. Testing and Evaluation	383,105	382,300
Total, Standards and Education	\$ 1,410,924	\$ 1,395,876
GRAND TOTAL, COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION		
	\$ 2,887,766	\$ 3,803,307

Method of Financing:

Law Enforcement Officer Standards and Education Fund No. 116	\$ 1,643,787	\$ 1,627,654
Law Enforcement Management Institute Fund No. 581	1,243,979	2,175,653
Total, Method of Financing	\$ 2,887,766	\$ 3,803,307

Schedule of Exempt Positions

Director	\$ 48,328	\$ 48,328
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SCHEDULE OF CLASSIFIED POSITIONS, (UL)
COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION

GROUP 20

1553 Staff Services Officer II
1557 Director of Programs I

GROUP 19

0274 Director of ADP I
1565 Program Administrator III
3605 Legal Counselor

GROUP 18

0262 Systems Analyst II
1564 Program Administrator II
3646 Supervising Investigator
7026 Occupational Education Specialist II

GROUP 17

1506 Administrative Assistant
3776 Senior Investigator-Examiner
7025 Occupational Education Specialist I

GROUP 16

0241 ADP Programmer II
1163 Accountant III

GROUP 14

3534 Attorney I

COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION
(Continued)

GROUP 13

1162 Accountant II

GROUP 12

1515 Office Services Supervisor III
1946 Purchasing and Supply Officer I

GROUP 11

1502 Administrative Technician II

GROUP 10

1940 Purchasing Assistant

GROUP 09

0138 Administrative Secretary
0223 ADP Equipment Operator II
1514 Office Services Supervisor II

GROUP 08

1501 Administrative Technician I

GROUP 07

0135 Secretary III
0221 ADP Equipment Operator I

GROUP 06

0055 Clerk III
0133 Secretary II
0203 Key Entry Operator II

GROUP 05

0006 Switchboard Operator/Receptionist
0131 Secretary I

GROUP 04

0005 Switchboard Operator
0053 Clerk II

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Commission on Law Enforcement Officer Standards and Education. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer
Equipment and Software

\$ 69,350 \$ 62,661

Total, Capital Outlay

\$ 69,350 \$ 62,661
=====

Method of Financing:

Law Enforcement Officer Standards

COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION
(Continued)

and Education Fund No. 116	\$ 60,150	\$ 53,461
Law Enforcement Officer Management		
Institute Fund No. 581	<u>9,200</u>	<u>9,200</u>
Total, Method of Financing	\$ 69,350 =====	\$ 62,661 =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION FUND. The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Law Enforcement Officer Standards and Education Fund No. 116.
3. LAW ENFORCEMENT MANAGEMENT INSTITUTE FUND. The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Law Enforcement Management Institute Fund No. 581.
4. TRANSFER AUTHORITY. The Texas Commission on Law Enforcement Officer Standards and Education is authorized to transfer funds between items in program 3. Standards and Education. Funds may be transferred from item 1. Administration to any other item but no funds may be transferred into item 1. Administration.
5. NOTIFICATION REQUIREMENTS. It is the legislative intent that none of the funds appropriated herein above may be expended by the agency unless all proposed rules and regulations and/or changes to current rules and regulations are distributed in writing at least 30 days in advance of the hearing for consideration of adoption to each law enforcement agency that may be affected by the proposed rules and/or regulations.
6. PEACE OFFICER COLLEGE LOAN PROGRAM. Contingent upon the passage of Senate Bill No. 269, Seventy-first Legislature, Regular Session, or similar legislation providing for a peace officer college loan program, there is hereby appropriated from the Law Enforcement Officer Standards and Education Fund No. 116 the amounts of \$1,251,784 for fiscal year 1990 and \$1,232,771 for fiscal year 1991 to implement the provisions of the Act.

LIBRARY AND ARCHIVES COMMISSION

	For the Years Ending August 31, 1990	August 31, 1991
1. Administration	868,032	880,309
2. State Archives	405,504	398,243
3. Blind and Physically Handicapped	1,131,509	1,136,121

LIBRARY AND ARCHIVES COMMISSION
(Continued)

4. Statewide Library Development	12,794,173	12,959,136
5. Information Services	570,701	578,134
6. Records Management	1,204,270	1,218,673
7. Utilities	225,921	227,821
8. Regional Historical Resource Depository and Local Records	<u>379,774</u>	<u>381,220</u>

GRAND TOTAL, LIBRARY AND ARCHIVES COMMISSION	\$ 17,579,884	\$ 17,779,657
	=====	=====

Method of Financing:

General Revenue Fund	\$ 10,016,305	\$ 10,215,657
Federal Funds, estimated	6,930,258	6,930,383
Earned Federal Funds	176,073	176,073
Interagency Contracts, estimated	356,000	356,000
Reappropriated Receipts, estimated	<u>101,248</u>	<u>101,544</u>
Total, Method of Financing	\$ 17,579,884	\$ 17,779,657
	=====	=====

Schedule of Exempt Positions and Per Diem of Commissioners

Director-Librarian	\$ 52,000	\$ 52,000
Assistant Librarian	48,000	48,000
Per Diem of Commissioners	1,080	1,080

SCHEDULE OF CLASSIFIED POSITIONS (UL), LIBRARY AND ARCHIVES COMMISSION

GROUP 21

0275 Director of ADP II
1545 Division Director
1554 Chief of Staff Services

GROUP 20

0252 Programmer Analyst II

GROUP 19

1551 Staff Services Officer I
1565 Program Administrator III

GROUP 18

0234 ADP Supervisor IV
0242 ADP Programmer III
0262 Systems Analyst II
7024 Fiscal Program Specialist II

GROUP 17

1164 Chief Accountant I
1563 Program Administrator I

LIBRARY AND ARCHIVES COMMISSION
(Continued)

GROUP 16

0241 ADP Programmer II
0260 Systems Analyst I
0318 Reproduction Equipment Supervisor III
1163 Accountant III
1550 Staff Services Assistant
1863 Information Specialist II
7404 Library Consultant/Administrator

GROUP 15

0347 Micrographics Supervisor II
1504 Administrative Technician IV
1731 Personnel Officer I
7403 Librarian III
7409 Archivist III

GROUP 14

0227 ADP Equipment Operator IV
0240 ADP Programmer I
1862 Information Specialist I
1891 Audio Visual Technician II

GROUP 13

0346 Micrographics Supervisor I
1503 Administrative Technician III
1712 Personnel Assistant II
1941 Purchaser I
5232 Assistant Volunteer Coordinator II
7402 Librarian II
7407 Archivist II

GROUP 12

0231 ADP Supervisor I
0239 ADP Programmer Apprentice
0316 Reproduction Equipment Supervisor I
1515 Office Services Supervisor III

GROUP 11

0067 Clerical Supervisor IV
0213 Key Entry Supervisor II
0225 ADP Equipment Operator III
0310 Reproduction Equipment Operator II
0344 Micrographics Technician II
0389 Document Conservation Supervisor
1161 Accountant I
1502 Administrative Technician II
1711 Personnel Assistant I
7401 Librarian I
7405 Archivist I

GROUP 10

0294 Word Processing Operator III
9051 Maintenance Supervisor I

LIBRARY AND ARCHIVES COMMISSION
(Continued)GROUP 09

0065 Clerical Supervisor III
0138 Administrative Secretary
0211 Key Entry Supervisor I
0246 ADP Record Control Clerk III
0309 Reproduction Equipment Operator I
0343 Micrographics Technician I
7417 Library Assistant III
9043 Maintenance Mechanic III

GROUP 08

0205 Key Entry Operator III
0292 Word Processing Operator II
0308 Duplicating Machine Operator II
0341 Microfilm Camera Operator II
0386 Document Conservation Technician
1003 Accounting Clerk III
1501 Administrative Technician I

GROUP 07

0063 Clerical Supervisor II
0135 Secretary III
0221 ADP Equipment Operator I
0245 ADP Record Control Clerk II
7416 Library Assistant II

GROUP 06

0055 Clerk III
0133 Secretary II
0203 Key Entry Operator II
0290 Word Processing Operator I
0340 Microfilm Camera Operator I
1002 Accounting Clerk II
9041 Maintenance Mechanic I

GROUP 05

0306 Duplicating Machine Operator I
7415 Library Assistant I
8063 Security Worker III

GROUP 04

0053 Clerk II
0106 Clerk Typist II
0201 Key Entry Operator I

GROUP 03

0103 Clerk Typist I
8009 Building Custodian II

GROUP 02

0051 Clerk I
8001 Building Custodian I
8031 Groundskeeper I

LIBRARY AND ARCHIVES COMMISSION
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Library and Archives Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	\$ 254,984	\$ 200,352
Total, Capital Outlay	\$ 254,984	\$ 200,352
	=====	=====
Method of Financing:		
General Revenue Fund	\$ 254,859	\$ 200,352
Federal Funds	125	-0-
Total, Method of Financing	\$ 254,984	\$ 200,352
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. LIMITATION, RECORDING CURRENT EVENTS. Out of the funds appropriated above in Item 2. State Archives, not less than \$24,000 for each year of the biennium shall be spent pictorially recording current events.
3. ACCEPTANCE OF GIFTS AND DONATIONS. Pursuant to Articles 5435, 5436, and 5438, Revised Civil Statutes (Acts 1909, p. 122; Acts, Second Called Session, 1919, p. 152; and Acts 1909, p. 122, respectively), the Library and Archives Commission is authorized to accept donations of historical or archival materials relating to the history of Texas, sometimes referred to as Texana, or of the Southwest, and gifts of money are hereby appropriated to the Library and Archives Commission for such purposes; and such gifts as herein mentioned shall not be construed as being gifts for any other purpose except as may be specified by any donor or donors.
4. DISBURSEMENT OF LIBRARY DEVELOPMENT FUNDS. The Texas State Library and Archives Commission is hereby authorized to disburse to major resource systems and regional library systems those general revenue funds appropriated in Line Item 4., Statewide Library Development in a manner consistent with Section 441.138, Government Code Title 4, V.A.C.S., in order to satisfy the requirements of the federal maintenance of effort provisions in 34 C.F.R., Section 770, et. seq. The Commission is also authorized to promulgate rules necessary to administer these disbursements. The Commission shall annually report to the State Auditor, the Legislative Budget Board, and the Governor's Office of Budget and Planning on the amount of unexpended balances of state general revenue funds accumulated by any and all local government entities receiving state general revenue funds from the Statewide Library Development Program.

LIBRARY AND ARCHIVES COMMISSION
(Continued)

5. SAM HOUSTON CENTER OPERATING HOURS. Out of the funds appropriated above in Line Item 8., Regional Historical Resource Depository and Local Records, the Library and Archives Commission shall maintain and increase the hours of operation of the Sam Houston Center in Liberty.
6. APPROPRIATION OF RECORD MANAGEMENT CONSULTING FEES. The Library and Archives Commission is hereby authorized to collect fees from units of local governments for records management consultations. Those receipts are appropriated to the Library and Archives Commission in Item 2., State Archives and in Item 8., Regional Historical Resource Depository and Local Records.

BOARD OF MEDICAL EXAMINERS

	For the Years Ending August 31, 1990	August 31, 1991
1. Administration	866,006	866,006
2. Licensure	946,888	946,888
3. Enforcement	1,219,912	1,219,912
GRAND TOTAL, BOARD OF MEDICAL EXAMINERS	\$ 3,032,806	\$ 3,032,806

Method of Financing:

Medical Registration Fund No. 55	\$ 1,182,052	\$ 1,952,660
Local Funds	1,850,754	1,080,146
Total, Method of Financing	\$ 3,032,806	\$ 3,032,806

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 61,200	\$ 61,200
Director of Enforcement	57,000	57,000
Per Diem of Board Members	23,500	23,500

SCHEDULE OF CLASSIFIED POSITIONS (UL), BOARD OF MEDICAL EXAMINERS

GROUP 21

1545 Division Director

GROUP 20

1553 Staff Services Officer II

BOARD OF MEDICAL EXAMINERS
(Continued)

GROUP 19

1052 Hearings Examiner III
1565 Program Administrator III
3538 Attorney V

GROUP 18

3606 Assistant General Counsel
3646 Supervising Investigator

GROUP 17

1506 Administrative Assistant
1563 Program Administrator I
3776 Senior Investigator-Examiner

GROUP 16

3645 Investigator III

GROUP 15

1504 Administrative Technician IV

GROUP 14

3644 Investigator II

GROUP 13

1162 Accountant II
1503 Administrative Technician III

GROUP 12

0142 Hearings Reporter II

GROUP 11

1502 Administrative Technician II

GROUP 10

0141 Hearings Reporter I

GROUP 08

1501 Administrative Technician I

GROUP 06

0055 Clerk III
1002 Accounting Clerk II

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Board of Medical Examiners. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the Medical Registration
Fund No. 055:

1. Acquisition of Computer
Equipment and Software

\$ 2,000 \$ 2,000

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BOARD OF MEDICAL EXAMINERS
(Continued)

Total, Capital Outlay	\$	2,000	\$	2,000
		=====		=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of said biennium in the Medical Registration Fund No. 55.

3. BOARD PER DIEM. The per diem of board members shall be \$30 for each day the member is engaged in official business of the board.

4. ENFORCEMENT ACTIVITIES. From the amounts appropriated in Item 3. Enforcement a minimum of \$174,666 shall be allocated to investigation, review, and disciplinary activities against physicians against whom alleged malpractice has been suspected or found, either by formal complaint or by judicial process. The board shall locate sufficient space to conduct hearings. The board shall compile monthly reports to be tendered to the House and Senate budget oversight committees, of the progress to agency prosecution of acts of malpractice.

5. RECORD KEEPING SYSTEM. It is the intent of the Legislature that the State Board of Medical Examiners develop and implement a record-keeping system that tracks the investigation and disposition of cases referred from the District Review Committees to the board for further investigation.

6. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 55 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

7. USE OF LOCAL FUNDS. The Board of Medical Examiners is prohibited from using more than \$744,484 per year out of local funds for salaries for personnel or to supplement the salaries of personnel.

MOTOR VEHICLE COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Administration, Licensing, and Enforcement	349,256	348,346
2. Consumer Complaints	354,646	354,806
GRAND TOTAL, MOTOR VEHICLE COMMISSION	\$ 703,902 =====	\$ 703,152 =====

Schedule of Exempt Positions and Per Diem of Commission Members

Executive Director	\$ 50,000	\$ 50,000
Per Diem of Commission Members	3,250	3,250

SCHEDULE OF CLASSIFIED POSITIONS (UL), MOTOR VEHICLE COMMISSION

GROUP 19

1565 Program Administrator III

GROUP 17

3536 Attorney III

GROUP 15

3535 Attorney II

GROUP 14

3644 Investigator II

GROUP 13

1162 Accountant II

1503 Administrative Technician III

GROUP 11

1502 Administrative Technician II

GROUP 09

0138 Administrative Secretary

GROUP 08

1501 Administrative Technician I

GROUP 07

0135 Secretary III

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MOTOR VEHICLE COMMISSION
(Continued)

GROUP 06
0128 Stenographer III

GROUP 05
0131 Secretary I

BOARD OF NURSE EXAMINERS

	For the Years Ending	
	August 31,	August 31,
	1990	1991
Out of the Professional Nurse Registration Fund No. 138:		
1. Program Administration	1,374,614	1,369,006
2. Purchasing and Grading of National Examination, Estimated	195,200	207,200
GRAND TOTAL, BOARD OF NURSE EXAMINERS	\$ 1,569,814 =====	\$ 1,576,206 =====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Secretary	\$ 48,000	\$ 48,000
Per Diem of Board Members	14,370	14,370

SCHEDULE OF CLASSIFIED POSITIONS, BOARD OF NURSE EXAMINERS

GROUP 21
4470 Educational Secretary/Deputy Director, Nurse Examiners

GROUP 20
4469 Nursing Consultant, 3

GROUP 19
1551 Staff Services Officer I
1565 Program Administrator III

GROUP 18
3537 Attorney IV
3646 Supervising Investigator

GROUP 16
3645 Investigator III, 3

GROUP 15
1504 Administrative Technician IV

BOARD OF NURSE EXAMINERS
(Continued)

GROUP 14
3644 Investigator II, 3

GROUP 13
0542 Research Assistant II

GROUP 12
3643 Investigator I

GROUP 11
0225 ADP Equipment Operator III
1161 Accountant I
1502 Administrative Technician II, 3

GROUP 08
1003 Accounting Clerk III
1501 Administrative Technician I

GROUP 07
0135 Secretary III, 6
0245 ADP Record Control Clerk II

GROUP 06
0055 Clerk III, 3
0203 Key Entry Operator II

GROUP 05
0306 Duplicating Machine Operator I

GROUP 04
0053 Clerk II, 3

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Board of Nurse Examiners. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the Professional Nurse
Registration Fund No. 138:

1. Acquisition of Computer Equipment and Software	\$ 12,300	\$ 15,000
Total, Capital Outlay	\$ 12,300	\$ 15,000

-BOARD OF NURSE EXAMINERS
(Continued)

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenue received during the biennium beginning with the effective date of this Act, and from any balance on hand at the beginning of each fiscal year of said biennium in the Professional Nurse Registration Fund No. 138.
3. PURCHASE OF EXAMINATIONS. The amount appropriated above for Item 3. Purchasing and Grading of National Examination, shall be expended solely for the purpose of purchasing and grading of the National Council Licensure Examination--Registered Nurse (NCLEX).
4. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

5. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 138 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

BOARD OF NURSE EXAMINERS
(Continued)

6. LIMITATION ON PROMULGATION OF LAWS AND RULES. It is the intent of the Legislature that no new rules or regulations be promulgated by the Texas State Board of Nurse Examiners that would increase the number of personnel or the costs of providing services to or purchased by State agencies or institutions, unless required by state or federal law.
7. CONTINGENCY FOR H.B. NO. 18. Contingent upon enactment of H.B. No. 18, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$45,096 for fiscal year 1990 and \$36,596 for fiscal year 1991, from the Professional Nurse Registration Fund No. 138 is hereby appropriated for the purpose of implementing the provisions of the Act. Funds appropriated to implement the provisions of this Act may also be expended to employ personnel in those classified position titles that are established and approved by the State Classification Officer for use by the agency.
8. CONTINGENCY FOR S.B. NO. 622. Contingent upon enactment of S.B. No. 622, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$31,136 for fiscal year 1990 and \$22,126 for fiscal year 1991, from the Professional Nurse Registration Fund No. 138 is hereby appropriated for the purpose of implementing the provisions of the Act. Funds appropriated to implement the provisions of this Act may also be expended to employ personnel in those classified position titles that are established and approved by the State Classification Officer for use by the agency.

BOARD OF VOCATIONAL NURSE EXAMINERS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of Vocational Nurse Examiners Fund No. 266:		
1. Program Administration	725,032	727,412
2. Contingency for Outside Legal Counsel (Art. 1, Sec. 4, Special Provisions)	16,000	16,000
3. Purchasing and Grading of National Examination, estimated	140,000	140,000
GRAND TOTAL, BOARD OF VOCATIONAL NURSE EXAMINERS	\$ 881,032 =====	\$ 883,412 =====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 42,000	\$ 42,000
Per Diem of Board Members	8,820	8,820

BOARD OF VOCATIONAL NURSE EXAMINERS
(Continued)

SCHEDULE OF CLASSIFIED POSITIONS, BOARD OF VOCATIONAL NURSE EXAMINERS

GROUP 21

4468 Director of Vocational Nurse Education

GROUP 20

4467 Associate Director of Vocational Nurse Education, 2

GROUP 18

3646 Supervising Investigator

GROUP 15

1504 Administrative Technician IV

GROUP 14

3644 Investigator II

GROUP 13

1162 Accountant II

1503 Administrative Technician III

GROUP 12

3643 Investigator I

GROUP 08

1501 Administrative Technician I, 3

GROUP 07

0135 Secretary III

0245 ADP Record Control Clerk II

GROUP 06

0055 Clerk III

0203 Key Entry Operator II

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Board of Vocational Nurse Examiners. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the Vocational Nurse
Examiners Fund No. 266:

1. Acquisition of Computer
Equipment and Software

Total, Capital Outlay

\$	2,500	\$	2,500
\$	2,500	\$	2,500
=====		=====	

BOARD OF VOCATIONAL NURSE EXAMINERS
(Continued)

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. **APPROPRIATION SOURCE.** The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of said biennium in the Vocational Nurse Examiners' Fund No. 266.
3. **PURCHASE OF EXAMINATIONS.** The funds appropriated above include funds for fees collected for the National Council Licensure Examination - Practical Nurse (NCLEX). Any fees collected for the National Council Licensure Examination are hereby appropriated to the Board of Vocational Nurse Examiners for the purpose of purchasing the exams. No portion of fees shall be retained for administration expenses.
4. **FEE RATES.** To provide for the recovery of costs for the preceding appropriations, the following fee rates are established pursuant to Article 5429n, Vernon's Texas Civil Statutes, to be effective during the fiscal biennium covered by this Act. If the National Council Licensure Examination (NCLEX) fee is increased by the National Council of State Boards of Nursing for the fiscal biennium covered by this Act, then the examination fee rates below will reflect that increase, and will be raised by a like amount:

(1) Examination and Application Fee	\$50.00
(2) Re-examination Fee	\$50.00
(3) Endorsement Fee	\$50.00

5. **TRANSFER OF EXCESS FUND BALANCE.** Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 266 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

6. **CONTINGENCY FOR S.B. NO. 622.** Contingent upon enactment of S.B. No. 622, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$51,452 for fiscal year 1990 and \$24,502 for fiscal year 1991, from the Vocational Nurse Examiners Fund No. 266 is hereby appropriated for the purpose of implementing the provisions of the Act. Funds appropriated to implement the provisions of this Act may also be expended to employ personnel in those classified position titles that are established and approved by the State Classification Officer for use by the agency.

BOARD OF LICENSURE FOR NURSING HOME ADMINISTRATORS

	For the Years Ending August 31, 1990	August 31, 1991
Out of the Nursing Home Administrators Fund No. 137:		
1. Administration, Licensing and Enforcement	224,467	224,467
2. Contingency for Outside Legal Counsel (Art. 1, Sec. 4, Special Provisions)	<u>3,750</u>	<u>3,750</u>
GRAND TOTAL, BOARD OF LICENSURE FOR NURSING HOME ADMINISTRATORS	\$ 228,217 =====	\$ 228,217 =====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 35,000	\$ 35,000
Per Diem of Board Members	2,865	2,865

SCHEDULE OF CLASSIFIED POSITIONS,
BOARD OF LICENSURE FOR NURSING HOME ADMINISTRATORSGROUP 16

3645 Investigator III

GROUP 15

1504 Administrative Technician IV

GROUP 13

1503 Administrative Technician III

GROUP 12

3643 Investigator I

GROUP 08

0205 Key Entry Operator III

GROUP 05

0127 Stenographer II

BOARD OF LICENSURE FOR NURSING HOME ADMINISTRATORS
(Continued)

1. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Board of Nursing Home Administrators Fund No. 137.
2. RECOVERY OF COSTS. To provide for the recovery of costs for the preceding appropriations, the following fee rates are established pursuant to Article 5429n, Vernon's Texas Civil Statutes, to be effective during the fiscal biennium covered by this Act:

(1)	Initial License Fee (2 years)	\$250.00
(2)	Renewal Fee (2 years)	\$250.00
(3)	Examination and Application Fee	\$250.00
(4)	Retest Fee	\$ 50.00
(5)	Late Renewal Fee	\$ 50.00

3. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 137 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

OPTOMETRY BOARD

	For the Years Ending	
	August 31, 1990	August 31, 1991
<u>Out of the Optometry Fund No. 34:</u>		
1. Program Administration, Investigation & Enforcement	168,552	170,406
2. Contingency for Outside Legal Counsel (Art. 1, Sec. 4, Special Provisions)	<u>15,000</u>	<u>15,000</u>
GRAND TOTAL, OPTOMETRY BOARD	\$ 183,552 =====	\$ 185,406 =====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 35,500	\$ 35,500
Per Diem of Board Members	5,580	5,580

OPTOMETRY BOARD
(Continued)

SCHEDULE OF CLASSIFIED POSITIONS, OPTOMETRY BOARD

GROUP 13

1503 Administrative Technician III

GROUP 08

1003 Accounting Clerk III

GROUP 06

0055 Clerk III

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Optometry Board. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the Optometry Fund No. 034:

1. Acquisition of Computer Equipment and Software	\$ 500	\$ 500
Total, Capital Outlay	\$ 500	\$ 500
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenue received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Optometry Fund No. 34.
3. PURCHASED INVESTIGATIVE SERVICES. Funds appropriated above may be expended to purchase investigative services through professional fees or through joint funding arrangements with other similar agencies authorized to purchase this type of service.
4. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 34 to the General Revenue Fund.

OPTOMETRY BOARD
(Continued)

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

5. **HIRING OF INVESTIGATORS.** The Texas Optometry Board is authorized to expend monies from the amounts appropriated in Item 1., Program Administration, Investigation and Enforcement, for the purposes of hiring investigators as independent contractors and advancing monies for the purchases of evidence and travel expenses based on rates comparable to current state classification allowances.
6. **PERSONNEL EMPLOYMENT.** Funds appropriated in Item 1., Program Administration, Investigation and Enforcement, may be expended to employ personnel in classified position titles listed in Article V of the Act subject to the prior approval of the State Classification Officer or such other positions established and approved by the State Classification Office for use by this agency.

BOARD OF PARDONS AND PAROLES

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration	2,838,601	2,839,096
2. Support Services	3,208,223	3,208,223
3. Executive Clemency	131,329	131,359
4. Parole Selection	5,662,413	5,653,870
5. Parole Supervision	34,896,368	37,169,155
6. Special Community Services		
a. Pre-Parole Transfer and Halfway Houses	20,443,249	24,158,256 & U.B.
b. Intermediate Sanction Facilities	7,541,813	14,782,500
c. Work Facilities Program	2,646,250	5,292,500
d. Special Needs Services	2,000,000	4,000,000
e. Project RIO	3,150,000	4,350,000
Total, Special Community Services	\$ 35,781,312	\$ 52,583,256
7. Intensive Supervision	\$ 2,776,124	\$ 3,905,724
GRAND TOTAL, BOARD OF PARDONS AND PAROLES	\$ 85,294,370 =====	\$ 105,490,683 =====
Method of Financing:		
General Revenue Fund	\$ 85,232,162	\$ 105,428,475

BOARD OF PARDONS AND PAROLES
(Continued)

Federal Funds	<u>62,208</u>	<u>62,208</u>
Total, Method of Financing	\$ 85,294,370 =====	\$ 105,490,683 =====

Schedule of Exempt Positions

Board Chairman	\$ 68,000	\$ 68,000
Board Members	5 68,000	5 68,000
Executive Director	66,000	66,000
Deputy Executive Director	52,000	52,000
General Counsel	50,000	50,000
Commission Members	11 48,000	11 48,000
Assistant Director	5 48,000	5 48,000

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Board of Pardons and Paroles. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ <u>571,545</u>	\$ <u>613,127</u>
Total, Capital Outlay	\$ 571,545 =====	\$ 613,127 =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. SALARY SUPPLEMENT AUTHORIZED. Out of Item 1. the Board of Pardons and Paroles is authorized to pay in addition to regular salary the Deputy Compact Administrator \$600 annually. This authorization shall apply to the incumbent on September 1, 1985, only, and shall expire when said incumbent vacates the position, and thereafter, the duties of deputy compact administrator shall be a part of the employee's regular duties.
3. INTERVIEW OF INMATES REQUIRED. It is legislative intent that each board member should conduct interviews with inmates eligible for parole at the Department of Corrections at least two (2) days per month.
4. PAROLE SUPERVISION RATIO. It is the intent of the Legislature that in fiscal years 1990 and 1991 a ratio of 75 active releasees to one parole officer be maintained. The ratio will be calculated by dividing the number of supervising parole officers and caseworkers currently employed into the total number of releasees supervised, exclusive of those under intensive supervision (Item 7) for which a ratio of 25 releasees to one supervising officer is to be maintained. In the event that this ratio is not

BOARD OF PARDONS AND PAROLES
(Continued)

- maintained, the Board of Pardons and Paroles shall file a statement documenting the reasons for noncompliance with the Legislative Budget Board and the Governor's Office of Budget and Planning. None of the funds appropriated for that purpose shall be expended for any other purpose.
5. VEHICLE AUTHORIZATION. The Board of Pardons and Paroles is hereby authorized to purchase and/or operate two (2) passenger automobiles from appropriations made above.
 6. HALFWAY HOUSE, ELIGIBLE POPULATION. It is the intent of the Legislature that the funds appropriated under item 6., Special Community Services, effect a reduction in the population of the Texas Department of Corrections. Those inmates paroled to halfway houses should come from a class of parole eligibles who could not have been paroled without the availability of halfway houses. Those inmates transferred to halfway houses in a pre-parole status should meet the criteria set forth in Article 42.18, Code of Criminal Procedure.
 7. LIMITATION ON EXPENDITURES - COMPUTER AQUISITION. None of the funds appropriated above in Item 2., Support Services, shall be expended for the acquisition of computer equipment without a finding of fact by the Governor that such equipment is capable of direct interaction with the computer system of the Texas Department of Corrections to the maximum extent possible.
 8. TRANSFER AUTHORITY. The Board of Pardons and Paroles is authorized to transfer funds between Program 1., Administration and Program 2., Support Services. Additionally, up to fifteen percent in fiscal year 1990 and ten percent in fiscal year 1991 of each line item may be transferred into Program 4., Parole Selection, Program 5., Parole Supervision and Program 6., Special Community Services. Funds appropriated under Program 7., Intensive Supervision, may be transferred into any other program except Program 3., Executive Clemency.
 9. SUPPLY REVOLVING FUND AUTHORIZED. The State Comptroller shall establish a separate account from which consumable supply costs shall be paid. From funds herein appropriated, the agency may establish, maintain, and operate on a reimbursable basis a supply revolving fund which will contribute to the efficiency and economical operation of the agency.

Rules shall be established to avoid depletion of the revolving fund. To reimburse the fund from which expenditures are made, the agency may make fund transfers from the appropriations of the activities which receive the supplies or may submit purchase vouchers through the Office of the State Comptroller.
 10. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:

BOARD OF PARDONS AND PAROLES
(Continued)

- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AIRC); and,
- b. The AIRC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AIRC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AIRC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

- 11. INTERNAL AUDITOR REQUIRED. From funds appropriated above, the Board of Pardons and Paroles shall employ an internal auditor.
- 12. ADDITIONAL PAROLE COMMISSIONERS. From amounts appropriated in Item 1., Administration, it is intended that two additional parole commissioner positions be supported.
- 13. PAROLE VIOLATOR FACILITY. Out of the funds appropriated above in item 6., Special Community Services, amounts not to exceed \$6,470,194 in fiscal year 1990 and \$6,762,975 in fiscal year 1991 shall be expended to continue services, including, at a minimum, \$100,000 in fiscal year 1990 and \$100,000 in fiscal year 1991 for expanded drug and alcohol abuse counseling programs, life skills training, literacy, and employment assistance counseling programs to releasees at the Central Texas Parole Violator Facility in accordance with the terms of Grant Number PF-89-Eo5-2699, with the Board of Pardons and Paroles assuming the obligations of the Central Texas Correctional Development Corporation in providing services at the facility. Costs for utilities, reserves for maintenance and medical expenses, and administrative expenses included within the above amounts will be reviewed 60 days prior to the beginning of each fiscal year with a goal of reducing those expenses to the maximum extent possible, and reported quarterly to the director of the Legislative Budget Board. Any amounts produced by the reduction in expenses for utilities, reserves and administrative expenses shall be used to further expand the counseling programs.
- 14. INTERAGENCY COUNCIL. From funds appropriated above in line item 6.d., \$297,000 in fiscal year 1990 and \$297,000 in fiscal year 1991 shall be used to contract for residential treatment beds for offenders with mental impairments for the mentally ill programs in the approved pilot projects of the Interagency Council on Mentally Retarded, Developmentally Disabled, Mentally Ill Offenders. It is the intent of the Legislature that the Board of Pardons and Paroles shall consult with the Interagency Council on Mentally Retarded, Developmentally Disabled, and Mentally Ill Offenders on the award of the contract.

BOARD OF PARDONS AND PAROLES
(Continued)

15. REPORTING REQUIREMENT. The Board of Pardons and Paroles or its successor division in the Department of Criminal Justice shall include in the performance reports submitted to the Legislative Budget Board and the Governor's Office of Budget and Planning a separate section related to intermediate sanction facilities. This section shall report the expenditures related to such facility or facilities and include information on workload measures as developed by the Legislative Budget Office and the Governor's Office of Budget and Planning.

PARKS AND WILDLIFE DEPARTMENT

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Executive		
a. Executive Office	713,911	713,911
b. Aircraft Operations	237,814	237,982
		& U.B.
Total, Executive	\$ 951,725	\$ 951,893
2. Administrative Services	\$ 12,061,599	\$ 11,985,954
3. Enforcement	25,972,553	26,328,174
4. Wildlife		
a. Research and Management	7,313,458	7,345,558
b. Payment in Lieu of Taxes	350,000	350,000
c. Mule Deer Relocation Project	250,000	U.B.
d. Elk Habitat Project	175,000	U.B.
Total, Wildlife	\$ 8,088,458	\$ 7,695,558
5. Fisheries	\$ 10,159,280	\$ 10,611,947
6. Resource Protection	1,843,578	1,834,226
7. Park System Planning	3,307,471	3,310,681
8. Park Design and Development	3,659,756	3,666,651
9. Park System Operations	23,144,587	23,519,560
10. Operation, maintenance and repair of Salt House in Grand Saline, Texas	12,250	12,250
		& U.B.
11. State and Local Parks	12,428,000	12,447,000

PARKS AND WILDLIFE DEPARTMENT
(Continued)

12. Coastal Beach Services	<u>680,000</u>	<u>680,000</u>
GRAND TOTAL, PARKS AND WILDLIFE DEPARTMENT	\$ 102,309,257 =====	\$ 103,043,894 =====
Method of Financing:		
General Revenue Fund:		
Statutory allocation to State Parks Fund No. 64, as provided in V.T.C.A., Tax Code, Sec. 154.603	\$ 8,427,044	\$ 8,481,180
Statutory allocation to Texas Local Parks, Recreational and Open Space Fund No. 467, as provided in V.T.C.A., Tax Code, Sec. 154.603	12,428,000	12,447,000
Other General Revenue Fund	14,701,308	15,206,431
Total, General Revenue Fund	<u>\$ 35,556,352</u>	<u>\$ 36,134,611</u>
Special Game, Fish, and Water Safety Fund No. 9:		
Statutory allocation to Game, Fish, and Water Safety Fund No. 9, as provided in V.T.C.A., Tax Code, Sec. 153.502	\$ 9,166,000	\$ 9,280,000
Other Game, Fish and Water Safety Fund No. 9 Receipts	<u>47,401,340</u>	<u>47,591,363</u>
Total, Special Game, Fish, and Water Safety Fund No. 9	<u>\$ 56,567,340</u>	<u>\$ 56,871,363</u>
State Parks Fund No. 64	\$ 9,060,615	\$ 8,912,880
Federal Land and Water Conservation Fund No. 223, estimated	<u>1,124,950</u>	<u>1,125,040</u>
Total, Method of Financing	<u>\$ 102,309,257</u> =====	<u>\$ 103,043,894</u> =====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 72,000	\$ 72,000
Division Director III	7 58,000	7 58,000
Division Director II	7 52,000	7 52,000
Division Director I	7 48,000	7 48,000
Major Game Warden	48,000	48,000
Captain Game Warden	UL 40,000	UL 40,000
Lieutenant Game Warden	UL 36,500	UL 36,500

PARKS AND WILDLIFE DEPARTMENT
(Continued)

Sergeant Game Warden	UL	34,000	UL	34,000
Game Warden IV	UL	33,000	UL	33,000
Game Warden III	UL	31,000	UL	31,000
Game Warden II	UL	29,000	UL	29,000
Game Warden I	UL	27,000	UL	27,000
Per Diem of Board Members		5,400		5,400

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Parks and Wildlife Department. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Construction, Acquisition, Grants, Repair and Renovation	\$ 12,063,346	\$ 11,168,974 & U.B.
2. Acquisition of Computer Equipment and Software	<u>807,863</u>	<u>806,747</u>
Total, Capital Outlay	<u>\$ 12,871,209</u> =====	<u>\$ 11,975,721</u> =====

Method of Financing:

Game, Fish, Water Safety Fund No. 9	\$ 4,870,253	\$ 4,009,901
Statutory Allocation to State Parks Fund No. 64, as provided in V.T.C.A., Tax Code, Sec. 154.603	6,000,956	5,965,820
Statutory Allocation to Texas Local Parks, Recreational and Open Space Fund No. 467, as provided in V.T.C.A., Tax Code Sec. 154.603	<u>2,000,000</u>	<u>2,000,000</u>
Total, Method of Financing	<u>\$ 12,871,209</u> =====	<u>\$ 11,975,721</u> =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. PARK DEVELOPMENT FUND APPROPRIATION. There are hereby appropriated all proceeds and receipts deposited in the Texas Parks Development Fund and in the Texas Park Development Bonds Interest and Sinking Fund pursuant to and for the purposes as set out by the provisions of Section 49-e of Article III of the Texas Constitution and Parks and Wildlife Code, Chapter 21.
3. PARKS AND WILDLIFE OPERATION FUND AUTHORIZED. The Parks and Wildlife Department is hereby authorized to transfer any funds appropriated in this act for programs including personal services, travel, consumable supplies and materials, current operating expenses, and capital outlay into a special

PARKS AND WILDLIFE DEPARTMENT
(Continued)

fund in the State Treasury to be known as the "Parks and Wildlife Department Operating Fund," which fund shall be used only for the purposes for which appropriations are made in this act. Provided, however, that each special fund shall be used for the purposes as now described by law and nothing shall be done to jeopardize or divert the special funds or any portion thereof including federal aid.

4. APPROPRIATION SOURCE. The amounts specified in this act from special funds are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium.
5. LAND AND WATER CONSERVATION FUND APPROPRIATION. The Parks and Wildlife Department is hereby appropriated the balance remaining in the Land and Water Conservation Fund for any purpose authorized by Parks and Wildlife Code Section 11.037.
6. LOCAL PARKS, RECREATION AND OPEN SPACE FUND APPROPRIATION. The Parks and Wildlife Department is hereby appropriated the balance remaining in the Texas Local Parks, Recreation and Open Space Fund at the beginning of this biennium, and any revenue received during this biennium, for any purpose as authorized by Parks and Wildlife Code, Chapter 24.
7. NON-GAME AND ENDANGERED SPECIES CONSERVATION FUND APPROPRIATION. The Parks and Wildlife Department is hereby appropriated the balance remaining in the Non-Game and Endangered Species Conservation Fund at the beginning of this biennium, and any revenue received during this biennium, for any purpose as authorized by Parks and Wildlife Code, Chapter 11, Subchapter D.
8. PARKS TRANSFER AUTHORITY. For the biennium beginning September 1, 1989, the Parks and Wildlife Department is hereby authorized to transfer such amounts as may be necessary among program Items 7., Park System Planning, 8., Park Design and Development, 9., Park System Operations, and appropriations made in this act for park construction, acquisition, repair and renovation in accordance with the provisions of general law.
9. ACCEPTANCE AND TRANSFER OF FEDERAL FUNDS. The Parks and Wildlife Department is authorized to accept from the federal government any funds that may be allocated to the department for projects and programs authorized by law. The Parks and Wildlife Department is authorized to use any of the state funds appropriated in this act to it to match any federal funds in the event said matching is required to secure said federal funds. Provided, however, that any federal grant, allocation or aid received as reimbursement for expenditures made from appropriated funds shall be deposited into the State Treasury fund or funds from which the original expenditure was made except where statutes provide otherwise for deposits. The Parks and Wildlife Department is further authorized to transfer, or pay federal funds to any performing agency or other local political subdivision for services rendered for projects within the scope of the Parks and Wildlife Department when the department is designated as grantee for the federal funds, and so much of said payments and transfers as is necessary is hereby appropriated.

PARKS AND WILDLIFE DEPARTMENT
(Continued)

10. CONSTRUCTION AND REPAIR BALANCES REAPPROPRIATED. Funds appropriated in this act for construction, repair, acquisition, renovation and grant projects for the year ending August 31, 1990, are hereby reappropriated for the same purposes for the year beginning September 1, 1990.
11. PARK CONSTRUCTION UNEXPENDED BALANCE APPROPRIATED. Any appropriation or reappropriation made in this Act to the Parks and Wildlife Department for Park Construction and Improvement Projects shall include labor and all necessary costs involved in the development of the specified state parks. It is provided, however, that the Parks and Wildlife Department shall submit reports at the close of each fiscal year to the Governor and the Legislative Budget Board showing the progress and costs involved in the expenditure of such appropriation items. Any unexpended balances remaining in such appropriation items at August 31, 1990, are hereby reappropriated for the same purposes for the year beginning September 1, 1990.
12. APPROPRIATION OF LAND AND IMPROVEMENT PROCEEDS. The Parks and Wildlife Department is hereby authorized to expend and there are hereby appropriated any funds received during this or any previous biennium from the sale of existing buildings, land and improvements thereto. Such funds shall be expended solely for the acquisition and development of land and/or buildings and as otherwise provided for in Section 13.009, Parks and Wildlife Code.
13. REAPPROPRIATION OF UNEXPENDED BALANCES OF THE SIXTY-NINTH LEGISLATURE. Any unexpended balances as of August 31, 1989 in Item 8b. for Park Acquisition, Construction, Repair and Rehabilitation, Item 11. for Boat Ramps, Item 13. for State and Local Parks, Rider 37 (2) for Repair of Facilities and, Rider 37 (7) for Boat Ramps, in S.B. No. 1, Acts of the Sixty-ninth Legislature, Third Called Session, 1986, are hereby reappropriated for the same purposes for the biennium beginning September 1, 1989.
14. REAPPROPRIATION OF UNEXPENDED BALANCES OF THE SEVENTIETH LEGISLATURE. Any unexpended balances as of August 31, 1989, in item 8.b., for Park Acquisition, Construction, Repair, and Rehabilitation, Item 11., for Boat Ramps, Item 13., for State and Local Parks, Rider 29 and Rider 35 in Senate Bill No. 1, Acts of the Seventieth Legislature, Second Called Session, 1987, are hereby reappropriated for the same purposes for the biennium beginning September 1, 1989.
15. PARK CONCESSIONS AUTHORIZATION AND APPROPRIATION. In addition to the funds appropriated in this act, there are hereby appropriated and the Parks and Wildlife Department is authorized to expend, out of State Parks Fund No. 64, the amounts necessary for the establishment and operation of concessions in state parks, including classified salaries, seasonal and part-time help, consumable supplies and materials, current and recurring operating expenses, equipment and other capital outlay.
16. REAPPROPRIATION OF SHELDON WILDLIFE MANAGEMENT AREA REPAIR FUNDS. The Parks and Wildlife Department is hereby authorized to expend the reappropriated unexpended balance for Repair of Dam at Sheldon Wildlife Management Area included in House Bill No. 656, Acts of the Sixty-seventh Legislature, Regular Session, 1981, for other necessary repair and development at the Sheldon Wildlife Management Area and Park Operations.

PARKS AND WILDLIFE DEPARTMENT
(Continued)

17. REAPPROPRIATION OF SAN JACINTO MONUMENT AND BATTLE SHIP TEXAS REPAIR FUNDS. Any balance remaining in the appropriation for major repairs and renovations to the San Jacinto Monument in Senate Bill 179, Acts of the Sixty-eighth Legislature, Regular Session, 1983, may be utilized for the repair, renovation and preservation of the Battleship Texas and Park Operations, and such balances are hereby appropriated for this purpose. The Battleship Texas Advisory Board may expend a portion of the funds that it raises to conduct additional fund-raising activities with expenditures not to exceed 10 percent of the total raised.
18. CADDO LAKE BOAT LANE FUNDS REAPPROPRIATED. Included in the appropriations in this Act to the Parks and Wildlife Department is \$40,000 which shall be utilized for clearance and maintenance of boat roads at Caddo Lake. Any unexpended balances for the year ending August 31, 1990, for this purpose are hereby reappropriated for the year ending August 31, 1991.
19. HATCHERY CONSTRUCTION FUNDS REAPPROPRIATED. Any remaining unexpended balance of the \$3,000,000 appropriated by rider for the biennium beginning September 1, 1983, for the construction, repair and rehabilitation of fish hatchery facilities is hereby reappropriated for the same purpose for the biennium beginning September 1, 1989.
20. SHOOTING RANGE REVOLVING FUND APPROPRIATION. In addition to the funds appropriated in this act, there is hereby appropriated to the Parks and Wildlife Department \$100,000 from the Game, Fish and Water Safety Fund for the biennium beginning September 1, 1989, for acquisition and construction of shooting ranges for the Hunter Safety Program. These funds may be expended only on projects that have been approved by the federal government for seventy-five percent reimbursement and the local sponsor of the project must provide the other twenty-five percent. The federal reimbursement must be deposited to this appropriation item so that a revolving fund will be available for the purpose of acquiring and construction of Hunter Safety Gun Ranges throughout the biennium beginning September 1, 1989.
21. WATERFOWL AND WHITEWING REVENUE APPROPRIATION. The Parks and Wildlife Department is hereby appropriated the balances remaining in the waterfowl and whitewing funds at the beginning of this biennium and any revenue received during this biennium for any purpose authorized by Parks and Wildlife Code Sections 43.014 and 43.305.
22. PUBLIC HUNT REVENUE APPROPRIATED. Revenue received during this biennium from the sale of Public Hunting permits is hereby appropriated for the purposes of administering the Public Hunt Program.
23. ALL-TERRAIN VEHICLE SAFETY FUND APPROPRIATION. The Parks and Wildlife Department is hereby appropriated the balance remaining in the All-Terrain Vehicle Safety Fund for public awareness of safety hazards related to the use of three wheel all-terrain vehicles and for any other purpose authorized by Senate Bill 939, Chapter 260, Acts of the Seventieth Legislature, Regular Session, 1987.

PARKS AND WILDLIFE DEPARTMENT
(Continued)

24. ROYALTY REVENUE APPROPRIATION. The Parks and Wildlife Department is hereby authorized to expend and there are hereby appropriated any revenues or royalties received from the sale of items in which the department has a proprietary right.
25. ESCROW ACCOUNTS APPROPRIATION. Any unexpended balances at the beginning of this biennium, and any revenue received during this biennium, consisting of either principal or interest, from trust or escrow accounts set up to benefit the Parks and Wildlife Department are hereby appropriated. These funds may include, but are not limited to, mitigation for destruction of wildlife or fisheries habitat.
26. SEAFOOD MARKETING APPROPRIATION. The Parks and Wildlife Department is hereby appropriated \$450,000 for the biennium for seafood marketing as authorized by Parks and Wildlife Code Section 12.009.
27. SURVEY DESIGN, AND INSPECTION COSTS. The Parks and Wildlife Department is hereby authorized to pay in-house survey, planning, design and inspection costs on all department facilities from line item 7. and 8. above.
28. CLOTHING AND CLEANING ALLOWANCE AUTHORIZED. The Parks and Wildlife Department shall provide a clothing and cleaning allowance of \$500 per year to all employees holding positions in the game warden job classification series.
29. GAME WARDEN TRAINING SALARIES AUTHORIZED. It is provided that funds herein appropriated for enforcement may be expended for the salaries for the training and development of game wardens at rates established by the Parks and Wildlife Department.
30. PURCHASE OF EVIDENCE AUTHORIZED. From amounts appropriated above the Parks and Wildlife Department is hereby authorized to establish a cash fund, for the purchase of evidence and/or information and surveillance deemed necessary by the department for enforcement of game and fish laws.
31. MANAGEMENT OF FEDERAL FACILITIES. The Parks and Wildlife Department is hereby authorized to enter into contracts with the federal government to manage federally owned fish and wildlife areas. The Parks and Wildlife Department is hereby authorized to refund monies to the federal government which are received from sale of products and rights on these areas and are in excess of expenses of maintaining the areas.
32. PAYMENT WITH GOODS AND SERVICES. The Parks and Wildlife Department is hereby authorized to accept goods and/or services in lieu of cash for sales of products or rights on the department's wildlife management areas. These goods and services may be on the same wildlife area as the product or right sold or any other wildlife area. In order to procure the goods and services in the amounts needed that equal the value of products or rights sold, an escrow bank account may be utilized.

PARKS AND WILDLIFE DEPARTMENT
(Continued)

33. REAL ESTATE FEES PROHIBITED. None of the funds appropriated to, or otherwise available to, the Parks and Wildlife Department shall be expended, directly or indirectly, in compensation or reimbursement to any person as a fee or commission for their services in connection with the acquisition of real property by said department, for its own use or for the benefit of others.
34. HEADQUARTERS CAFETERIA AUTHORIZED. The Parks and Wildlife Department is hereby authorized to operate, or have operated, a cafeteria in its state headquarters office building in McKinney Falls State Park.
35. HOURLY WAGES AUTHORIZED. From funds appropriated in this act the Parks and Wildlife Department is hereby authorized the payment of hourly wages, provided a schedule of hourly wage rates by work classification is filed with the Comptroller of Public Accounts and the Classification Division of the State Auditor's Office.
36. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.
- The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.
37. PARK CLOSING PROVISION. In the event the Parks and Wildlife Department closes a state park due to insufficient funding, the Department may work with local political subdivisions to secure the funding necessary to continue park operations.
38. CANADIAN RIVER LAND. If legislation enacted by the 71st Legislature at its regular session becomes law and provides for the purchase of riparian land along the Canadian River in Hutchinson County, an amount not to exceed the appraised value of the land authorized by that Act to be purchased is appropriated from the balance of the game, fish, and water safety fund not otherwise appropriated to the Parks and Wildlife Department for the biennium ending August 31, 1991, for the purchase of that land.

PARKS AND WILDLIFE DEPARTMENT
(Continued)

39. NOXIOUS AQUATIC VEGETATION CONTROL. The Parks and Wildlife Department is hereby appropriated \$750,000 for the biennium beginning September 1, 1989, from the Game, Fish, and Water Safety Fund to fund pilot research and demonstration programs to be conducted jointly with Texas A&M University using triploid grass carp on at least three lakes or bodies of water to determine if triploid grass carp is effective and safe in controlling noxious aquatic vegetation in the public fresh waters of this state, with stocking under the programs to begin no later than December 1, 1989.
40. REHABILITATION OF ROLLOVER PASS. The Parks and Wildlife Department is appropriated \$87,000 in fiscal year 1990 and \$1,359,000 in fiscal year 1991 out of Fund No. 9 for the Rehabilitation of Rollover Pass.
41. TRINITY RIVER STATE PARK. The department is directed to expend at least \$250,000 for fiscal year 1990 and at least \$250,000 for fiscal year 1991 for land acquisition for the Trinity River State Park from appropriations made in Article VII out of Fund No. 467.
42. ARTIFICIAL REEF FUND. The Parks and Wildlife Department is hereby appropriated the balance remaining in the Artificial Reef Fund at the beginning of this biennium, and any revenue received during this biennium, for any purpose as authorized by Parks and Wildlife Code, Chapter 89.
43. CONTINGENCY FOR SENATE BILL NO. 276. Contingent upon the passage of Senate Bill No. 276, Seventy-first Legislature, Regular Session, or similar legislation providing criminal penalties for persons operating a moving vessel, manipulating water skis, an aquaplane, or other waterborne devices while intoxicated, there is hereby appropriated out of the Game, Fish, and Water Safety Fund No. 9, \$80,630 in fiscal year 1990 for the purpose of implementing the provisions of the bill.
44. CONTINGENCY FOR SENATE BILL NO. 370. Contingent upon the passage of Senate Bill No. 370, Seventy-first Legislature, Regular Session, or similar legislation establishing the River Protection System, there is hereby appropriated for fiscal year 1991 the amounts of \$279,649 from the Game, Fish, and Water Safety Fund No. 9, and \$93,217 from the State Park Fund No. 64, and for fiscal year 1991 the department is hereby appropriated \$224,375 from the Game, Fish and Water Safety Fund No. 9 and \$74,791 from the State Park Fund No. 64 for the purpose of implementing the provisions of the bill.
45. CONTINGENCY FOR HOUSE BILL NO. 1462. Contingent upon the passage of House Bill No. 1462, Seventy-first Legislature, Regular Session, or similar legislation that would prohibit the Parks and Wildlife Department from regulating the sale and consumption of alcoholic beverages in an assigned area at Galveston Bay State Park, there is hereby appropriated out of the State Park Fund No. 64 an amount not to exceed \$56,000 in fiscal year 1990 and \$40,000 in fiscal year 1991 for the purpose of implementing the provisions of the bill.

PARKS AND WILDLIFE DEPARTMENT
(Continued)

46. CONTINGENCY FOR HOUSE BILL NO. 1821. Contingent upon the passage of House Bill No. 1821, Seventy-first Legislature, Regular Session, or similar legislation providing a fee on oysters sold by commercial fishermen, there is hereby appropriated out of the Game, Fish, and Water Safety Fund No. 9 an amount not to exceed \$26,315 for fiscal year 1991 and \$25,240 for fiscal year 1991 for the purpose of implementing the provisions of the bill.

PENSION REVIEW BOARD

	For the Years Ending	
	August 31,	August 31,
	1990	1991
Out of the General Revenue Fund:		
<u>Public Pension Review Program</u>		
1. Administration	180,550	184,410
2. Professional Fees and Services	<u>75,000</u>	<u>65,000</u>
GRAND TOTAL, PENSION REVIEW BOARD	\$ 255,550	\$ 249,410

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 42,000	\$ 42,000
Per Diem of Board Members	1,440	2,520

SCHEDULE OF CLASSIFIED POSITIONS, PENSION REVIEW BOARD

GROUP 17

1563 Program Administrator 1

GROUP 15

1504 Administrative Technician IV

GROUP 11

1161 Accountant I

GROUP 09

0138 Administrative Secretary

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Pension Review Board. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

- ## 1. Acquisition of Computer

PENSION REVIEW BOARD
(Continued)

Equipment and Software	\$ 2,500	\$ -0-
Total, Capital Outlay	\$ 2,500	\$ -0-
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFER AUTHORITY. The Pension Review Board is hereby authorized to transfer funds appropriated above in Items 1., and 2., between each item in an amount not to exceed fifteen (15%) percent in fiscal year 1990 and ten (10%) percent in fiscal year 1991 of the amount appropriated for that item in each fiscal year.
3. CONTINGENCY APPROPRIATION, SENATE BILL NO. 365. In addition to the funds appropriated above, the State Pension Review Board is hereby appropriated all of the funds received by the State Pension Review Board fund created by Senate Bill No. 365, Acts of the Seventy-first Legislature.

STRUCTURAL PEST CONTROL BOARD

	For the Years Ending August 31, 1990	August 31, 1991
1. Administration and Licensing	252,506	252,506
2. Investigation and Enforcement	376,144	375,694
	-----	-----
GRAND TOTAL, STRUCTURAL PEST CONTROL BOARD	\$ 628,650	\$ 628,200
	=====	=====

Method of Financing:

Structural Pest Control Fund No. 424	\$ 588,650	\$ 588,200
Interagency Contracts, Estimated	40,000	40,000
	-----	-----
Total, Method of Financing	\$ 628,650	\$ 628,200
	=====	=====

Schedule of Exempt Positions

Executive Director	\$ 46,226	\$ 46,226
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SCHEDULE OF CLASSIFIED POSITIONS (UL), STRUCTURAL PEST CONTROL BOARD

GROUP 18
3646 Supervising Investigator

STRUCTURAL PEST CONTROL BOARD
(Continued)

GROUP 16

3645 Investigator III

GROUP 15

1504 Administrative Technician IV

GROUP 14

3644 Investigator II

GROUP 12

3643 Investigator I

GROUP 11

1502 Administrative Technician II

GROUP 09

0211 Key Entry Supervisor I

GROUP 07

0135 Secretary III

GROUP 06

0133 Secretary II

1. APPROPRIATION SOURCE. The amounts specified above from Structural Pest Control Fund No. 424 are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of said biennium in the Structural Pest Control Fund No. 424.
2. CONTINGENCY APPROPRIATION. In the event actual amounts available for expenditure from interagency contracts or federal grants should be less than the amounts estimated above, the Comptroller is authorized and directed to increase the appropriations from the Structural Pest Control Fund No. 424 accordingly.
3. TRANSFER AUTHORITY. The Structural Pest Control Board is hereby authorized to transfer such amounts as necessary between line items 1. and 2.
4. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 424 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

STRUCTURAL PEST CONTROL BOARD
(Continued)

5. CONTINGENCY APPROPRIATION, CONTINUING EDUCATION AND OUTSIDE LEGAL COUNSEL. The Structural Pest Control Board is hereby appropriated for the purposes of: implementing a continuing pest control education program, and for providing for a part-time attorney the following amounts in Item 1. Administration and Licensing \$49,000 each year of the biennium, and Item 2. Investigation and Enforcement \$33,000 each year of the biennium. The above appropriations are contingent upon the Structural Pest control Board raising license fees by an amount calculated to provide additional revenues of \$100,000 per year.
6. CONTINGENCY FOR HOUSE BILL NO. 3167. Contingent upon enactment of House Bill No. 3167, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$62,163 for fiscal year 1990 and \$53,910 for fiscal year 1991, from Structural Pest Control Fund No. 424 is hereby appropriated for the purpose of implementing the provisions of the Act.

Funds appropriated to implement the provisions of this Act may also be expended to employ personnel in those classified position titles that are established and approved by the State Classification Officer for use by the agency.

BOARD OF PHARMACY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of Board of Pharmacy Funds (NCNB Texas, Austin):		
1. Administration, Licensing and Enforcement	1,434,139	1,435,743
2. Purchasing and Grading of National Examination, estimated	75,000	75,000
3. Contingency for Outside Legal Counsel (Art. 1, Sec. 4 Special Provisions)	12,000	12,000
GRAND TOTAL, BOARD OF PHARMACY	\$ 1,521,139 =====	\$ 1,522,743 =====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director/Secretary	\$ 57,363	\$ 57,363
Per Diem of Board Members	9,450	9,450

SCHEDULE OF CLASSIFIED POSITIONS, BOARD OF PHARMACY

GROUP 20

1553 Staff Services Officer II
1557 Director of Programs I, 3

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BOARD OF PHARMACY
(Continued)

GROUP 19

4492 Pharmacist III, UL

GROUP 18

3537 Attorney IV

GROUP 17

3776 Senior Investigator-Examiner

4491 Pharmacist II, UL

GROUP 16

3645 Investigator III, 5

GROUP 15

4490 Pharmacist I, UL

GROUP 13

1162 Accountant II

1503 Administrative Technician III

GROUP 09

0138 Administrative Secretary, 2

GROUP 08

1003 Accounting Clerk III

1501 Administrative Technician I, 6

GROUP 06

0055 Clerk III, 2

1. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during the biennium with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of said biennium in Board of Pharmacy funds outside the State Treasury.
2. VOUCHER REQUIRED. None of the funds hereby appropriated shall be expended except by a voucher submitted to the Comptroller of Public Accounts.
3. PURCHASING AND GRADING OF EXAMS. The amount appropriated above for Item 2., Purchasing and Grading of National Examination, shall be expended solely for the purpose of purchasing and grading of the National Association of Boards of Pharmacy Licensure Exam from the National Association of Boards of Pharmacy.
4. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Board of Pharmacy funds to the General Revenue Fund.

BOARD OF PHARMACY
(Continued)

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

5. CONTINGENCY FOR HOUSE BILL NO. 1159. Contingent upon enactment of House Bill No. 1159, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$44,224 for fiscal year 1990 and \$31,052 for fiscal year 1991, from Board of Pharmacy Funds is hereby appropriated for the purpose of implementing the provisions of the Act.
- Funds appropriated to implement the provisions of this Act may also be expended to employ personnel in those classified position titles that are established and approved by the State Classification Officer for use by the agency.
6. LIMITATION ON EXPENDITURES, PHARMACISTS. Out of the funds appropriated to the Texas State Board of Pharmacy, no funds shall be expended to pay the salaries of more than eight (8) Pharmacist I, Pharmacist II, and Pharmacist III.

BOARD OF PHYSICAL THERAPY EXAMINERS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Administration, Licensing and Enforcement	199,595	202,022
2. Purchasing and Grading of National Examination, estimated	40,990	40,990
3. Contingency for Outside Legal Counsel (Art. 1, Sec. 4, Special Provisions)	10,000	10,000
GRAND TOTAL, BOARD OF PHYSICAL THERAPY EXAMINERS	\$ 250,585	\$ 253,012

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 35,904	\$ 35,904
Per Diem of Board Members	5,040	5,040

SCHEDULE OF CLASSIFIED POSITIONS, BOARD OF PHYSICAL THERAPY EXAMINERS

GROUP 16
3645 Investigator III

BOARD OF PHYSICAL THERAPY EXAMINERS
(Continued)

GROUP 11
1161 Accountant I
1502 Administrative Technician II

GROUP 10
0206 Key Entry Operator IV

GROUP 06
0055 Clerk III

- 1. PURCHASING AND GRADING OF EXAMS. The amount appropriated above for Item 2., Purchasing and Grading of National Examination, shall be expended solely for the purpose of purchasing and grading of the Physical Therapy Exam from the Professional Examination Service.
- 2. CONTINGENCY APPROPRIATION - CONTINUING EDUCATION. There is hereby appropriated to the Board of Physical Therapy Examiners \$37,780 in 1990 and \$44,581 in 1991 for the administration of continuing education programs contingent on the board establishing reasonable and necessary fees at a minimum of \$40 and not to exceed \$200 per course submitted for approval.

BOARD OF PLUMBING EXAMINERS

	For the Years Ending	
	August 31,	August 31,
	1990	1991
Out of the Plumbing Examiners Fund No. 077:		
<u>Administration, Licensing and Examination Program</u>		
1. Administration	305,496	309,964
2. Licensing and Examination	410,342	421,892
3. Field Services	180,821	191,071
4. Computer Services	63,890	64,308
GRAND TOTAL, BOARD OF PLUMBING EXAMINERS	\$ 960,549	\$ 987,235

Schedule of Exempt Positions and Per Diem of Board Members

Administrator	\$ 55,576	\$ 55,576
Per Diem of Board Members	2,030	2,030

SCHEDULE OF CLASSIFIED POSITIONS, BOARD OF PLUMBING EXAMINERS

GROUP 21
1559 Director of Programs II, 2

BOARD OF PLUMBING EXAMINERS
(Continued)

GROUP 18

7026 Occupational Education Specialist II, 8

GROUP 16

1163 Accountant III

GROUP 15

1504 Administrative Technician IV

GROUP 13

1503 Administrative Technician III

GROUP 11

0213 Key Entry Supervisor II

1502 Administrative Technician II, 2

GROUP 10

7413 Translator, Spanish

GROUP 08

0205 Key Entry Operator III

1003 Accounting Clerk III

GROUP 06

0203 Key Entry Operator II, 2

GROUP 04

1902 Stock Clerk II

1. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during each year of the biennium beginning with the effective date of this Act, and from any balance on hand at the beginning of each fiscal year of the biennium in the Plumbing Examiners Fund No. 077.
2. TRANSFER AUTHORITY. The State Board of Plumbing Examiners is hereby authorized to transfer such amounts as may be necessary from item 1. into items 2., 3. and 4., and between items 2., 3. and 4.
3. FEE LEVELS. It is the intent of the Legislature that the Board of Plumbing Examiners set fees at levels which will not generate revenues substantially in excess of the costs associated with the operation of their programs.
4. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 077 to the General Revenue Fund.

BOARD OF PLUMBING EXAMINERS
(Continued)

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

BOARD OF PODIATRY EXAMINERS

	For the Years Ending	
	August 31,	August 31,
	1990	1991
Out of the Podiatry Board Fund		
No. 130:		
1. Administration and Licensing	62,548	62,248
2. Enforcement	8,900	8,900
GRAND TOTAL, BOARD OF PODIATRY		
EXAMINERS	\$ 71,448	\$ 71,148

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director, Part-time	\$ 16,179	\$ 16,179
Per Diem of Board Members	2,700	2,700

SCHEDULE OF CLASSIFIED POSITIONS, BOARD OF PODIATRY EXAMINERS

GROUP 11

1502 Administrative Technician II

1. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during each year of the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Podiatry Examiners Fund No. 130.
2. ENFORCEMENT. The amount appropriated above for Item 2., shall be used to contract for investigative services through the State Board of Medical Examiners, other state agencies or private contractors.
3. SALARY OF EXECUTIVE DIRECTOR. At such time the position of Executive Director of the Board of Podiatry Examiners becomes vacant, the salary of such position shall be reduced to \$13,400 each year of the biennium, and line item 1., Administration, shall be increased by \$2,000 each year of the biennium.

BOARD OF PODIATRY EXAMINERS
(Continued)

4. TRANSFER OF EXCESS FUND BALANCES. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 130 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

POLYGRAPH EXAMINERS BOARD

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Administration	101,816	101,816
GRAND TOTAL, POLYGRAPH EXAMINERS BOARD	\$ 101,816 =====	\$ 101,816 =====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Officer	\$ 28,576	\$ 28,576
Per Diem of Board Members	4,200	4,200

SCHEDULE OF CLASSIFIED POSITIONS, POLYGRAPH EXAMINERS BOARD

GROUP 14

3644 Investigator II

GROUP 11

1502 Administrative Technician II

1. USE OF FUNDS. Funds appropriated above in item 1. Administration may be used to contract with the Department of Public Safety for necessary administrative and support services to the Polygraph Examiners Board.
2. FEE RATES. The Polygraph Examiners Board is required by Section 6(c) of the Polygraph Examiners Act, Article 4413(29cc) V.T.C.S. that funds appropriated for a biennium shall not exceed the total amount of the fees which the board anticipates will be collected during the biennium. Therefore, the board shall establish reasonable fees to ensure that the

POLYGRAPH EXAMINERS BOARD
(Continued)

above appropriation does not exceed the amount of fees collected for the administration of this Act pursuant to Article 5429n, V.A.C.S., to be effective during the biennium covered by this General Appropriations Act, not to exceed:

(1)	Polygraph Examiners Licenses	\$500.00
(2)	Internship License	300.00
(3)	Duplicate License	100.00
(4)	Renewal Fee for Examiners License	400.00
(5)	Extension or Renewal of an Internship License	150.00
(6)	Examination Fee	200.00
(7)	Late Fee	200.00

PRESERVATION BOARD

	For the Years Ending	
	August 31,	August 31,
	1990	1991
Out of the General Revenue Fund:		
1. Administration	540,367	615,961
GRAND TOTAL, PRESERVATION BOARD	\$ 540,367	\$ 615,961

Schedule of Exempt Positions and Per Diem of Board Members

Architect of the Capitol	\$ 60,935	\$ 60,935
Director of Administration and Finance	45,000	45,000
Director of Construction		55,000
Curator of the Capitol	37,611	37,611
Registrar of Inventory	24,101	24,101
Per Diem of Board Members	660	660

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Preservation Board. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

- | | | | |
|--|---------------|----|--------|
| 1. Construction, Repair and Renovation: | | | |
| a. Restoration of State Capitol and General Land Office Building | \$154,500,000 | \$ | U.B. |
| 2. Acquisition of Computer Equipment and Software | 13,000 | | 11,500 |

PRESERVATION BOARD
(Continued)

Total, Capital Outlay	\$154,513,000	\$ 11,500 & U.B.
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. UNIVERSITY EXPERTISE. It is the intent of the Legislature that the State Preservation Board seek expertise in carrying out its functions through state universities whenever possible to reduce General Revenue Fund expenditures.

3. WAR MEMORIAL CONTINGENCY. Contingent upon the enactment of HCR52, Seventy-first Legislature, there is hereby appropriated from the General Revenue Fund, \$150,000 in each year of the biennium for the construction of a memorial in the Capitol Complex honoring those veterans who fought in the Korean and Vietnam Wars.

4. CAPITOL LICENSE PLATES. If H.B. No. 2409, 71st Legislature, Regular Session, is enacted and becomes law, in addition to other amounts appropriated by this Act, the portion of fees deposited in the state treasury, during the biennium ending August 31, 1991, to the credit of the State Preservation Board as provided by Section 51, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-1 et seq., Vernon's Texas Civil Statutes), as added by H.B. No. 2409, is appropriated for that period to the board, for the purpose of performing the board's duties under Section 443.007, Government Code. If H.B. No. 2409 does not become law, this provision has no effect. For the purposes of this provision, a bill becomes law on signature by the governor or on becoming law under Article IV, Section 14, of the Texas Constitution without the governor's signature.

ADULT PROBATION COMMISSION

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Administration	960,404	955,904
2. Probation Services:		
a. Program Services	1,557,745	1,557,745
b. Data Services	<u>1,230,932</u>	<u>1,230,932</u>
Total, Probation Services	<u>\$ 2,788,677</u>	<u>\$ 2,788,677</u>
3. State Aid:		
a. Supervision	\$ 53,559,840	\$ 61,974,530

ADULT PROBATION COMMISSION
(Continued)

b. Residential Services	13,483,830	19,980,100
c. Electronic Monitoring	1,297,574	1,954,574
d. Risk Assessment	<u> </u>	<u>2,460,000</u>
Total, State Aid	\$ <u>68,341,244</u>	\$ <u>86,369,204</u>
4. Community Corrections Program	\$	\$ 50,000,000
5. Discretionary Grants	<u>5,000,000</u>	<u>5,000,000</u>
GRAND TOTAL, ADULT PROBATION COMMISSION	\$ <u>77,090,325</u> =====	\$ <u>145,113,785</u> =====

Schedule of Exempt Positions

Executive Director	\$ 58,000	\$ 58,000
Division Director	3 51,000	3 51,000

SCHEDULE OF CLASSIFIED POSITIONS (UL), ADULT PROBATION COMMISSION

GROUP 21

1554 Chief of Staff Services
1559 Director of Programs II
1822 Director, Research Analysis and Statistics
3607 General Counsel

GROUP 20

0264 Systems Analyst III
1085 Supervising Auditor II

GROUP 19

1165 Chief Accountant II
1565 Program Administrator III
1766 Director of Training and Staff Development
3605 Legal Counselor

GROUP 18

0242 ADP Programmer III
0251 Programmer Analyst I
0262 Systems Analyst II
1084 Supervising Auditor I
1564 Program Administrator II
1861 Coordinator, Informational Media
1898 Director of Graphics
5512 Program Specialist I

GROUP 17

0546 Research Specialist II
1164 Chief Accountant I
1213 Management Auditor II
1563 Program Administrator I
5009 Social Service Training Specialist II

ADULT PROBATION COMMISSION
(Continued)GROUP 16

0241 ADP Programmer II
0260 Systems Analyst I
1090 Auditor III
1163 Accountant III
1899 Audio Visual Director
5008 Social Service Training Specialist I

GROUP 15

0544 Research Specialist I
1211 Management Auditor I
1504 Administrative Technician IV
1813 Statistician III

GROUP 14

0240 ADP Programmer I
1089 Auditor II
1765 Training Specialist

GROUP 13

1162 Accountant II
1503 Administrative Technician III

GROUP 12

1088 Auditor I
1812 Statistician II
2010 Illustrator II

GROUP 11

0213 Key Entry Supervisor II
0225 ADP Equipment Operator III
1502 Administrative Technician II

GROUP 09

0138 Administrative Secretary
0211 Key Entry Supervisor I
0223 ADP Equipment Operator II
0246 ADP Record Control Clerk III
2009 Illustrator I

GROUP 08

0205 Key Entry Operator III
0292 Word Processing Operator II
1501 Administrative Technician I

GROUP 07

0135 Secretary III
0245 ADP Record Control Clerk II

GROUP 06

0055 Clerk III
0133 Secretary II
0203 Key Entry Operator II

ADULT PROBATION COMMISSION
(Continued)

GROUP 05
0131 Secretary I

GROUP 04
0053 Clerk II
0201 Key Entry Operator I

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Adult Probation Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ 5,067,000	\$ U.B.
Total, Capital Outlay	\$ 5,067,000 =====	\$ U.B. =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. MISDEMEANOR FUNDING. The Texas Adult Probation Commission shall distribute funds from Item 3.a. Supervision, at a rate not to exceed \$.67 per day for each felony or misdemeanor probationer on active status, and funding in Item 3.a. for each misdemeanor probationer may not exceed the equivalent of 182 days per misdemeanor probationer added to the case load. The Texas Adult Probation is authorized to permit or require that a portion of a department's allocation for misdemeanants distributed under Item 3.a. be used for special misdemeanor programs including specialized caseloads and DWI monitoring.
3. REIMBURSEMENT OF UNEXPENDED BALANCES. The Adult Probation Commission shall maintain procedures to ensure that the state is refunded all future unexpended balances of state funds appropriated in Item 3., State Aid; Item 4, Community Corrections Program; and Item 5, Discretionary Grants; including unexpended balances held by local adult probation departments.
4. PRIORITY DISTRIBUTION, STATE AID, COMMUNITY CORRECTIONS PROGRAM, AND DISCRETIONARY GRANTS. It is the intent of the Legislature that in the distribution of funds in Item 3, State Aid; Item 4, Community Corrections Program; and Item 5, Discretionary Grants; priority shall be given to judicial districts which exhibit the greatest progress in diverting non-violent offenders from the Department of Corrections, and which meet caseload standards, as demonstrated by their staffing patterns, and which are matching the state's efforts to fund probation services through the collection of probation fees.

ADULT PROBATION COMMISSION
(Continued)

5. **TRANSFER AUTHORITY.** The Adult Probation Commission is authorized to transfer an amount not to exceed 15 percent from any program item or sub-item to any other program item or sub-item, except that no funds may be transferred into Item 1, Administration; or Item 2, Probation Services; from Item 3, State Aid; Item 4, Community Corrections Program; or Item 5, Discretionary Grants.
6. **PILOT PROJECTS FOR SPECIAL NEEDS OFFENDERS.** From the funds appropriated above in Item 5, Discretionary Grants, \$396,000 in each fiscal year of the 1990-91 biennium shall be used to contract for residential treatment beds for offenders with mental impairments in the approved pilot projects of the Interagency council on Mentally Retarded, Developmentally Disabled, and Mentally Ill Offenders. It is the intent of the Legislature that the Adult Probation Commission consult with the Council on the award of contracts.
7. **RISK ASSESSMENTS.** Funds in Item 3.d., Risk Assessment, shall be allocated in fiscal year 1991 to districts that agree to complete, in a timely fashion and in every felony offender disposition, a uniform risk assessment instrument developed by the Adult Probation Commission.
8. **DISTRIBUTION, FELONY FUNDING.** From the amounts appropriated above in Item 3.a., Supervision, state aid shall be distributed at a rate not to exceed \$43,200 per year for any combination of felony probationers that results in a workload unit level of between 90 and 110.
9. **SALARY SUPPLEMENT AUTHORIZED.** The Texas Adult Probation Commission, in its discretion, is authorized to provide additional salary not to exceed \$50 per month for any employee of a local probation department who is designated to translate conversations or written materials between English and other languages and who uses such translation or written material of translations in the performance of their duties as an adult probation employee.

JUVENILE PROBATION COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Administration	957,628	956,128
2. State Aid	14,931,848	14,931,848
3. Challenge Grants	1,122,563	1,372,563
4. Community Corrections	3,050,000	3,950,000
GRAND TOTAL, JUVENILE PROBATION COMMISSION	\$ 20,062,039 =====	\$ 21,210,539 =====

Schedule of Exempt Positions

Executive Director	\$ 58,000	\$ 58,000
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JUVENILE PROBATION COMMISSION
(Continued)

SCHEDULE OF CLASSIFIED POSITIONS (UL), JUVENILE PROBATION COMMISSION

GROUP 21

1545 Division Director
1554 Chief of Staff Services
3607 General Counsel

GROUP 19

1551 Staff Services Officer I
1817 Director, Reports and Statistics

GROUP 18

0262 Systems Analyst II

GROUP 17

1213 Management Auditor II
1563 Program Administrator I
1768 Director of Training

GROUP 16

1090 Auditor III
1163 Accountant III

GROUP 15

1211 Management Auditor I

GROUP 11

1502 Administrative Technician II

GROUP 07

0135 Secretary III

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Juvenile Probation Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ 3,500	\$ 3,500
Total, Capital Outlay	\$ 3,500	\$ 3,500
	=====	=====

JUVENILE PROBATION COMMISSION
(Continued)

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION, JUVENILE DIVERSION. All revenue collected as court costs pursuant to V.T.C.A., Family Code, Section 54.0411, and deposited into the Juvenile Probation Diversion Fund No. 580, and any fund balances in Fund No. 580 on the effective date of this act, are hereby appropriated to the Juvenile Probation Commission for the purpose the implementing Section 54.0411.
3. RESTRICTION, STATE AID.
 - a. It is the intent of the Legislature that no more than 2% of the funds appropriated under Line Item 2., State Aid, may be used each year by the commission for purposes of training, auditing, technical assistance and monitoring.
 - b. None of the funds appropriated above in Item 2., State Aid, and allocated to local juvenile probation boards, shall be expended for salaries or expenses of juvenile board members.
 - c. No juvenile probation department that denies the Texas Youth Commission access to its detention facilities for short-term placements of youth who meet legal requirements for detention, shall receive state aid from the Juvenile Probation Commission.
4. EDUCATIONAL NEEDS ASSESSMENT. It is the intent of the Legislature that an integral part of any formal disposition be an assessment of educational needs of the juvenile, and that obtaining appropriate educational services be a priority goal of all juvenile probation dispositions.
5. CHALLENGE GRANTS. Funds appropriated in Program Item 3., Challenge Grants, shall be expended for children in the jurisdiction of the juvenile court who are also either abused, neglected, emotionally disturbed, mentally ill, or mentally retarded. In awarding this money, the Juvenile Probation Commission shall require a local contribution for the placement of these children at least equal to the amount of state money awarded. The Juvenile Probation Commission shall give priority in this program to three counties with populations of over 500,000, three counties with populations of between 200,000 and 500,000 and three counties with populations below 200,000. Challenge Grant funds may be used for non-residential services.
6. REPORTING REQUIREMENT. The Juvenile Probation Commission shall compile information for use by the Seventy-second Legislature, 1991, which indicates the effectiveness of juvenile probation in terms of the reduction in commitments to the Texas Youth Commission. The Juvenile Probation Commission shall also provide information on the disposition of referrals, including the cost as well as effectiveness of various types of treatment and services available to juveniles who are referred. The Commission shall also provide information on the effectiveness of program item 3., Challenge Grants, and make such information available to the Seventy-second Legislature.

JUVENILE PROBATION COMMISSION
(Continued)

7. ADDITIONAL CLASSIFIED POSITION TITLES AUTHORIZED. Positions other than those included in the Schedule of Classified Positions may be utilized upon approval of the State Auditor's Office so long as the total number of classified positions does not exceed 21.

<u>Class</u>	<u>Title</u>	<u>Group</u>
3201	Deputy Assistant Administrator	21
0264	Systems Analyst III	20
1766	Director of Training and Staff Development	19
5512	Program Specialist I	18
1084	Supervising Auditor I	18
5008	Social Service Training Specialist I	16
1503	Administrative Technician III	13
0246	ADP Record Control Clerk III	9
0292	Word Processing Operator II	8

PROPERTY TAX BOARD

	For the Years Ending August 31, 1990	August 31, 1991
1. Office of Director	142,556	140,836
2. Office of General Counsel	275,670	275,670
3. Valuations Division	2,442,726	2,400,221
4. Operations Division	1,520,214	1,530,052
5. Office of Performance Audits	201,814	198,414
GRAND TOTAL, PROPERTY TAX BOARD	\$ 4,582,980	\$ 4,545,193

Method of Financing:

General Revenue Fund	\$ 4,499,135	\$ 4,460,958
Interagency Contracts	23,845	24,235
Reappropriated Receipts, estimated	<u>60,000</u>	<u>60,000</u>
Total, Method of Financing	<u>\$ 4,582,980</u>	<u>\$ 4,545,193</u>

Schedule of Exempt Positions

Executive Director	\$	60,304	\$	60,304
Deputy Director for Operations		50,638		50,638
Deputy Director for Valuations		50,638		50,638
General Counsel		50,000		50,000

PROPERTY TAX BOARD
(Continued)

SCHEDULE OF CLASSIFIED POSITIONS (UL), PROPERTY TAX BOARD

GROUP 21

0275 Director of ADP II
1217 Management Audit Director
1554 Chief of Staff Services
1558 Special Project Director
3539 Attorney VI
3904 Chief Appraiser

GROUP 20

0252 Programmer Analyst II
1557 Director of Programs I

GROUP 19

1215 Supervising Management Auditor
1565 Program Administrator III
3538 Attorney V
3903 Supervising Appraiser

GROUP 18

0251 Programmer Analyst I
1564 Program Administrator II
1864 Information Specialist III
3537 Attorney IV

GROUP 17

1213 Management Auditor II
1563 Program Administrator I
3536 Attorney III
3902 Appraiser III

GROUP 16

0241 ADP Programmer II
0318 Reproduction Equipment Supervisor III
1163 Accountant III
1732 Personnel Officer II
1867 Educational Writer

GROUP 15

1211 Management Auditor I
1504 Administrative Technician IV
3901 Appraiser II

GROUP 14

0240 ADP Programmer I
1862 Information Specialist I

GROUP 13

1503 Administrative Technician III
3900 Appraiser I

PROPERTY TAX BOARD
(Continued)

GROUP 12

2010 Illustrator II

GROUP 11

0225 ADP Equipment Operator III

1502 Administrative Technician II

GROUP 10

1940 Purchasing Assistant

GROUP 09

0065 Clerical Supervisor III

GROUP 08

0308 Duplicating Machine Operator II

1003 Accounting Clerk III

1501 Administrative Technician I

GROUP 07

0135 Secretary III

0326 Bindery Technician II

GROUP 06

0055 Clerk III

1002 Accounting Clerk II

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Property Tax Board. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

- ## 1. Acquisition of Computer Equipment and Software

\$ 95,900	16,311
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Total, Capital Outlay

\$ 95,900	\$ 16,311
<u> </u>	<u> </u>

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. **TRANSFER AUTHORITY.** The State Property Tax Board is authorized to transfer among the items of the above appropriation, when it is in the best interest of the state to make such transfers, with the exception that transfers may not be made out of line item 3. Valuations Division; provided, however, notice of any transfers shall be shown in the minutes of the board. Copies of these minutes shall be filed with the Governor's Office of Budget and Planning, Legislative Budget Board, State Auditor, and Legislative Reference Library.

PROPERTY TAX BOARD
(Continued)

3. ADDITIONAL CLASSIFIED POSITIONS AUTHORIZED. Additional classified positions, as approved by the State Classification Officer, are hereby made available to the State Property Tax Board.
4. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.
5. PERFORMANCE AUDIT REIMBURSEMENT. The State Property Tax Board shall reimburse the General Revenue Fund with all monies received from appraisal districts or property owners as reimbursement for the cost of conducting performance audits.
6. SUNSET CONTINGENCY. Funds appropriated above for fiscal 1991 for State Property Tax Board are made contingent on the continuation of the State Property Tax Board by the Legislature. In the event the agency is not continued, the funds appropriated for fiscal year 1990 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.
7. CONTINGENCY APPROPRIATION. Contingent upon the continuation of the Property Tax Board's responsibilities with respect to the county intangibles tax, the Property Tax Board is hereby appropriated \$25,225 in each of the fiscal years 1990 and 1991.
8. REAPPROPRIATION OF FEES. Contingent upon the establishment of a fee for maintaining a record of service of process and a fee for issuing a certificate of service as specified in the State Property Tax Board's sunset legislation, all proceeds from such fees shall be reappropriated to the State Property Tax Board to defray the costs of such service.

BOARD OF EXAMINERS OF PSYCHOLOGISTS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the Psychologists Licensing Fund No. 24:		
1. Administration, Licensing and Enforcement	342,955	327,102
2. Purchasing and Grading of National Examination, estimated	63,450	63,450
3. Contingency for Outside Legal Counsel (Art I., Sec. 4, Special Provisions)	<u>30,000</u>	<u>30,000</u>
GRAND TOTAL, BOARD OF EXAMINERS OF PSYCHOLOGISTS	\$ <u>436,405</u> =====	\$ <u>420,552</u> =====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 38,346	\$ 38,346
Per Diem of Board Members	4,890	4,890

SCHEDULE OF CLASSIFIED POSITIONS, BOARD OF EXAMINERS OF PSYCHOLOGISTS

GROUP 13

1503 Administrative Technician III

GROUP 11

1161 Accountant I

GROUP 07

0135 Secretary III

GROUP 06

0055 Clerk III, 2

GROUP 04

0053 Clerk II

1. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Psychologists Licensing Fund No. 24.

BOARD OF EXAMINERS OF PSYCHOLOGISTS
(Continued)

2. PURCHASING AND GRADING OF EXAMS. The amount appropriated above for Item 2., Purchasing and Grading of National Examination, shall be expended solely for the purpose of purchasing and grading of the Professional Practice in Psychology Exam from the American Association for State Psychology Boards.
3. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 24 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

PURCHASING AND GENERAL SERVICES COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration and Support Services:		
a. Administration	889,326	887,826
b. Staff Services	790,334	790,334
c. Automated Support	1,386,980	1,157,706
d. Security and Parking	2,367,369	2,362,393
e. Warehouse and Motor Pool	248,871	235,196
Total, Administration and Support Services	\$ 5,682,880	\$ 5,433,455
2. Central Purchasing:		
a. Purchasing Administration	\$ 181,916	\$ 181,916
b. Purchase of Supplies, Materials and Equipment	1,593,819	1,593,819
c. Clerical Support	614,326	614,326
Total, Central Purchasing	\$ 2,390,061	\$ 2,390,061
3. Centralized Services:		
a. Centralized Services Administration	\$ 75,348	\$ 75,348
b. Mail and Messenger Service	454,218	287,688
c. Business Machine Repairs	539,903	539,903
d. Central Supply Store	207,276	164,423

PURCHASING AND GENERAL SERVICES COMMISSION
(Continued)

e. Payment Review and Records Management	<u>452,010</u>	<u>452,010</u>
Total, Centralized Services	<u>\$ 1,728,755</u>	<u>\$ 1,519,372</u>
4. Building and Property Services:		
a. Building and Property Administration	\$ 315,127	\$ 315,127
b. Building Maintenance and Operations	1,972,153	2,001,084
c. Custodial Operations	3,116,017	3,068,517
d. Air Conditioning and Heating Maintenance and Operations	2,164,062	2,132,562
e. Grounds Maintenance	<u>549,119</u>	<u>549,119</u>
Total, Building and Property Services	<u>\$ 8,116,478</u>	<u>\$ 8,066,409</u>
5. Utilities Distribution	\$ 11,517,919	\$ 11,833,663 & U.B.
6. Interagency Automated Services:		
a. Automated Services Administration	585,676	236,396
b. Operations	1,158,734	977,163 & U.B.
c. Interagency Services	<u>1,128,229</u>	<u>1,128,229</u> & U.B.
Total, Interagency Automated Services	<u>\$ 2,872,639</u>	<u>\$ 2,341,788</u>
7. State Telecommunication Services:		
a. Administration	\$ 120,288	\$ 120,288
b. Customer Services	601,210	601,210
c. Operations	214,644	214,644
d. ADP Support and Planning	208,972	208,972
e. Capitol Complex Centrex	1,817,677	1,817,677
f. Supplement for Statewide Voice Telecommunications	<u>5,714,286</u>	<u>& U.B.</u>
Total, State Telecommunication Services, estimated	<u>\$ 8,677,077</u>	<u>\$ 2,962,791</u>
8. Facilities Construction and Space Management:		
a. Administration and Property Acquisition	\$ 145,264	\$ 145,264
b. Planning and Construction	1,147,138	1,147,138
c. Lease and Rental Operations	256,200	256,200
d. Elimination of Architectural Barriers	225,712	225,712

PURCHASING AND GENERAL SERVICES COMMISSION
(Continued)

e. Moving and Office Space Lease Contingency for projects titled, "Additions to Supreme Court Building"		<u>520,000</u>
Total, Facilities Construction and Space Management	<u>\$ 1,774,314</u>	<u>\$ 2,294,314</u>
9. Travel and Transportation:		
a. Administration	\$ 80,188	\$ 80,428
b. Travel	147,010	156,512
c. Vehicle	<u>212,468</u>	<u>208,637</u>
Total, Travel and Transportation	<u>\$ 439,666</u>	<u>\$ 445,577</u>
10. State Planning Fund No. 12	\$ 241,000	\$
11. Lease Payments to the Texas Public Finance Authority - State Lease Fund No. 507	15,633,116	17,099,363
12. Asbestos Abatement	<u>2,831,820</u>	<u>2,686,320</u>
GRAND TOTAL, PURCHASING AND GENERAL SERVICES COMMISSION	<u>\$ 61,905,725</u>	<u>\$ 57,073,113</u>

Method of Financing:

General Revenue Fund	\$ 53,812,620	\$ 49,506,937
State Parking Fund No. 125	90,000	90,000
Statutory or Rider Appropriations, estimated	5,000,314	4,473,385
Telecommunication Revolving Account, estimated	2,962,791	2,962,791
Parking Fines, estimated	<u>40,000</u>	<u>40,000</u>
Total, Method of Financing	<u>\$ 61,905,725</u>	<u>\$ 57,073,113</u>

BOND DEBT SERVICE	\$ 1,061,468	\$ 1,187,456
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Schedule of Exempt Positions

Executive Director		\$	66,000		\$	66,000
Associate Deputy Director	2		58,000	2		58,000
Division Director	10		52,000	10		52,000

PURCHASING AND GENERAL SERVICES COMMISSION
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Purchasing and General Services Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Construction, Repair and Renovation

a. Security Lighting System, Garages A, B, and C	\$ 160,000	\$ U.B.
b. Telephone Switch Rooms, William B. Travis, Sam Houston Building	185,000	U.B.
c. Fire Suppression System Sam Houston, Stephen F. Austin, L.B.J. and E.O. Thompson Buildings	1,432,000	U.B.
d. Electrical Repair, Capitol Complex	240,000	U.B.
e. Seal Floor Penetrations, L.B.J. Building	50,000	U.B.
f. Replace sidewalks next to parking lots	50,000	U.B.
g. Air handling units -- Sam Houston Building	254,239	U.B.
h. Expansion of Vehicle Repair Facility	<u>115,000</u>	<u>U.B.</u>
Total, Construction, Repair and Renovation	<u>\$ 2,486,239</u>	<u>\$ U.B.</u>

2. Acquisition of Computer Equipment and Software

	<u>\$ 637,468</u>	<u>\$ 453,896</u>
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Total, Capital Outlay

	<u>\$ 3,123,707</u>	<u>\$ 453,896</u>
	=====	=====

Method of Financing:

General Revenue Fund	\$ 2,502,689	\$ 5,000
Other Funds	<u>621,018</u>	<u>448,896</u>

Total, Method of Financing

	<u>\$ 3,123,707</u>	<u>\$ 453,896</u>
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

PURCHASING AND GENERAL SERVICES COMMISSION
(Continued)

2. UNEXPENDED BALANCES OF BOND PROCEEDS APPROPRIATED. All unexpended balances remaining as of August 31, 1989, in funds provided by Texas Public Finance Authority Revenue Bonds for construction projects are hereby appropriated to the State Purchasing and General Services Commission for the 1990-1991 biennium to complete the projects as authorized.
3. UNEXPENDED BALANCES - AUTOMATED SERVICES. All balances as of August 31, 1989, and revenues accruing to the Automated Services Revolving Account, established in Senate Bill 179, Sixty-eighth Legislature, are hereby appropriated for the stated purposes, and the unexpended balance in Program 6., Interagency Automated Services, at August 31, 1990, is reappropriated for fiscal year 1991.
4. APPROPRIATION OF CONSTRUCTION AND PLANNING FUND. All balances and revenues accruing to the Construction and Planning Fund No. 12 as provided for in Section 5.24 of Article 601b, V.A.C.S., are hereby reappropriated for the stated purposes.
5. SUPPLEMENTAL APPROPRIATION FOR STATEWIDE TELECOMMUNICATIONS SERVICES. The Comptroller of Public Accounts is hereby directed to transfer \$5,714,286 from the General Revenue Fund to the Telecommunications Revolving Account for the biennium beginning September 1, 1989 to defray state agency and institutions telecommunication costs associated with intercity leased telecommunication services. Monthly costs associated with this funding authority shall be disbursed at an amount not to exceed \$476,190 per month. Any funds not expended will revert to the State General Revenue Fund.
6. CAPITOL COMPLEX EMERGENCY REPAIRS.
 - a. Any unobligated balances remaining as of August 31, 1989, in Rider 10., Senate Bill 1, Seventieth Legislature, Second Called Session, are hereby appropriated for the same purpose and for any emergency repairs and measures to prevent emergency repairs in the Capitol Complex including the State Capitol the commission deems necessary. The commission may transfer these balances to Program 4., Building and Property Services or Program 8., Facilities Construction and Space Management to perform work on projects as it deems appropriate for project completion. The commission will notify the Legislative Budget Office and the Governor's Office of Budget and Planning of all expenditures for emergency repairs.

For the Years Ending	
August 31, 1990	August 31, 1991

- b. Informational sublisting of projects to be funded from Article VII, Capital Outlay, of this Act:

A. Security Lighting System, Garages A, B, and C	\$ 160,000	\$ U.B.
B. Telephone Switch Rooms, W.B. Travis, Sam Houston buildings	185,000	U.B.

PURCHASING AND GENERAL SERVICES COMMISSION
(Continued)

C. Fire Suppression System, Sam Houston, Stephen F. Austin, L.B.J. and E. O. Thompson buildings	1,432,000	U.B.
D. Electrical Repair, Capitol Complex	240,000	U.B.
E. Seal Floor Penetrations, L.B.J. Building	50,000	U.B.
F. Replace Sidewalks next to parking lots	50,000	U.B.
G. Air Handling Units - Sam Houston Building	254,239	U.B.
H. Expansion of Vehicle Repair Facility	<u>115,000</u>	<u>U.B.</u>
 Total, Construction, Repairs and Renovations	 \$ 2,486,239 =====	 \$ U.B. =====

7. APPROPRIATION OF BUSINESS MACHINE REPAIR RECEIPTS. All unexpended balances remaining as of August 31, 1989, for business machine repair services are hereby appropriated for use during the biennium beginning September 1, 1989, for the administration and operation of that service. The receipts for reimbursement shall be deposited to line item 3.c., Business Machine Repairs and are hereby appropriated for use during the biennium. The unexpended balance on August 31, 1990, is appropriated for use during fiscal year 1991.
8. APPROPRIATION OF PARKING FEES. All parking fees collected by the State Purchasing and General Services Commission pursuant to the authority set out in Section 4.12(c) of House Bill No. 1673, Acts of the Sixty-sixth Legislature, 1979, Chapter 773, page 1908, shall be deposited by the commission into the State Parking Fund to be used by the commission, according to general law, for the operation, maintenance and improvement of state parking facilities, temporary or permanent. The commission may expend these funds only to the extent identified in Article I of this Act. This fund shall serve as a method of finance for parking operations in the Capitol Complex. The State Purchasing and General Services Commission shall deposit all funds to the State Treasury, except for a \$500 imprest account for payment of refunds. This petty cash account will be administered in accordance with approved procedures established by the Comptroller of Public Accounts. Any unobligated balances will be maintained in the fund to be appropriated by the Legislature in subsequent years for the same purpose and subject to the same restrictions.
9. APPROPRIATION OF PARKING VIOLATION REVENUES. The State Purchasing and General Services Commission shall collect a \$10.00 (Ten Dollar) fine for all parking violations on state-owned property in the Capitol Complex. All revenue received from parking violations shall be deposited to the General Revenue Fund and is hereby appropriated for use by the commission in item 1.d. Security and Parking for the 1990-1991 biennium.

PURCHASING AND GENERAL SERVICES COMMISSION
(Continued)

10. APPROPRIATION OF ADVERTISING REIMBURSEMENTS. Any reimbursements to the State Purchasing and General Services Commission for advertising costs incurred in the disposal of salvage and surplus property, pursuant to the provisions of Article 601b, V.A.C.S. are hereby appropriated to the State Purchasing and General Services Commission for expenditure in the fiscal year in which such reimbursements are received.
11. APPROPRIATION - SCHOOL BUS REVOLVING FUND. All balances and revenues accruing to the School Bus Revolving Fund No. 053, as provided for in V.T.C.A., Education Code, Section 16.61 are hereby reappropriated.
12. TRANSFER AUTHORITY. The Executive Director, State Purchasing and General Services Commission is hereby authorized to transfer funds appropriated above from one sub-item (alphabetically identified) to another sub-item within a program, and to transfer funds appropriated from one program to another program, except from Program 5. Utilities Distribution, provided that the total transfer from any single program shall not exceed thirty-five percent (35%) per fiscal year, when such transfers are deemed necessary for the efficient operation of the agency.
13. TRANSFER AUTHORITY - UTILITIES. In order to provide for unanticipated cost increases in purchased utilities during fiscal year 1990, the State Purchasing and General Services Commission may transfer such amounts as may be necessary to cover such increases from appropriations made in fiscal year 1991 for utilities (Item 5.) to amounts appropriated in fiscal year 1990 for utilities. Prior to transferring fiscal year 1991 funds into the 1990 fiscal year, notification shall be given to the Comptroller of Public Accounts the amounts to be transferred and quarterly reports shall be filed with the Legislative Budget Board and the Governor's Office of Management and Budget detailing the necessity for such transfers.
14. TRANSFER AUTHORITY - RENT. The Comptroller is hereby authorized to transfer necessary sums to the State Purchasing and General Services Commission out of the appropriated funds of those agencies' funds which are located in combined office facilities for the purpose of paying office rent and utilities. All sums transferred are hereby appropriated to the commission for the stated purposes.
15. PETTY CASH FUND. State Purchasing and General Services Commission is authorized a Petty Cash Revolving Fund in the amount of \$1,500 to be used in accordance with those procedures outlined in the General Provisions in this Act.
16. SALARIES OF STATE CAPITOL SECURITY POLICE OFFICERS. Notwithstanding other provisions of this Act, the State Purchasing and General Services Commission is authorized to adjust salaries of State Capitol Security Police Officers II, and III to rates within the designated salary group, not to exceed step 8, and State Capitol Security Police Officer IV and Chief of Capitol Security Police to rates within the designated salary group, not to exceed step 6, for the purpose of recruiting, employing and retaining career law enforcement personnel.

PURCHASING AND GENERAL SERVICES COMMISSION
(Continued)

17. MAINTENANCE AND SECURITY - AIRCRAFT POOLING BOARD. The State Purchasing and General Services Commission shall be responsible for the maintenance and security of state owned real property and facilities acquired for use by the Aircraft Pooling Board.
18. DELEGATION OF WINTERS BUILDING CUSTODIAL FUNCTIONS. The State Purchasing and General Services Commission is hereby directed to delegate all custodial functions relating to the Winters Building to the Department of Human Services.
19. COMPETITIVE BIDS FOR INSTALLMENT PURCHASES. Funds appropriated in Item 2., Central Purchasing, include amounts necessary for the agency to seek competitive bids for the costs of financing installment purchases, pursuant to Article 601b, Section 310, V.A.C.S.
20. EVALUATION CRITERIA FOR BIDS ON DATA PROCESSING EQUIPMENT. The State Purchasing and General Services Commission, with the assistance of state agencies frequently purchasing data processing equipment, shall develop detailed criteria for the evaluation of bids made by vendors for frequently purchased data processing equipment and shall provide assistance to agencies in the evaluation of such bids.
21. CONTRACTING WITH HANDICAPPED PERSONS. It is the intent of the Legislature that the State Purchasing and General Services Commission contract with handicapped persons for grounds maintenance services whenever practicable.
22. APPROVAL OF SPACE LEASES AND BID SPECIFICATIONS. All state office space leases and bid specifications must be approved by the Space Management Division of the State Purchasing and General Services Commission before signed or published by an agency. Bid specifications and leases will be considered approved if no exception is taken by the commission within 15 working days.
23. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

PURCHASING AND GENERAL SERVICES COMMISSION
(Continued)

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

24. AUTHORIZATION FOR TEMPORARY SURFACE PARKING. From funds appropriated in Item 10., Senate Bill 179, Sixty-eighth Legislature, Acquisition of Property, Capitol Complex, the State Purchasing and General Services Commission is authorized to disburse such funds for costs of acquisition, demolition of buildings, site clearance, and for topping so the property can be utilized as temporary surface parking.
25. PREFERENCE FOR DOMESTIC PRODUCTS. Domestic products shall be given preference in the purchasing process of state goods when products are of equivalent value.
26. REPAIR OF OFFICE FURNITURE. None of the funds appropriated to the State Purchasing and General Services Commission may be expended for repair of office furniture not state-owned.
27. ACCESS TO FIFTH FLOOR STATE CAPITOL. The State Purchasing and General Services Commission shall provide public access to the fifth floor of the State Capitol for not less than eight hours each day including weekends and holidays; and for this purpose, costs of repairs and salaries of guards have been appropriated hereinabove.
28. SALARY MATCH OF MUSEUM CURATOR. From funds appropriated above in Program 4. Building and Property Services, the commission shall match the amount paid by the Texas Confederate Museum for the position of Museum Curator for an amount not to exceed the salary level at August 31, 1989, for fiscal year 1990 and fiscal year 1991.
29. ESTABLISHMENT OF INTERNAL AUDIT FUNCTION. From funds appropriated above in Item 1.a., Administration, no less than \$76,340 in each year of the 1990-1991 biennium is to be used to establish an internal audit function.
30. MOVING AND OFFICE SPACE LEASE CONTINGENCY. Contingent upon the necessity of moving state agencies associated with construction and renovation projects titled "Additions to Supreme Court Building," the amount of \$520,000 is appropriated during fiscal year 1991 to the State Purchasing and General Services Commission for the purpose of moving the affected agencies and providing leased office space.
31. TEX-AN PARTICIPATION. To insure that state agencies use the Texas Agency Network (TEX-AN) to the fullest extent possible, funds appropriated in this Act to state agencies as defined in Section 1.02(2), Article 601b, V.T.C.S., shall not be expended for the acquisition of intercity telecommunications facilities or services until a determination has been made by the Telecommunications Services Division of the State Purchasing and General Services Commission that the agency requirement for intercity telecommunications cannot be met by the TEX-AN network. State agencies shall not enter into or renew contracts with carriers or other providers of intercity telecommunications facilities or services without obtaining waivers from the Telecommunications Services Division certifying that the requested intercity telecommunications requirements cannot be provided at

PURCHASING AND GENERAL SERVICES COMMISSION
(Continued)

reasonable costs on the TEX-AN network. Waiver requests will be evaluated by the Telecommunications Services Division based on cost effectiveness to the entire State of Texas. Waivers may be granted for specific periods of time and automatically expire upon the expiration date unless an extension is approved by the Telecommunications Services Division. Contracts for services obtained under waiver shall not extend beyond the expiration date of the waiver.

32. CONTINGENCY FOR TRANSFER OF AUTOMATED SERVICES CENTER. Contingent upon enactment of legislation transferring the Automated Services Center away from the State Purchasing and General Services Commission (SPGSC), the commission is hereby appropriated \$1,500,000 from the General Revenue Fund for the biennium beginning September 1, 1989, for the purpose of replacing the internal automated support services for the Purchasing Program and other SPGSC Programs that heretofore have been provided through the Automated Services Center.

33. BONDED CONSTRUCTION PAYMENT. From the above appropriations, there shall be no appropriations made to pay off the bonds authorized under Senate Bill 64, Second Called Session, Seventieth Legislative Session for the Records and Equipment Warehouse for the State Board of Insurance (\$1,538,000) and for the State Board of Insurance Building (\$59,937,000), without the prior approval of the Legislative Budget Board.

34. VEHICLE REPORTING SYSTEM. Out of the funds appropriated above in Item 1.c., Automated Support, \$254,274 is allocated in fiscal year 1990 for the development of a Vehicle Reporting System. Any unexpended balances in fiscal year 1990 are hereby reappropriated for fiscal year 1991 for the same purpose.

35. RECYCLED MATERIALS. The State Purchasing and General Services Commission shall study the cost-effectiveness of selected products made with recycled materials compared with non-recycled materials and report those findings to the Legislative Budget Office in the agency's legislative appropriations request for the 1992-1993 biennium. The commission's report should include information on comparative costs of selected products and availability of such products made from recycled materials for use by state agencies compared with non-recycled materials.

36. EMPLOYEE TESTING. Out of the funds appropriated herein, the State Purchasing and General Services Commission is authorized to pay for medical, psychological, or other testing for employees or prospective employees that work in the sensitive areas of asbestos removal and security. Testing deemed necessary under this provision must be approved by the Executive Director and obtained for the safety of the employee or the general public.

37. CONTINGENCY FOR FUNDING TRANSFER OF THE INTERAGENCY AUTOMATED SERVICES CENTER. Contingent upon enactment of legislation transferring the Interagency Automated Services Center to the Department of Information Resources, \$2,872,639 in fiscal year 1990 and \$2,341,788 in fiscal year 1991 appropriated in Item 6. above for the operations of the Interagency Automated Services Program, are hereby transferred to the Department of Information Resources.

PURCHASING AND GENERAL SERVICES COMMISSION
(Continued)

38. ASBESTOS ABATEMENT EQUIPMENT. Out of funds appropriated above in Item 12., Asbestos Abatement, \$130,000 in fiscal year 1990 and \$5,000 in fiscal year 1991 is hereby appropriated for the purchase of asbestos abatement equipment for use in the Capitol and General Land Office renovation project and other asbestos abatement projects in the Capitol Complex. Funding for the purchase of this equipment may be provided from general obligation bonds, or other sources of revenue authorized specifically for the Capitol and General Land Office renovation project by the Seventy-first Legislature. If these alternative funding sources are not available for the purchase of asbestos abatement equipment, then general revenue funding is authorized.
39. CONTINGENCY FOR HOUSE BILL 411. Contingent upon enactment of House Bill No. 411, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$30,000 for fiscal year 1990 and \$18,600 for fiscal year 1991, from the General Revenue Fund is hereby appropriated for the purpose of implementing the provisions of the Act.
40. CONTINGENCY FOR SENATE BILL NO. 116. Contingent upon enactment of Senate Bill No. 116, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$367,850 for fiscal year 1990 and \$370,550 for fiscal year 1991, from the General Revenue Fund is hereby appropriated for the purpose of implementing the provisions of the Act.
41. CONTINGENCY FOR SENATE BILL NO. 1480. Contingent upon enactment of Senate Bill No. 1480, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$400,000 for fiscal year 1990 from the Capital Trust Fund No. 543 is hereby appropriated for the purpose of implementing the provisions of the Act.

RACING COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration	1,107,527	1,215,098
2. Licensing		
a. Race Track Licensing	1,096,798	1,259,799
b. Occupational License Fees, estimated	<u>693,000</u>	<u>771,900</u>
Total, Licensing	<u>\$ 1,789,798</u>	<u>\$ 2,031,699</u>
3. Enforcement	\$ 731,303	\$ 1,057,773
4. Texas Bred Incentive Program, estimated	318,251	1,055,250
5. Track Officials' Fees, estimated	<u>2,300,250</u>	<u>4,338,750</u>
GRAND TOTAL, RACING COMMISSION	<u>\$ 6,247,129</u>	<u>\$ 9,698,570</u>

RACING COMMISSION
(Continued)

Method of Financing:

General Revenue Fund	\$ 2,685,628	\$ 2,162,670
Racing Commission Fund No. 597, estimated	250,000	1,370,000
Track Official Fees, estimated	2,300,250	4,338,750
Texas Bred Incentive Program, estimated	318,251	1,055,250
Occupational License Fees, estimated	<u>693,000</u>	<u>771,900</u>
Total, Method of Financing	<u>\$ 6,247,129</u>	<u>\$ 9,698,570</u>

Schedule of Exempt Positions and Per Diem of Commissioners

Executive Secretary	\$ 61,200	\$ 61,200
Per Diem of Commissioners	12,780	14,940

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Automated Information and Telecommunications Council. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	<u>\$ 345,600</u>	<u>\$ 327,800</u>
Total, Capital Outlay	<u>\$ 345,600</u>	<u>\$ 327,800</u>

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFER AUTHORITY. The Racing Commission is hereby authorized to transfer between line items 2.a., Race Track Licensing and 3., Enforcement. No transfer may be made between any other line items.
3. ADDITIONAL CLASSIFIED POSITIONS. Funds appropriated above may be expended to employ personnel in classified position titles listed in Article V of this Act subject to the prior approval of the State Classification Office for use by this agency.
4. UNEXPENDED BALANCES. Any unexpended balances as of August 31, 1989 remaining in Racing Commission Fund No. 597 are hereby reappropriated for the same purposes for the fiscal year beginning September 1, 1989. Any unexpended balances as of August 31, 1990, in the Racing Commission Fund No. 597 are hereby reappropriated for the fiscal year beginning September 1, 1990.

LOW-LEVEL RADIOACTIVE WASTE DISPOSAL AUTHORITY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Administration	539,297	484,297 & U.B.
2. Site Development	1,749,010	1,064,560 & U.B.
3. Site Management and Operation	15,000	15,000
4. Contingency for Outside Legal Counsel	100,000	U.B.
GRAND TOTAL, LOW-LEVEL RADIOACTIVE WASTE DISPOSAL AUTHORITY	\$ 2,403,307	\$ 1,563,857

Schedule of Exempt Positions

General Manager	\$ 59,674	\$ 59,674
Deputy General Manager, General Counsel	50,000	50,000

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Low-Level Radioactive Waste Disposal Authority. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Construction, Repair and Renovation	\$ -0-	\$ 444,000
Total, Capital Outlay	\$ -0-	\$ 444,000

Method of Financing:

General Revenue Fund	\$ -0-	\$ 110,987
Surcharge Rebates	-0-	333,013
Total, Method of Financing	\$ -0-	\$ 444,000

LOW-LEVEL RADIOACTIVE WASTE DISPOSAL AUTHORITY
(Continued)

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION OF RECEIPTS. All fees, civil penalties, payments to the State of Texas under Public law 99-240, the Low-Level Radioactive Waste Policy Act as amended, and other receipts collected by the Authority under Article 4590f-1, V.T.C.S., including any balances deposited and on hand as of August 31, 1989, are hereby appropriated to the Texas Low-Level Radioactive Waste Disposal Authority for the 1990-91 biennium.
3. U.B. AUTHORITY. Any unexpended balances on August 31, 1989 in item 1., Administration and item 2., Site Development are reappropriated for the fiscal year beginning with the effective date of this act.
4. TRANSFER AUTHORITY. An amount not to exceed ten (10) percent per year of any item of appropriation made to the Texas Low-Level Radioactive Waste Disposal Authority may be transferred to another item of appropriation of the authority upon the advance written approval by the Board of Directors, following a written request by the General Manager, whenever such board deems that such transfers are necessary for the most effective and economical use of appropriated funds.
 - a. At least 30 days prior to any transfer of funds by the board under the provisions of this Section, the authority will advise the Governor and the Legislative Budget Board, in writing, of the amount of money proposed for transfer and the basis for the proposal. Notice of any transfer will also be published in the TEXAS REGISTER at least 10 days prior to the board meeting at which the request will be acted upon, and comments from the public will be solicited both in writing and through personal appearance before the board.
 - b. Certified copies of the board's authorization of such transfers along with a detailed explanation of the relationship of the amount of the transfer shall be filed with the State Comptroller, Governor's Office of Management and Budget, and the Legislative Budget Office.
5. CONTINGENCY FOR OUTSIDE LEGAL COUNSEL. Funds appropriated in item 4., Contingency for Outside Legal Counsel may be used for assessment studies of a potential low-level radioactive waste disposal facility and/or employ outside legal counsel for contested permit hearings. None of the funds appropriated in Item 4., Contingency for Outside Legal Counsel may be used to purchase or contract for legal services from other state agencies. Prior to the expenditure of funds for outside legal counsel, the Authority shall request the Attorney General to assist in contested permit proceedings before appropriate state agencies. If the Attorney General cannot provide such services, he shall so certify to the Comptroller of Public Accounts and the Authority which may then use the funds appropriated above for the sole purpose of purchasing legal services from outside state government.

LOW-LEVEL RADIOACTIVE WASTE DISPOSAL AUTHORITY
(Continued)

6. CONTINGENCY FOR HOUSE BILL NO. 1407. Contingent upon the passage of House Bill No. 1407, Seventy-first Legislature, Regular Session, or similar legislation providing for the financing of the Texas Low-Level Radioactive Waste Disposal Authority, the authority is hereby appropriated interest earned in the Low-Level Waste account for the biennium beginning with the effective date of this Act.

RAILROAD COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Central Administration		
a. Administrative Services	2,289,855	2,290,235
b. Automatic Data Processing	3,134,266	3,136,759
Total, Central Administration	\$ 5,424,121	\$ 5,426,994
2. Oil and Gas Regulation	\$ 11,576,366	\$ 11,474,638
3. Well Plugging, estimated	3,215,000	3,340,000 & U.B.
4. Oil Field Theft Investigative Unit	456,947	445,447
5. Transportation Regulation	3,638,450	3,554,612
6. Regulation of Natural Gas Utilities	2,270,021	2,264,164
7. Liquefied Petroleum Gas Code	1,032,475	1,021,297
8. Regulation of Surface Mining and Reclamation	4,772,491	4,887,457
9. Legal Division	1,937,171	1,963,121
10. Transportation Rate Analysis	200,000	200,000
GRAND TOTAL, RAILROAD COMMISSION	\$ 34,523,042 =====	\$ 34,577,730 =====

Method of Financing:

General Revenue Fund	\$ 23,078,605	\$ 22,959,779
Well Plugging Fund No. 503, estimated	3,215,000	3,340,000
Reappropriated Receipts	2,056,942	2,062,942
Federal Funds, estimated	5,218,720	5,261,234
Earned Federal Funds	119,680	119,680
Interagency Contracts	52,500	52,500

RAILROAD COMMISSION
(Continued)

Motor Carrier Enforcement Act Fund No. 582	<u>781,595</u>	<u>781,595</u>
Total, Method of Financing	\$ <u>34,523,042</u>	\$ <u>34,577,730</u>

Schedule of Exempt Positions

Commissioners	3	\$ 74,698	3	\$ 74,698
Executive Director		72,000		72,000
Director of Petroleum Regulation		64,822		64,822
Special Counsel		62,931		62,931
Division Director, III	18	61,242	18	61,242
Assistant Director, Oil and Gas	3	55,157	3	55,157
Director of Field Operations		52,005		52,005
Assistant Director, Field Operations	4	50,639	4	50,639
General Counsel, Oil and Gas		55,157		55,157
Assistant Director	7	50,639	7	50,639
Assistant General Counsel	5	52,950	5	52,950
District Director	10	48,958	10	48,958
Hazardous Materials Specialist		48,000		48,000
Assistant Division Director	5	46,121	5	46,121
Internal Auditor		42,900		42,900
Graduate Engineer III	8	42,759	8	42,759
Graduate Engineer II	8	39,713	8	39,713
Graduate Engineer I	8	36,666	8	36,666

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Railroad Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	\$ <u>306,499</u>	\$ <u>183,561</u>
Total, Capital Outlay	\$ <u>306,499</u>	\$ <u>183,561</u>

Method of Financing:

General Revenue Fund	\$ 242,444	\$ 171,561
Federal Funds	46,055	-0-
Other Funds	<u>18,000</u>	<u>12,000</u>
Total, Method of Financing	\$ <u>306,499</u>	\$ <u>183,561</u>

RAILROAD COMMISSION
(Continued)

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION OF LAND RECLAMATION FUND. The Railroad Commission shall expend funds collected and deposited in the Land Reclamation Fund for the purposes set out in the Texas Surface Coal Mining and Reclamation Act, TEX. REV. CIV. STAT. ANN., ART. 5920-11 (Vernon Supp. 1979) and Texas Uranium Surface Mining and Reclamation Act, Title 4, Chapter 131, Natural Resources Code. All funds shall be expended through program item "Regulation of Surface Mining and Reclamation". Unexpended reclamation funds shall be carried forward at the end of each fiscal year.
3. APPROPRIATION OF EDUCATIONAL SEMINAR FUND. The Railroad Commission shall expend funds collected and deposited in the Educational Seminar Fund for the purpose of defraying the expenses relative to conducting educational programs necessary to enhance sound reporting and regulation techniques. All Railroad Commission employees participating in a seminar shall be authorized actual reimbursement of travel expenses from the Educational Seminar Account.
4. APPROPRIATION OF MOTOR CARRIER AUDIT FEES. The Railroad Commission, under the provisions of Article 911b, Section 19 of the Motor Carrier Act, may bill out-of-state trucking firms for all expenses relative to conducting motor carrier compliance audits. All audit proceeds are hereby appropriated to the Railroad Commission and may be expended through the Transportation Regulation program, Item 5, for the associated expenses in conducting audits. Employees performing out-of-state audits are authorized actual reimbursement of travel expenses.
5. EARNED FEDERAL FUNDS APPROPRIATED AND SUBSTITUTED FOR GENERAL REVENUE. Earned federal funds on hand as of August 31, 1989 and received by the Railroad Commission that are in excess of those appropriated above in the method of financing, are hereby appropriated for the biennium beginning September 1, 1989 in Item 2., Oil and Gas Regulation and Item 5., Transportation Regulation. These funds shall reduce general revenue dollar for dollar if consistent with federal law.
6. TRANSFER AUTHORITY. An amount not to exceed 15 percent in fiscal year 1990 and 10 percent in fiscal year 1991 of any program appropriation made to the Texas Railroad Commission may be transferred to another program appropriation of the Texas Railroad Commission. The commission may transfer between sub-items a. through b. within program Item 1., Central Administration.
7. TRANSCRIPT RATES DETERMINED. The Railroad Commission shall approve the rates to be charged by its Reporters on transcripts that are sold, not to exceed that authorized by law to be paid to District Court Reporters.

RAILROAD COMMISSION
(Continued)

8. PUBLICATION DISALLOWED. Funds appropriated above shall not be expended for the publication of the magazine "Railroad Commission of Texas Today," or a similar publication.
9. AITC APPROVAL REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

10. OILFIELD THEFT ASSISTANCE AUTHORIZED. It is the intent of the Legislature that upon request of a local County or District Attorney for assistance in the prosecution of oil field theft or related matters, the Commission shall be authorized to assist such local authority in the prosecution of oil field theft and related matters.
11. APPROPRIATION OF WELL PLUGGING FUND BALANCES. The Railroad Commission is hereby appropriated all balances on hand and all revenue deposited in the Well Plugging Fund No. 503 for any purpose authorized by Section 89.151 Natural Resources Code.
12. APPROPRIATION OF FEES, PENALTIES, AND UNEXPENDED BALANCES RELATING TO MOTOR CARRIER ENFORCEMENT. There is hereby appropriated to the Department of Public Safety and to the Railroad Commission of Texas in equal amounts all funds collected as administrative penalties and credited to the Motor Carrier Act Enforcement Fund pursuant to Article 911b, V.T.C.S. There is also hereby appropriated exclusively to the Railroad Commission of Texas all fees collected for registration of commercial vehicles and credited to the Motor Carrier Act Enforcement Fund pursuant to Article 911b, V.T.C.S. Additionally, all fees collected for the acceptance of insurance filings pursuant to Article 6701d, V.T.C.S. are hereby appropriated to the Railroad Commission of Texas. Such funds appropriated herein to the Railroad Commission of Texas, shall not exceed \$2,000,000 per year, \$781,595 of which is included above in the Method of Financing as Motor Carrier Act Enforcement Fund No. 582 and \$580,866 of which is included in the Method of Financing as Reappropriated Receipts. Any amounts in excess of the \$2,000,000 per year shall lapse to the General Revenue Fund. All unexpended balances on hand at August 31, 1989, are hereby appropriated for the 1990-1991 biennium.

RAILROAD COMMISSION
(Continued)

13. REPLACEMENT OF CHEMISTRY LAB FACILITY. The Railroad Commission is hereby appropriated \$94,594 from fiscal year 1987's unexpended balance in Program 7, Regulation of Surface Mining and Reclamation and any unexpended balance from the Railroad Commission's Program 7, Regulation of Surface Mining and Reclamation fiscal year 1989 appropriation for the sole and explicit purpose of replacing and relocating its chemistry lab facility. The State Purchasing and General Services Commission is hereby authorized at the direction of the Railroad Commission to enter into or exercise purchase options on an existing state agreement for establishing these permanent laboratory facilities. The subject funding, if necessary, may be transferred to the State Purchasing and General Services Commission to consummate this purchase. All available federal funds for this purpose will be utilized prior to the expenditure of State funds.

REAL ESTATE COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration	560,077	557,877
2. Staff Services	600,388	591,071
3. Application Processing and Licensing	554,796	554,796
4. Education and Examination	246,214	246,214
5. Enforcement	886,827	886,488
6. Residential Service Company Act	89,406	89,796
GRAND TOTAL, REAL ESTATE COMMISSION	\$ 2,937,708	\$ 2,926,242

Method of Financing:

Real Estate License Fund No. 114	\$ 2,858,708	\$ 2,843,742
Reappropriated Receipts, estimated	45,000	45,000
Residential Service Company Fund No. 133, estimated	34,000	37,500
Total, Method of Financing	\$ 2,937,708	\$ 2,926,242

Schedule of Exempt Positions and Per Diem of Commission Members

Administrator	\$ 52,904	\$ 52,904
Assistant Administrator	46,880	46,880
Per Diem of Commission Members	7,500	7,500

REAL ESTATE COMMISSION
(Continued)

SCHEDULE OF CLASSIFIED POSITIONS (UL), REAL ESTATE COMMISSION

GROUP 20

1553 Staff Services Officer II
1557 Director of Programs I

GROUP 19

1052 Hearings Examiner III
1565 Program Administrator III

GROUP 18

0234 ADP Supervisor IV
3537 Attorney IV

GROUP 17

1563 Program Administrator I
3536 Attorney III
7010 Consultant, Instructional Services

GROUP 16

1163 Accountant III

GROUP 15

1083 Accounts Examiner III
1504 Administrative Technician IV
1731 Personnel Officer I
3535 Attorney II
6746 Field Representative II

GROUP 14

0143 Hearings Reporter III
0232 ADP Supervisor II

GROUP 13

1503 Administrative Technician III
6745 Field Representative I

GROUP 12

0142 Hearings Reporter II
1946 Purchasing and Supply Officer I

GROUP 11

0067 Clerical Supervisor IV
1502 Administrative Technician II

GROUP 09

0246 ADP Record Control Clerk III

GROUP 08

0205 Key Entry Operator III
0308 Duplicating Machine Operator II
1003 Accounting Clerk III
1501 Administrative Technician I

REAL ESTATE COMMISSION
(Continued)

GROUP 07

0063 Clerical Supervisor II
0135 Secretary III

GROUP 06

0055 Clerk III
0133 Secretary II
0203 Key Entry Operator II
1002 Accounting Clerk II

GROUP 04

0053 Clerk II
0106 Clerk Typist II
1001 Accounting Clerk I

GROUP 02

0051 Clerk I

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Real Estate Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of Real Estate License
Fund No. 114:

1. Acquisition of Computer Equipment and Software	\$ 142,799	\$ 143,779
Total, Capital Outlay	\$ 142,799 =====	\$ 143,779 =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION, REAL ESTATE RESEARCH CENTER. Funds derived from the provisions of Senate Bill No. 338, Acts of the Sixty-second Legislature, Regular Session, 1971, in support of the Real Estate Research Center at Texas A&M University, are hereby appropriated to said center for the purposes stipulated therein. The per diem for members of the Real Estate Research Advisory Committee shall be actual expenses for meals and lodging (not to exceed the maximum daily amount allowed as of the first of January of that year for federal income tax purposes as a deduction for ordinary and necessary business expenses) and transportation plus the amounts of compensatory per diem specifically authorized in this Act or as otherwise authorized by this Act plus an additional \$30 for each day the member is engaged in official business of the advisory committee. No employee paid from funds appropriated by this Act shall be paid both a salary and compensatory per diem for concurrent service as a state employee and as a board or commission member.

REAL ESTATE COMMISSION
(Continued)

3. APPROPRIATION SOURCE. The Residential Service Company Act will be funded from both of the following: (1) fees collected and deposited to the Residential Service Company Fund No. 133 pursuant to Article 6573(b) V.A.C.S., and (2) such amounts from the Real Estate License Fund No. 114 necessary to supplement the funding of this appropriation.
4. TRANSFER AUTHORITY. The Texas Real Estate Commission is hereby authorized to transfer funds appropriated above between line items 1., 2., 3., 4., 5., and 6. The total amount transferred into any one line item during a fiscal year shall not exceed 15 percent of the amount appropriated for that line item for fiscal year 1990 and 10 percent for fiscal year 1991.
5. REPORTING REQUIREMENT. In its annual report, the Real Estate Commission shall provide a schedule showing a breakdown of the number of broker and salesman license renewals and the amount of funds transferred to the Real Estate Research Center.
6. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

7. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 114 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

REAL ESTATE COMMISSION
(Continued)

8. CONTINGENCY APPROPRIATION, CONTINUING EDUCATION. Contingent upon the enactment of House Bill No. 1212, Seventy-first Legislature, Regular Session, or other similar legislation, \$237,017 for fiscal year 1990 and \$126,602 for fiscal year 1991, from the Real Estate License Fund No. 114 is hereby appropriated to the Real Estate Commission for the purpose of implementing the provisions of the bill. The Real Estate Commission is hereby authorized to transfer the appropriation made herein to the appropriate line items.
9. CONTINGENCY APPROPRIATION, REAL ESTATE APPRAISER LICENSING. Contingent upon the enactment of Senate Bill No. 1256, Seventy-first Legislature, Regular Session, or other similar legislation, \$540,408 for fiscal year 1990 and \$437,632 for fiscal year 1991, from the Real Estate License Fund No. 114 is hereby appropriated to the Real Estate Commission for the purpose of implementing the provisions of the bill. The Real Estate Commission is hereby authorized to transfer the appropriation made herein to the appropriate line items.

DEPARTMENT OF PUBLIC SAFETY

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Support:		
a. Administrative	1,194,767	1,194,767
b. Inspection and Planning	695,919	692,221
c. Staff Services	6,619,256	6,612,941
d. Accounting and Budget Control	1,602,503	1,597,934
e. Data Processing	8,470,083	8,598,083
f. Driver and Vehicle Records	12,349,446	12,385,249
g. Crime Records	3,619,446	4,924,446
h. Crime Laboratories	4,161,213	4,174,001
i. Departmental	14,054,911	13,747,751
Total, Support	\$ 52,767,544	\$ 53,927,393
2. Traffic Law Enforcement:		
a. Administrative	\$ 8,393,372	\$ 8,373,822
b. Highway Patrol	52,937,210	53,021,301
c. Driver License	18,975,276	18,975,638
d. License and Weight	9,578,831	9,578,831
e. Motor Vehicle Inspection	3,433,387	3,433,387
f. Safety Education	1,406,867	1,406,867
g. Communications	5,172,478	5,171,228
Total, Traffic Law Enforcement	\$ 99,897,421	\$ 99,961,074
3. Criminal Law Enforcement:		
a. Administrative	\$ 201,685	\$ 201,685
b. Criminal Intelligence	4,494,188	4,423,333
c. Texas Rangers	4,204,523	4,205,137
d. Narcotics	11,266,473	11,243,993

DEPARTMENT OF PUBLIC SAFETY
(Continued)

e. Motor Vehicle Theft	<u>2,030,382</u>	<u>1,999,602</u>
Total, Criminal Law Enforcement	\$ <u>22,197,251</u>	\$ <u>22,073,750</u>
4. Emergency Management:		
a. Administrative	\$ 944,902	\$ 943,586
b. Assistance	<u>3,059,215</u>	<u>3,059,215</u>
Total, Emergency Management	\$ <u>4,004,117</u>	\$ <u>4,002,801</u>
5. Aircraft Operations	\$ 1,902,541	\$ 1,902,541
6. Utilities	<u>1,879,416</u>	<u>2,030,660</u>
GRAND TOTAL, DEPARTMENT OF PUBLIC SAFETY	\$ <u>182,648,290</u> =====	\$ <u>183,898,219</u> =====

Method of Financing:

General Revenue Fund	\$ 3,264,772	\$ 4,666,292
State Highway Fund No. 006	142,529,929	142,445,669
Operators and Chauffeurs License Fund No. 099	11,269,328	11,200,432
Motor Vehicle Inspection Fund No. 274	18,330,405	18,340,700
Motorcycle Education Fund No. 501	150,000	150,000
All-Terrain Vehicle Safety Fund No. 598	22,933	14,203
Criminal Justice Grants, estimated	2,143,327	2,143,327
Turnpike Refunds, estimated	864,614	864,614
Earned Federal Funds	225,000	225,000
Federal Funds, estimated	3,587,017	3,587,017
Other Funds, estimated	<u>260,965</u>	<u>260,965</u>
Total, Method of Financing	\$ <u>182,648,290</u> =====	\$ <u>183,898,219</u> =====

BOND DEBT SERVICE	\$	\$ 500,000
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Schedule of Exempt Positions

Director	\$ 76,000	\$ 76,000
Assistant Director	68,000	68,000
Chief of Administration	55,000	55,000
Chief, Traffic Law Enforcement	55,000	55,000
Chief, Criminal Law Enforcement	55,000	55,000
Chief of Legal Services	55,000	55,000
General Counsel	52,000	52,000
Chief of Fiscal Affairs	52,000	52,000

DEPARTMENT OF PUBLIC SAFETY
(Continued)

Chief of Staff Services		52,000		52,000
Chief of Driver and Vehicle Records		52,000		52,000
Chief of Crime Laboratories		52,000		52,000
Chief of Data Processing		52,000		52,000
Chief of Crime Records		50,000		50,000
Chief of Inspection and Planning		50,000		50,000
Chief, Division of Emergency Management		50,000		50,000
Assistant Chief, Traffic Law Enforcement		50,000		50,000
Major, Traffic Law Enforcement	6	48,000	6	48,000
Captain, Traffic Law Enforcement	36	40,000	36	40,000
Lieutenant, Traffic Law Enforcement	53	36,500	53	36,500
Sergeant, Traffic Law Enforcement	UL	34,000	UL	34,000
Trooper IV, Traffic Law Enforcement	UL	33,000	UL	33,000
Trooper III, Traffic Law Enforcement	UL	31,000	UL	31,000
Trooper II, Traffic Law Enforcement	UL	29,000	UL	29,000
Trooper I, Traffic Law Enforcement	UL	27,000	UL	27,000
Assistant Chief, Criminal Law Enforcement		50,000		50,000
Service Commander, Criminal Law Enforcement	3	46,000	3	46,000
Assistant Service Commander, Criminal Law Enforcement	3	43,000	3	43,000
Captain, Criminal Law Enforcement	19	40,000	19	40,000
Sergeant, Criminal Law Enforcement	55	36,500	55	36,500
Investigator, Criminal Law Enforcement	UL	34,000	UL	34,000
Senior Captain, Texas Rangers		46,000		46,000
Captain, Assistant Commander, Texas Rangers		43,000		43,000
Captain, Texas Rangers	6	40,000	6	40,000
Sergeant, Texas Rangers	6	36,500	6	36,500
Texas Ranger	UL	34,000	UL	34,000
Chief Pilot Investigator		43,000		43,000
Assistant Chief Pilot Investigator		40,000		40,000
Senior Pilot Investigator	4	36,500	4	36,500
Pilot Investigator	13	34,000	13	34,000
Captain, Internal Affairs		40,000		40,000
Sergeant, Internal Affairs	4	36,500	4	36,500
Staff Commander	2	43,000	2	43,000
Staff Captain	3	40,000	3	40,000
Staff Lieutenant	UL	36,500	UL	36,500
Staff Sergeant	UL	34,000	UL	34,000
Inspector II	UL	40,000	UL	40,000
Inspector I	UL	36,500	UL	36,500
Mansion Security Officer	9	27,000	9	27,000

DEPARTMENT OF PUBLIC SAFETY
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Department of Public Safety. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Construction, Repair and Renovation	\$ 9,322,337	\$ 3,677,948 & U.B.
2. Acquisition of Computer Equipment and Software	<u>1,461,552</u>	<u>12,156,723</u>
Total, Capital Outlay	<u>\$ 10,783,889</u>	<u>\$ 15,834,671</u>

Method of Financing:

State Highway Fund No. 006 Operators and Chauffeurs License Fund No. 099 Motor Vehicle Inspection Fund No. 274	\$ 10,736,815 25,779 <u>21,295</u>	\$ 15,810,480 13,191 <u>11,000</u>
Total, Method of Financing	<u>\$ 10,783,889</u>	<u>\$ 15,834,671</u>

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. AISD PROPERTY PURCHASE. In addition to funds appropriated in Article VII of this Act, the department is appropriated \$5,800,000 to purchase property owned by the Austin Independent School District for expansion of the central office. The appropriations may be from the proceeds generated from the sale of surplus department property as authorized by House Bill No. 1362, House Bill No. 1363, and other similar legislation as well as bonded construction funds, contingent upon passage of authorizing legislation and approval by the Legislative Budget Board. In the event these sources are inadequate to fund the total appropriations, the department is authorized to access the Texas Capital Access Program of the Texas Small Business Industrial Development Corporation (TSBIDC) in an amount not to exceed the shortfall, and such funds are hereby appropriated contingent upon approval by the Legislative Budget Board.
3. AFIS EQUIPMENT PURCHASE. Out of funds appropriated in Article VII of this act, the sum of \$11,686,400 for the biennium is appropriated from non-constitutionally dedicated highway funds pursuant to Article 6674e to be used in conjunction with the establishment of and the purchase of equipment necessary for the Automated Fingerprint Identification System (AFIS), since such system is needed to adequately police the State Highway System.

DEPARTMENT OF PUBLIC SAFETY
(Continued)

4. TRANSFER AUTHORITY. Unless specifically restricted, the Department of Public Safety is hereby authorized to transfer such amounts as may be necessary from one sub-item to another sub-item within program appropriation items numbered 1. Support, 2. Traffic Law Enforcement, and 3. Criminal Law Enforcement. Such amounts as necessary may be transferred from appropriation items numbered 1. Support into item, 4.a. Emergency Management Administration. Transfers from appropriation item numbered 2.b. Highway Patrol is limited to 15% in Fiscal Year 1990 and 10% in Fiscal Year 1991. None of the funds appropriated above for one program item may be transferred to another program item, except funds may be transferred from items 1. Support and 2. Traffic Law Enforcement into item 3. Criminal Law Enforcement. Additionally, funds may be transferred from any program item to Department of Public Safety supply areas in the Support Program as reimbursement for the cost of items charged from the inventories of the supply areas. These transferred funds shall be restricted to the purchase of replacement inventory by the supply areas. No transfers may be made into a line-item exempt salaried position.
5. SALE OF VEHICLES. Funds derived from the sale of passenger vehicles and aircraft operated by the Department of Public Safety are hereby reappropriated to the Department of Public Safety and are to be deposited in appropriations where like purchases can be made as per Article 601b, V.A.C.S.
6. ABANDONED VEHICLES. Funds accruing to the department under the provisions of the Abandoned Motor Vehicle Act, Chapter 784, Acts of the Sixty-second Legislature, 1971, as amended (Article 6687-9, V.T.C.S.), are hereby appropriated to the department to assist in the administration of the Act.
7. CONTROLLED SUBSTANCES. All amounts received under Article 4476-15, V.A.C.S., and all amounts received contingent on the passage of amendments to Article 4476-15, V.A.C.S., or passage of House Bill 5, House Bill 8, Senate Bill 416, or similar legislation, and deposited to the credit of the Controlled Substance Fund No. 098 are hereby appropriated to the Department of Public Safety to be used for law enforcement purposes. Any funds unexpended at the close of each fiscal year are reappropriated for the following year.
8. ACADEMY COSTS. The Department of Public Safety may charge employees and students of the DPS Academy for tuition, lodging, and meals at such prices as may be set by the department. Such funds as received are hereby appropriated to cover the expenses entailed in providing such students and employees their lodging, meals, incidental expenses, and to pay visiting instructors.
9. TROOPER TRAINEE SALARIES. It is provided that funds herein appropriated may be expended for the salaries of Trooper Trainees and newly commissioned Trooper I's serving their period of Probationary Service at rates established by the Department of Public Safety.

DEPARTMENT OF PUBLIC SAFETY
(Continued)

10. TROOP STRENGTH. Exclusive of personnel in training and non-commissioned personnel, the average quarterly strength of the following services shall not exceed the amounts shown below for each year of the biennium:

	<u>1990</u>	<u>1991</u>
Highway Patrol	1,580	1,580
Driver License	397	397
License and Weight	250	250
Motor Vehicle Inspection	93	93
Safety Education	36	36
Criminal Intelligence	86	86
Texas Rangers	103	103
Narcotics	206	206
Motor Vehicle Theft	47	47

The authorization above includes 26 Highway Patrol positions for contracts with the Texas Turnpike Authority to police the Houston Ship Channel Bridge, Dallas North Tollway and Dallas North Tollway Extension provided, however, that the contract covers all costs incurred and that the additional positions be phased out upon termination of the contracts.

Notwithstanding the limits shown above, the Director may, when he deems appropriate for the administration of a balanced law enforcement effort, exceed the average quarterly strengths within a division by transferring allocated units from one division to another. In no case, however, shall such transfers exceed a variance of 10 percent from the allocations listed above.

11. CLOTHING ALLOWANCE. All commissioned officers holding an exempt position and other required uniform personnel are to receive a clothing and cleaning allowance of \$500 per year. Those commissioned officers who are not provided a uniform shall receive a clothing and cleaning allowance of \$1,200 per year.
12. WITNESS FEES. From the appropriations made herein the Department of Public Safety may pay the witness fees and travel expenses of out-of-state witnesses, subject to the advance, written approval of the District Attorney for the county having venue over the law violation under investigation.
13. MEDICAL AND FUNERAL COSTS. Monies appropriated above may be expended for drugs, medical, hospital, laboratory and funeral costs of law enforcement employees or other employees performing duties involving unusual risk when injury or death occurs in the performance of such duties. It is the intent of the Legislature that monies appropriated above shall not be expended for drugs, medical, hospital, laboratory or funeral costs of employees who are not actively engaged in the performance of law enforcement or other hazardous duties or of law enforcement employees when injury or death occurs in the performance of clerical or office duties as distinguished from law enforcement or other duties involving unusual risk. Monies appropriated above may also be expended for physical examinations and testing when such examinations and tests are a condition of employment or exposure to infectious diseases or hazardous materials occurs in the line of duty.

DEPARTMENT OF PUBLIC SAFETY
(Continued)

14. AIRCRAFT AUTHORITY. The Department of Public Safety is authorized to own, maintain and operate helicopters in performance of its responsibilities. In addition to authority to own, maintain and operate aircraft under the provisions of Section 411.013 of the Government Code, and Article V, Section 19 of this Act, the department is authorized to own, maintain and operate any aircraft seized pursuant to authority contained in Article 4476-15, V.A.C.S. or under any other statute authorizing the Department to own, maintain, or operate seized aircraft. The department is directed to submit, as part of its Annual Report, details on the acquisition and disposition of seized aircraft.
15. PURCHASE OF EVIDENCE. From the amounts appropriated for the support and maintenance of the Department of Public Safety, an amount not to exceed One Million Dollars (\$1,000,000) each year of the biennium, exclusive of amounts forfeited to the Department of Public Safety by any court of competent jurisdiction and amounts received from the United States government derived from the forfeiture of monies and property, is hereby designated for the purchase of evidence and/or information and surveillance expenses deemed necessary by the Department of Public Safety; and accountability for expenditures as set forth above shall be governed by such rules and regulations as the Director of the Department of Public Safety may recommend, subject to review and approval by the State Auditor.
16. DRIVER LICENSE FACILITIES. It is the intent of the Legislature that the driver license facilities and personnel provided for in this Act be dispersed over the entire State in both rural and urban areas, and that driver license service to counties with populations equal to or less than 50,000 shall not be reduced below the service levels currently provided by the Department of Public Safety.
17. MARKED VEHICLES. None of the funds appropriated hereinabove may be expended for the salaries of personnel operating motor vehicles used to stop and actually arrest offenders of highway speed laws unless such vehicles are patrol vehicles of the standard black-and-white color, plainly marked with the department's insignia.
18. AVIATOR REIMBURSEMENT. From the amounts appropriated above for item 4. Emergency Management an amount not to exceed \$10,000 each year of the biennium may be used only for aviator search, rescue or disaster-related functions, limited to reimbursements for actual costs of aircraft operation to include fuel, oil and routine maintenance costs incurred by trained and certified private volunteer aviators using privately-owned aircraft in state-authorized flight operations. The reimbursement shall not exceed the rate of \$60.00 per flying hour, when such aircraft costs are not reimbursable by other governmental agencies in accordance with Chapter 418, Government Code.
19. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:

DEPARTMENT OF PUBLIC SAFETY
(Continued)

- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AIRC); and,
- b. The AIRC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AIRC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AIRC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

- 20. SYSTEM USER FEE. In addition to funds appropriated above, the Department of Public Safety is authorized to charge a \$100 annual user fee for the Texas Law Enforcement Telecommunications System (TLETS) and such funds are hereby appropriated to the agency.
- 21. TOLL FREE ASSISTANCE. Funds appropriated above for Item 1.c., Staff Services, include \$32,000 per year to establish and maintain a toll free number for motorists in need of assistance and to report traffic law violations.
- 22. GASOLINE CONTINGENCY. In addition to funds appropriated above and contingent upon certification by the Comptroller of Public Accounts, the Department of Public Safety is hereby appropriated up to \$40,000 annualized per year from State Highway Fund No. 006 for each cent increase in the average gasoline cost per gallon to the department above \$.90 per gallon.
- 23. AFIS SYSTEM. Funds appropriated above for the purchase and implementation of an Automated Fingerprint Identification System (AFIS) are made contingent upon the utilization of a system that is compatible with systems operated by major Texas cities.
- 24. SHELBY COUNTY PROPERTY. In addition to funds appropriated above and contingent upon passage of authorizing legislation by the Seventy-first Legislature, there is hereby appropriated to the department \$112,000 from Operators and Chauffeurs License Fund No. 099 to purchase real property in Shelby County from the State Department of Highways and Public Transportation.
- 25. CORPORAL. In addition to the exempt titles authorized above, the Department of Public Safety may utilize a corporal title for any trooper position with administrative or supervisory responsibility. A trooper designated as corporal shall be paid an additional \$50 per month above the authorized salary shown in the schedule of exempt positions. A corporal may be appointed from any of the four trooper ranks authorized above.

DEPARTMENT OF PUBLIC SAFETY
(Continued)

26. COMMUNICATIONS PERSONNEL. It is the intent of the Legislature that the Department of Public Safety do an annual classification review and job responsibility analysis for communications personnel.
27. POLYGRAPH TESTING. None of the funds appropriated hereinabove may be expended for polygraph testing of commissioned law enforcement officers of the Department of Public Safety.
28. CONTINGENCY FOR HOUSE BILL NO. 1935. Contingent upon enactment of House Bill No. 1935, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$9,614,989 for fiscal year 1990 and \$8,541,567 for fiscal year 1991, from State Highway Fund No. 006 is hereby appropriated for the purpose of implementing the provisions of the Act.
29. CONTINGENCY FOR HOUSE BILL NO. 1408. Contingent upon enactment of House Bill No. 1408, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$1,592,557 for fiscal year 1990 and \$992,080 for fiscal year 1991, from State Highway Fund No. 006 is hereby appropriated for the purpose of implementing the provisions of the Act.
30. CONTINGENCY FOR SENATE BILL NO. 589. Contingent upon enactment of Senate Bill No. 589, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$682,400 for fiscal year 1990 and \$679,600 for fiscal year 1991, from Motorcycle Education Fund No. 501 is hereby appropriated for the purpose of implementing the provisions of the Act.

SECRETARY OF STATE

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration:		
a. Executive Administration	515,771	515,771
b. Support Services	888,332	888,332
c. Data Services	<u>1,808,614</u>	<u>1,840,135</u>
Total, Administration	<u>\$ 3,212,717</u>	<u>\$ 3,244,238</u>
2. Elections:		
a. Elections Administration	\$ 1,072,665	\$ 1,072,665
b. Campaign and Disclosure Filings	<u>143,366</u>	<u>143,366</u>
Total, Elections	<u>\$ 1,216,031</u>	<u>\$ 1,216,031</u>
3. Statutory Filings:		
a. Corporate Charter Approval	\$ 1,235,782	\$ 1,235,782
b. Uniform Commercial Code and Related Filings	978,300	978,300
c. Public Filings and Notary	<u>548,909</u>	<u>548,909</u>
Total, Statutory Filings	<u>\$ 2,762,991</u>	<u>\$ 2,762,991</u>

SECRETARY OF STATE
(Continued)

4. Texas Register Publications	\$ 568,317	\$ 568,317
Total, Secretary of State, Agency Operations	\$ 7,760,056	\$ 7,791,577
5. Funds Managed by the Secretary of State:		
a. Primary Finance	\$ 10,100,000	\$ U.B.
b. Constitutional Amendments	573,400	U.B.
c. Session Laws	223,815	U.B.
d. Voter Registration Postage	576,401	U.B.
Total, Funds Managed by the Secretary of State	\$ 11,473,616	\$
GRAND TOTAL, SECRETARY OF STATE	\$ 19,233,672	\$ 7,791,577
	=====	=====

Method of Financing:

General Revenue Fund	\$ 18,895,672	\$ 7,453,577
Reappropriated Receipts, estimated	288,000	288,000
Lobbyist Registration Fund No. 592, estimated	50,000	50,000
Total, Method of Financing	\$ 19,233,672	\$ 7,791,577
	=====	=====

BOND DEBT SERVICE	\$ 750,858	\$ 749,659
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Schedule of Exempt Positions

Secretary of State	\$ 69,094	\$ 69,094
Assistant Secretary of State	56,102	56,102
Counsel to the Secretary of State	50,219	50,219
Special Assistant	4 50,219	4 50,219

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Secretary of State. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ 154,800	\$ 123,279
Total, Capital Outlay	\$ 154,800	\$ 123,279
	=====	=====

SECRETARY OF STATE
(Continued)

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION OF RECEIPTS, VOTING SYSTEMS. Funds received by the Secretary of State for examination of voting systems and voting systems equipment to be adopted for use in the State of Texas may be deposited in the State Treasury and expended in accordance with the provisions of V.T.C.A., Election Code, Chapter 122, and such funds are hereby appropriated for that purpose.
3. APPROPRIATION OF RECEIPTS, VOTE TABULATION CENTER. Should the Secretary of State operate a statewide vote tabulating center for any statewide election, any revenue derived therefrom is hereby appropriated to the Secretary of State in an amount sufficient to cover the actual costs incurred in conducting such tabulations for the biennium.
4. APPROPRIATION OF RECEIPTS, NOTARY FEES. There is hereby appropriated to the Secretary of State revenue received pursuant to V.T.C.A., Government Code, Section 406.007 for education and enforcement of the Notary Act.
5. APPROPRIATION OF RECEIPTS, GREAT SEAL OF TEXAS. The Secretary of State is hereby appropriated all license fees and royalties received for the use of the Great Seal of Texas as collected pursuant to the Business and Commerce Code, Section 17.08.
6. APPROPRIATION OF RECEIPTS, ATHLETE AGENTS. The Secretary of State is hereby appropriated all fee revenue collected pursuant to V.A.C.S., Art. 8871 for the purpose of regulating athlete agents.
7. APPROPRIATION OF RECEIPTS, LOBBYIST REGISTRATION. All fee revenue collected pursuant to V.T.C.A., Government Code, Section 305.005 and deposited into the Lobbyist Registration Fund No. 592, and any balances in Fund No. 592 on the effective date of this act, are hereby appropriated to the Secretary of State for the purpose of administering Chapter 305.
8. TRANSFER AUTHORITY. The Secretary of State may transfer from one sub-item to another within program items. The Secretary of State may transfer funds appropriated above from one program to another program, provided that the total transfer from any single program shall not exceed fifteen percent (15%) for fiscal year 1990 and ten percent (10%) for fiscal year 1991.
9. RESTRICTION, PAYMENT OF SALARIES. Funds appropriated in Item 5., Funds Managed by the Secretary of State, may not be expended for payment of salaries or other personnel services, except as otherwise provided by law.

SECRETARY OF STATE
(Continued)

10. TRAVEL EXPENDITURES. The Secretary of State is hereby authorized to expend funds from the above appropriations to reimburse state inspectors for travel expenses pursuant to V.T.C.A., Election Code, Section 34.003.
11. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.
12. ETHICS ADVISORY COMMISSION. The Secretary of State may, with the consent of the Lieutenant Governor and the Speaker of the House, use the staff of the Legislative Council to draft opinions and do legal research in providing support services to the State Ethics Advisory Commission.
13. CONTINGENCY APPROPRIATION, CONSTITUTIONAL AMENDMENTS. There is hereby appropriated to the Secretary of State for the biennium beginning September 1, 1989, out of general revenue an amount equal to the actual costs of fulfilling the requirements of V.T.C.A., Election Code, Chapter 274, Subchapter B, and Article 17 Section 1 of the Texas Constitution for each constitutional amendment and referendum above ten (10) that finally passes.
14. APPROPRIATION OF RECEIPTS, TEXAS ADMINISTRATIVE CODE. The Secretary of State is hereby appropriated all revenue received from the interagency sale of the Texas Administrative Code by the Secretary of State to other state agencies and institutions. Any revenues so received shall be credited to the Secretary of State's current appropriation items or accounts from which the expenditures were originally made.
15. LIMITATION, PRIMARY FINANCE. Of the funds appropriated under Item 5.a., Primary Finance, not more than \$250,000 may be distributed to the executive committees of the state parties for the operation of the primary and runoff elections. Funds distributed to the executive committees shall be distributed to the respective parties in the ratio of the total number of primary and runoff voters in the 1988 elections.

SECRETARY OF STATE
(Continued)

16. CONTINGENCY APPROPRIATION, CHARITABLE TRUST REGISTRATION. Contingent upon the enactment of House Bill 1472, Seventy-first Legislature, Regular Session, or similar legislation, the Secretary of State is hereby appropriated the fee revenue collected pursuant to the provisions of House Bill 1472 in an amount not to exceed \$326,628 for fiscal year 1990 and not to exceed \$217,987 for fiscal year 1991 for the purpose of implementing the provisions of the bill. The Secretary of State is hereby authorized to transfer the appropriation made herein to the appropriate line items.
17. CONTINGENCY APPROPRIATION, PRIVATE PROCESS SERVERS. Contingent upon the enactment of Senate Bill 617, Seventy-first Legislature, Regular Session, or similar legislation, the Secretary of State is hereby appropriated the fee revenue collected pursuant to the provisions of Senate Bill 617 in an amount not to exceed \$225,286 for fiscal year 1990 and not to exceed \$189,954 for fiscal year 1991 for the purpose of implementing the provisions of the bill. The Secretary of State is hereby authorized to transfer the appropriation made herein to the appropriate line items.

SECURITIES BOARD

	For the Years Ending August 31, 1990	August 31, 1991
1. Executive Division	823,322	815,981
2. Registration:		
a. Dealer Registration	324,396	311,870
b. Securities Registration	<u>664,687</u>	<u>697,380</u>
Total, Registration	\$ <u>989,083</u>	\$ <u>1,009,250</u>
3. Enforcement	\$ <u>1,019,598</u>	\$ <u>1,042,530</u>
GRAND TOTAL, SECURITIES BOARD	\$ <u>2,832,003</u> =====	\$ <u>2,867,761</u> =====

Method of Financing:

General Revenue Fund	\$ 2,814,003	\$ 2,849,761
Reappropriated Receipts, estimated	<u>18,000</u>	<u>18,000</u>
Total, Method of Financing	\$ <u>2,832,003</u> =====	\$ <u>2,867,761</u> =====

Schedule of Exempt Positions and Per Diem of Board Members

Securities Commissioner	\$ 66,024	\$ 66,024
Deputy Securities Commissioner	58,000	58,000
Director, Securities Registration Division	50,000	50,000

SECURITIES BOARD
(Continued)

Director, Enforcement Division	50,000	50,000
Director, Dealer Registration Division	50,000	50,000
Per Diem of Board Members	2,010	2,010

SCHEDULE OF CLASSIFIED POSITIONS (UL), SECURITIES BOARD

GROUP 21

1136 Assistant Director, Registration Division
 1138 Assistant Director, Enforcement Division
 1140 Dealer Registration Director
 1554 Chief of Staff Services
 3607 General Counsel

GROUP 20

1147 Supervising Examiner

GROUP 19

0274 Director of ADP I
 1142 Senior Examiner
 1144 Supervising Analyst
 1551 Staff Services Officer I
 3605 Legal Counselor

GROUP 18

0234 ADP Supervisor IV
 0242 ADP Programmer III
 3606 Assistant General Counsel

GROUP 17

1146 Senior Analyst
 1506 Administrative Assistant
 3536 Attorney III
 3776 Senior Investigator-Examiner

GROUP 16

0233 ADP Supervisor III
 0241 ADP Programmer II
 1550 Staff Services Assistant

GROUP 15

1141 Securities Investigator
 1145 Securities Analyst
 1504 Administrative Technician IV
 3535 Attorney II

GROUP 14

0232 ADP Supervisor II
 0240 ADP Programmer I

GROUP 13

1503 Administrative Technician III

SECURITIES BOARD
(Continued)

GROUP 12

0231 ADP Supervisor I
1515 Office Services Supervisor III

GROUP 11

0067 Clerical Supervisor IV
1502 Administrative Technician II

GROUP 09

0138 Administrative Secretary
0223 ADP Equipment Operator II

GROUP 08

1501 Administrative Technician I

GROUP 07

0135 Secretary III
0221 ADP Equipment Operator I

GROUP 06

0133 Secretary 11

GROUP 05

0131 Secretary I
0306 Duplicating Machine Operator I

GROUP 04

0053 Clerk II

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the State Securities Board. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

- | | | |
|---|-----------|--------|
| 1. Acquisition of Computer Equipment and Software | \$ 14,000 | \$ -0- |
| Total, Capital Outlay | \$ 14,000 | \$ -0- |

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

SECURITIES BOARD
(Continued)

2. **TRANSFER AUTHORITY.** Unless specifically restricted, the Securities Commissioner of the State Securities Board is hereby authorized to transfer such amounts as may be necessary from one sub-item to another sub-item within a program. None of the funds appropriated above for one program may be transferred to another program and no transfers may be made into a line-item exempt salary position.
3. **ADDITIONAL CLASSIFIED POSITIONS AUTHORIZED.** Additional classified positions, as approved by the State Classification Officer, are hereby made available to the State Securities Board.
4. **AITC REVIEW REQUIRED.** Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.
5. **CONTINGENCY APPROPRIATION, HOUSE BILL 1213.** Of the amounts contained above, the following amounts are contingent upon enactment of House Bill 1213/Senate Bill 1409 by the Seventy-first Legislature.

	<u>1990</u>	<u>1991</u>
1. Executive Division	\$ 23,394	\$ 16,053
2.a. Dealer Registration	95,063	82,537
2.b. Securities Registration	171,432	204,943
3. Enforcement	127,480	151,767

Of the amounts shown in Rider 1, Capital Outlay, the following amounts are contingent upon enactment by the Seventy-first Legislature of House Bill 1213/Senate Bill 1409.

	<u>1990</u>	<u>1991</u>
1. Acquisition of Computer Equipment and Software	\$ 11,300	\$ -0-
Totals	\$ 11,300 =====	\$ -0- =====

SOIL AND WATER CONSERVATION BOARD

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration	381,143	381,363
2. Field Services	855,631	856,845
3. Conservation Assistance	624,641	624,641
4. Watershed Planning, Sedimentation and Erosion Control and Water Quality Planning	139,201	139,551
5. Technical Assistance	1,030,401	1,030,468
6. Subchapter H Technical Assistance	200,000	200,000
		& U.B.
GRAND TOTAL, SOIL AND WATER CONSERVATION BOARD	\$ 3,231,017	\$ 3,232,868

Method of Financing:

General Revenue Fund	\$ 3,031,017	\$ 3,032,868
Agriculture Soil and Water Conservation Fund No. 563	200,000	200,000
Total, Method of Financing	\$ 3,231,017	\$ 3,232,868

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 48,000	\$ 48,000
Per Diem of Board Members	9,000	9,000

SCHEDULE OF CLASSIFIED POSITIONS, SOIL AND WATER CONSERVATION BOARD

GROUP 21

7742 Assistant Executive Director, Soil Conservation Board

GROUP 20

1557 Director of Programs I
2162 Engineer IV

GROUP 19

2160 Engineer III

GROUP 18

1864 Information Specialist III

SOIL AND WATER CONSERVATION BOARD
(Continued)

GROUP 17

0516 Planner I, 2
1164 Chief Accountant I
7741 Soil Conservationist, 11

GROUP 12

1515 Office Services Supervisor III

GROUP 11

1502 Administrative Technician II

GROUP 08

1003 Accounting Clerk III

GROUP 07

0135 Secretary III

GROUP 06

0133 Secretary II

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Soil and Water Conservation Board. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ 2,000	\$ 2,000
Total, Capital Outlay	\$ 2,000	\$ 2,000
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. MATCHING REQUIREMENTS. Funds appropriated above in Item 3., Conservation Assistance, for Soil and Water Conservation Districts may be expended when matched by equal amounts from sources other than state funds or earnings from state funds, not to exceed Seven Thousand Five Hundred Dollars (\$7,500) in any district per annum.
3. REAPPROPRIATION OF DISTRICT UNEXPENDED BALANCES. Any unexpended balances in the reappropriation of funds and properties to the Soil Conservation Districts are hereby reappropriated for the biennium beginning with the effective date of this act, for the purposes provided for under the soil conservation statutes.

SOIL AND WATER CONSERVATION BOARD
(Continued)

4. REAPPROPRIATION OF NON-TREASURY UNEXPENDED BALANCES. Any unencumbered balance in the agency's account No. 13567 entitled House Bill No. 1623 - Directors Annual Meeting as of August 31, 1989, is hereby reappropriated and any receipts deposited to the account No. 13567 during the biennium beginning September 1, 1989, are hereby appropriated for the biennium beginning September 1, 1989, for the purpose of conducting an annual meeting of soil and water conservation district directors as required by Title 7, Chapter 201, Section 201-081 of the Agricultural Code.
5. FEDERAL GRANT EMPLOYMENT AUTHORIZED. It is the intent of the Legislature that the Texas State Soil and Water Conservation Board make federal grant employment in accordance with the provisions of the Position Classification Act of 1961 and be limited to positions listed in Article V of this Appropriations Act. This provision shall apply to federal funds received directly from a federal agency or through an interagency contract with a state agency.
6. REAPPROPRIATION OF SUBCHAPTER H UNEXPENDED BALANCES. In addition to the amounts appropriated above for Subchapter H Technical Assistance, the State Soil and Water Conservation Board is hereby reappropriated for the purpose of Subchapter H, Chapter 201, Agricultural Code, any unexpended balances in the Agricultural Soil and Water Conservation Fund No. 563, as of the effective date of this act.
7. WATERSHED STUDY. The State Soil and Water Conservation Board is hereby authorized to accept grants not to exceed \$990,000 for the biennium beginning September 1, 1989, from the Water Development Board and such sums are hereby appropriated to the Soil and Water Conservation Board for the purpose of conducting a comprehensive study of the physical conditions of watersheds in this state that affect the surface and underground water quality and quantity and to determine corrective measures and report recommendations to the Seventy-second Legislature. In addition to those positions listed in the schedule of classified positions, the State Soil and Water Conservation Board is authorized the use of the following classified positions (one each): 2558 (18) Hydrologist II; 0546 (17) Research Specialist II; and 2125 (16) Engineering Technician V, for the purposes of conducting the Watershed Study.

OFFICE OF STATE-FEDERAL RELATIONS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Administration	648,390	648,390
GRAND TOTAL, OFFICE OF STATE-FEDERAL RELATIONS	\$ 648,390 =====	\$ 648,390 =====

OFFICE OF STATE-FEDERAL RELATIONS
(Continued)

Schedule of Exempt Positions

Director	\$	52,215	\$	52,215
Associate Director		47,592		47,592
Coordinators	5	42,228	5	42,228

1. DIRECTOR AND ASSOCIATE DIRECTOR PER DIEM. Expenditure in each fiscal year from Administration is authorized for per diem for the Director at the rate of \$40.00 per day. Expenditure is authorized for per diem for the Associate Director at the rate of \$40.00 a day if sufficient funds are available from the appropriations in Line Item 1., Administration.
2. INFORMATION AND ASSISTANCE REQUIREMENTS. It is the intent of the Legislature that funds appropriated above be expended in a manner which provides information and assistance to both the Legislative and Executive branches of Texas State Government.
3. REPORTS ON INCREASING FEDERAL FUNDS. It is the intent of the Legislature that the Office of State-Federal Relations work with state agencies to identify and report to the Legislature on possible changes in state laws which could increase the amount of federal funds received by the state.
4. INTERIM STUDY REQUIRED. It is the intent of the Legislature that the Legislative Budget Board conduct a study of the necessity, role, and operations of the Office of State-Federal Relations with a specific focus on minimizing partisanship. The study should also include an analysis of federal funds brought to the State of Texas as a result of the agency's actions.

SURPLUS PROPERTY AGENCY

For the Years Ending	
August 31,	August 31,
1990	1991

Out of Surplus Property Service
Charge Trust Fund:

Distribution of Federal Surplus Personal Property

- | | | |
|---|--------------|---------------------|
| 1. Administration and Warehouse Operations, estimated | 2,503,676 | 2,555,243
E U.B. |
| GRAND TOTAL, SURPLUS PROPERTY AGENCY | \$ 2,503,676 | \$ 2,555,243 |

Schedule of Exempt Positions

Executive Director	\$ 49,000	\$ 49,000
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SURPLUS PROPERTY AGENCY
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Surplus Property Agency. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of Surplus Property Service
Charge Trust Fund No. 570:

1. Construction, Repair and Renovation			
a. Longview Distribution Center	\$ 250,000	\$	& U.B.
b. El Paso Distribution Center	-0-		250,000
c. Houston District Warehouse Expansion	-0-		100,000
d. Corpus Christi Warehouse	U.B.		-0-
2. Acquisition of Computer Equipment and Software	100,000		& U.B.
	<u>100,000</u>		<u>& U.B.</u>
Total, Capital Outlay	\$ 350,000	\$	350,000
	& U.B.		& U.B.
	=====		=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. UNEXPENDED BALANCES. Any unexpended balances in appropriations contained in Senate Bill 1, Seventieth Legislature, as of August 31, 1989 for Construction, Repair and Renovation, are hereby reappropriated for the same purposes for fiscal year beginning September 1, 1989 and any unexpended balances as of August 31, 1990, in the appropriations made herein to the Texas Surplus Property Agency are hereby reappropriated for the same purposes for the fiscal year beginning September 1, 1990.
3. PETTY CASH FUND. The Texas Surplus Property Agency is hereby authorized to establish a petty cash fund at each warehouse facility, under its jurisdiction, not to exceed \$5,000, out of the funds appropriated above. These funds shall be maintained in cash or at a local bank and shall be used only as authorized by the board in a written policy.
4. CLASSIFIED POSITIONS AUTHORIZED. Funds appropriated above may be expended to employ personnel in classified position titles listed in Article V of the Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Office for use by this agency.

SURPLUS PROPERTY AGENCY
(Continued)

5. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

6. SUNSET CONTINGENCY. Funds appropriated above for fiscal 1991 for Surplus Property Agency are made contingent on the continuation of the Surplus Property Agency by the Legislature. In the event the agency is not continued, the funds appropriated for fiscal year 1990 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.
7. STAFF EVALUATION REQUIRED. It is the intent of the Legislature that upon implementation of a computerized inventory system of all agency warehouses, the agency should evaluate staffing requirements, implement staff reductions, and report to the Seventy-second Legislature the actions taken by the agency.
8. CONTINGENCY FOR SENATE BILL NO. 508. Contingent upon the enactment of Senate Bill No. 508, Seventy-first Legislature, Regular Session, there is hereby appropriated to the Texas Surplus Property Agency \$6,894 in fiscal year 1990 and \$6,894 in fiscal year 1991 from the Surplus Property Service Charge Fund. These funds are to be expended for compensatory per diem, travel, meals, and lodging expenses associated with adding the chairman of the State Purchasing and General Services Commission to the Texas Surplus Property Agency's board and providing all board members with the compensatory per diem and expense reimbursement as provided in this act.

BOARD OF TAX PROFESSIONAL EXAMINERS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of Assessor Registration Fund No. 160:		
1. Administration, Certification and Enforcement	<u>142,755</u>	<u>142,882</u>
GRAND TOTAL, BOARD OF TAX PROFESSIONAL EXAMINERS	\$ <u>142,755</u> =====	\$ <u>142,882</u> =====

Schedule of Exempt Positions

Executive Director	\$ 38,977	\$ 38,977
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SCHEDULE OF CLASSIFIED POSITIONS, BOARD OF TAX PROFESSIONAL EXAMINERS

GROUP 13

1503 Administrative Technician III

GROUP 08

1501 Administrative Technician I, 2

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Board of Tax Professional Examiners. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of Assessors Registration
Fund No. 160:

1. Acquisition of Computer Equipment and Software	\$ <u>1,940</u>	\$ <u>1,940</u>
Total, Capital Outlay	\$ <u>1,940</u> =====	\$ <u>1,940</u> =====

BOARD OF TAX PROFESSIONAL EXAMINERS
(Continued)

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

- 2. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during each year of the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Assessor Registration Fund No. 160.

- 3. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 160 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

TREASURY DEPARTMENT

	For the Years Ending August 31, 1990	August 31, 1991
1. Administration, Cash Management, and Computer Services	3,106,877	3,106,527
2. Fiscal Management:		
a. Fiscal Operations	2,503,564	2,529,032
b. Unclaimed Property	<u>1,735,150</u>	<u>1,709,900</u>
Total, Fiscal Management	<u>\$ 4,238,714</u>	<u>\$ 4,238,932</u>
3. Escheated Funds Claims and Expenses, estimated	\$ 12,585,000	\$ 12,611,750
4. Cigarette Tax Stamps		
a. Cost of Cigarette Tax Stamps, Audit and Enforcement, est.	1,274,000	1,274,000

TREASURY DEPARTMENT
(Continued)

b. Cigarette Tax Administration and Sales	<u>333,860</u>	<u>324,865</u>
Total, Cigarette Tax Stamps	\$ <u>1,607,860</u>	\$ <u>1,598,865</u>
GRAND TOTAL, TREASURY DEPARTMENT	\$ <u>21,538,451</u>	\$ <u>21,556,074</u>

Method of Financing:

Treasury Fiscal Agency

Fund No. 100:

General Revenue Transfer	\$ 333,860	\$ 324,865
Other Fund No. 100 Receipts	<u>5,231,276</u>	<u>5,256,669</u>
Total, Treasury Fiscal Agency Fund No. 100	\$ <u>5,565,136</u>	\$ <u>5,581,534</u>

Unclaimed Money

Fund No. 551, estimated	\$ 15,868,915	\$ 15,870,140
Reappropriated Receipts, estimated	<u>104,400</u>	<u>104,400</u>
Total, Method of Financing	\$ <u>21,538,451</u>	\$ <u>21,556,074</u>

Schedule of Exempt Positions

State Treasurer	\$ 74,698	\$ 74,698
Deputy Treasurer	72,000	72,000
Associate Deputy Treasurer	68,000	68,000
Chief Investment Officer	61,000	61,000
General Counsel	58,203	58,203
Division Directors	7 55,157	7 55,157
Director, Internal Audit	54,075	54,075
Division Director, Item Processing	54,075	54,075
Director, Texas Treasury		
Safekeeping Trust Company	54,075	54,075

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Treasury Department. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer
Equipment and Software

	\$ <u>286,925</u>	\$ <u>265,700</u>
Total, Capital Outlay	\$ <u>286,925</u>	\$ <u>265,700</u>

Method of Financing:

Treasury Fiscal Agency Fund No. 100

TREASURY DEPARTMENT
(Continued)

Other Fund No. 100 Receipts	\$ 143,480	\$ 124,994
Unclaimed Money Fund No. 551	<u>143,445</u>	<u>140,706</u>
Total, Method of Financing	<u>\$ 286,925</u>	<u>\$ 265,700</u>

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFER AUTHORITY. The Treasury Department is hereby authorized to transfer an amount not to exceed 15 percent in fiscal year 1990 and 10 percent in fiscal year 1991 of any any sub-item appropriation from one sub-item to another sub-item within program appropriation item 2., Fiscal Management. None of the funds appropriated above for one program item may be transferred to another program item.
3. TRANSFER AUTHORITY, METHOD OF FINANCING. The Treasury is hereby authorized to transfer any funds appropriated for the operation of the Treasury into Fund 100, Treasury Fiscal Agency Fund, which fund shall be used for the purpose and only for the purposes herein appropriated.
4. REAPPROPRIATION OF RECEIPTS. All sums received by the Treasury Department in refund of postage, insurance, and shipping costs used by the department shall be deposited to the Treasury Fiscal Agency Fund to the credit of the appropriation from which these expenses for said department are paid, and are hereby reappropriated for that use.
5. APPROPRIATION FOR STATUTORY OBLIGATIONS. In Item 3., Escheated Funds Claims and Expenses, there is hereby appropriated from the Unclaimed Money Fund No. 551 all sums necessary to perform statutory obligations under Sections 74.201 and 74.203 of the Texas Property Code and to respond to public inquiries generated by the advertising program including, but not limited to, the hiring of temporary employees.
6. APPROPRIATION OF TAX AND REVENUE ANTICIPATION NOTE FUND. There is hereby appropriated to the Treasury Department all money deposited in the tax and revenue anticipation note fund for the purposes of paying principal of, premium (if any), interest on, and costs of issuance relating to tax and revenue anticipation notes issued during the biennium. To the extent that money deposited into the tax and revenue anticipation note fund is insufficient to pay the principal of, premium (if any), interest on, and costs of issuance relating to notes, there is hereby appropriated to the Treasury Department from the General Revenue Fund amounts necessary for the full repayment of all principal of, premium (if any) and interest on any notes issued during the biennium.

TREASURY DEPARTMENT
(Continued)

7. TRAVEL EXPENSES APPROPRIATION AUTHORITY. Travel expenses for the citizen member of the State Depository Board shall be reimbursed from the above appropriations.
8. COLLATERAL VERIFICATION REQUIRED. The State Treasurer shall seek the cooperation of the Department of Banking in the verification of collateral which has been deposited in state-chartered banks as security for state funds on deposit in such banks. Further, the State Treasurer shall seek the cooperation of Federal bank examiners in: (1) the verification of collateral deposited in national banks operating under Federal charters; and (2) the enforcement of the State of Texas escheat laws.
9. ESCHEAT ENFORCEMENT ASSISTANCE REQUIRED. The State Treasurer shall seek the assistance of the Attorney General, State Auditor, State Comptroller of Public Accounts, State Banking Commissioner, Savings and Loan Department, Credit Union Department, Commissioner of Insurance, the Department of Public Safety, and any district or county attorney in the enforcement of the escheat laws of this state as provided in Section 74.704 of the Texas Property Code.
10. ESCHEAT ENFORCEMENT DETERMINATION. The State Treasurer, in the enforcement of the escheat laws of this state, shall make all the inquiries necessary for determining whether or not persons affected are, in fact, deceased.
11. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

12. PERSONNEL RELATED COSTS AUTHORIZED. In the above Method of Finance for the Treasury Department, the General Revenue Transfer from Fund No. 100 represents cigarette tax revenue appropriations. The amounts shown as other Fund No. 100 Receipts represent interest income appropriations. In addition to these appropriations, the Comptroller is authorized to transfer sufficient monies from the Treasury Fiscal Agency Fund No. 100 to pay personnel related costs as provided for in Article V, Section 3., Salary Payment, Withholdings, Deductions, and Matching Contributions in this Act.

TREASURY DEPARTMENT
(Continued)

13. APPROPRIATION AUTHORITY FOR STATE LEASE FUND NO. 507. Balances in and revenues accruing to the State Lease Fund No. 507 are hereby appropriated to the State Treasury for bond servicing cost on revenue bonds issued by the Texas Public Finance Authority. Bond servicing costs shall include such costs as debt service payments, insurance premiums and paying agent fees but shall not include administrative cost for the State Treasury or any other state agency. Expenditures shall be made in compliance with Bond Indentures and Fund Management Agreements between the Texas Public Finance Authority and the State Treasury.
14. CONTINGENCY APPROPRIATION. The above line-item 4.a. Cost of Cigarette Tax Stamps, Audit and Enforcement, estimated, shall be transferred from the Comptroller of Public Accounts to the State Treasurer contingent upon enactment of House Bill 2619 or other enabling legislation transferring the audit, enforcement and permitting functions related to the cigarette tax. The above line-item 4.b. is transferred from the Treasury Department's line item 1. Administration, Cash Management, and Computer Services, to combine all funds received by the Treasury for the Cigarette Tax program. Additionally, one additional exempt Division Director position is added to the Treasury Department for Administration of the Stamp Tax Program.
15. CONTINGENCY APPROPRIATION, PUBLIC SCHOOL FACILITIES BONDS. Contingent upon enactment of S.B. 951, H.B. 2257, or similar legislation by the Seventy-first Legislature relating to bonds for public school facilities, there is hereby appropriated to the State Treasurer sufficient balances of the School Facilities Aid Fund and the School Facilities Aid Reserve Fund to provide financial assistance to qualifying districts and for the payment of debt service and bond issue costs. All such payments shall be in accordance with the duties authorized and prescribed by the Bond Review Board under the terms of a funds management agreement or as authorized or required by the legislation.
16. CONTINGENCY APPROPRIATION, UNIFORM STATEWIDE ACCOUNTING SYSTEM. Contingent upon enactment of H.B. 2724, S.B. 985 or any similar legislation by the Seventy-first Legislature authorizing the implementation of the Uniform Statewide Accounting System, there is hereby appropriated to the Treasury Department \$660,291 out of the General Revenue Fund for the biennium ending August 31, 1991. This appropriation shall be used for the sole purpose of paying the implementation costs associated in making the necessary system changes and establishing the required interfaces with USAS. Expenditures may include the required computer hardware and software, as well as, the salary, wages and benefits of additional personnel.

LATERAL ROAD FUND DISTRIBUTION

	For the Years Ending	
	August 31, 1990	August 31, 1991
For allocation of payment to each county for outstanding county and road district indebtedness assumed by the State along with the highway system pursuant to the Texas Constitution, Article VIII, Chapter 7a and Texas Revised Civil Statutes Annotated, Article 6702-1, Chapter 4.001, there is hereby appropriated out of the County and District Highway Fund No. 057 (Lateral Road Fund)	<u>7,300,000</u>	<u>7,300,000</u>
GRAND TOTAL, LATERAL ROAD FUND DISTRIBUTION	\$ <u>7,300,000</u> =====	\$ <u>7,300,000</u> =====

PUBLIC UTILITY COMMISSION OF TEXAS

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration:		
a. Commissioner's Offices	\$ 428,325	\$ 428,325
b. Administrative Services	883,739	886,401
c. Data and Word Processing	663,121	753,121
d. Library and Information Services	<u>455,708</u>	<u>461,008</u>
Total, Administration	\$ <u>2,430,893</u>	\$ <u>2,528,855</u>
2. Evaluation of Rates and Services:		
a. Electric Utility Analysis	\$ 1,699,250	\$ 1,670,311
b. Telephone Utility Analysis	981,918	986,882
c. Operations Review	<u>689,582</u>	<u>694,281</u>
Total, Evaluation of Rates and Services	\$ <u>3,370,750</u>	\$ <u>3,351,474</u>
3. Regulation of Rates and Services:		
a. Hearings	\$ 1,085,354	\$ 1,100,225

PUBLIC UTILITY COMMISSION OF TEXAS
(Continued)

b. General Counsel	<u>992,325</u>	<u>994,849</u>
Total, Regulation of Rates and Services	\$ <u>2,077,679</u>	\$ <u>2,095,074</u>
GRAND TOTAL, PUBLIC UTILITY COMMISSION OF TEXAS	\$ <u>7,879,322</u>	\$ <u>7,975,403</u>

Method of Financing:

General Revenue Fund	\$ 6,754,116	\$ 6,947,903
Reappropriated receipts, estimated	90,000	90,000
Federal Funds, estimated	112,258	
Interagency Contracts	35,000	35,000
Earned Federal Funds	45,000	45,000
Access Line Fee Revenue	842,948	857,500
		& U.B.
Total, Method of Financing	\$ <u>7,879,322</u>	\$ <u>7,975,403</u>

Schedule of Exempt Positions

Commissioners	3 \$ 68,000	3 \$ 68,000
Executive Director	58,500	58,500
General Counsel	54,631	54,631
Director of Hearings	54,631	54,631
Director of Telephone Utility Analysis	54,631	54,631
Director of Electric Utility Analysis	54,631	54,631
Director of Operations Review	54,631	54,631
Director of Administration	54,631	54,631
Administrative Law Judges	UL 50,219	UL 50,219
Special Counsel	54,631	54,631
Nuclear Power Plant Specialist	51,000	51,000
Assistant General Counsels	UL 50,219	UL 50,219
Director of Information Systems	54,631	54,631
Telecommunications Engineer	50,219	50,219

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Public Utility Commission of Texas. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of General Revenue Fund:

1. Acquisition of Computer Equipment and Software	<u>\$ 618,350</u>	<u>\$ 610,050</u>
Total, Capital Outlay	\$ 618,350	\$ 610,050

PUBLIC UTILITY COMMISSION OF TEXAS
(Continued)

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In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. **TRANSFER AUTHORITY.** The Public Utility Commission of Texas is hereby authorized to transfer funds within the items of appropriation which comprise Administration, Evaluation of Rates and Services, and Regulation of Rates and Services. Funds may be transferred between Administration, Evaluation of Rates and Services and Regulation of Rates and Services.
3. **APPROPRIATION OF RECEIPTS, DIAL ANNOUNCING DEVICES.** The Public Utility Commission is hereby appropriated all balances on hand as of September 1, 1989 and all revenues collected during the biennium for permits issued for dial announcing devices.
4. **AITC REVIEW REQUIRED.** Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.
5. **CONTINGENT UNEXPENDED BALANCE, MOVING EXPENSES.** In the event that the Public Utility Commission is required to relocate its offices after September 1, 1989, an amount not to exceed \$150,000 in unexpended balances as of August 31, 1989 in appropriations made by Senate Bill No. 1, Acts of the Seventieth Legislature, Second Called Session is hereby reappropriated for the fiscal year beginning September 1, 1989 for the purpose of paying relocation expenses.

PUBLIC UTILITY COMMISSION OF TEXAS
(Continued)

- 6. COMMISSIONER STAFF SUPPORT. Each individual commissioner is entitled to individually choose and employ one employee in pay group 21 and one employee in pay group 15 to provide staff support for that individual commissioner's office.
- 7. REAPPROPRIATION OF ACCESS LINE FEE REVENUE. Any fee income collected by the Public Utility Commission during the 1990-91 biennium for the purpose of recovering the cost of activities and services of the commission, pursuant to Article VI, Section 18(i) and 43B(h), Public Utility Regulatory Act; is hereby reappropriated above in an amount not to exceed \$1,700,448 for the biennium. All fees generated from the statute cited above shall be deposited into the General Revenue Fund. In addition to the amounts collected above, the Public Utility Commission shall collect an amount not to exceed \$500,000 for the cost recovery of similar services and activites provided by the Office of Public Utility Counsel.
- 8. CLASSIFIED POSITIONS AUTHORIZED. Funds appropriated above may be expended to employ personnel in classified position titles listed in Article V of this Act subject to the prior approval of the State Classification Officer or in such other positions established and approved by the State Classification Office for use by this agency.
- 9. DATA RETRIEVAL COMPUTER SYSTEM. Out of the funds allocated for capital outlay purposes, \$600,000 is allocated in each fiscal year of the biennium for the purchase, development, and implementation of an on-line data retrieval system for collecting information from regulated utilities. The Office of Public Utility Counsel shall also have access to the data retrieval system and its information. The Public Utility Commission may integrate a Local Area Network into the data retrieval system. This capital expenditure applies only to the 1990-91 biennium.

OFFICE OF PUBLIC UTILITY COUNSEL

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Program Operations	<u>1,304,173</u>	<u>1,307,018</u>
GRAND TOTAL, OFFICE OF PUBLIC UTILITY COUNSEL	<u>\$ 1,304,173</u>	<u>\$ 1,307,018</u>
Method of Financing:		
General Revenue Fund	\$ 1,054,173	\$ 1,057,018
Access Line Fee Revenue	<u>250,000</u>	<u>250,000</u>
Total, Method of Financing	<u>\$ 1,304,173</u>	<u>\$ 1,307,018</u>

OFFICE OF PUBLIC UTILITY COUNSEL
(Continued)

Schedule of Exempt Positions

Public Counsel	\$ 62,196	\$ 62,196
Deputy Public Counsel	52,000	52,000
Chief Economist	51,000	51,000
Director, Regulatory Accounting	51,000	51,000
Senior Litigator	51,000	51,000

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Office of Public Utility Counsel. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ 2,845	\$ -0-
Total, Capital Outlay	\$ 2,845	\$ -0-
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION OF RECOVERY COSTS. Pursuant to Sec. 78, Public Utility Regulatory Act (Senate Bill No. 229, Acts of the Seventieth Legislature, Second Called Session, 1987), all costs paid or required to be paid by a dominant interexchange carrier for activities of the Office of Public Utility Counsel during (1) the fiscal year beginning September 1, 1988; and (2) the biennium beginning September 1, 1989, are hereby appropriated to the agency. Recovery of costs by the Office of Public Utility Counsel shall not exceed \$175,000 per annum.
3. REAPPROPRIATION OF ACCESS LINE FEE REVENUE. Any fee income collected by the Public Utility Commission for the purpose of recovering the cost of activities and services of the Office of Public Utility Counsel pursuant to Article VI, Section 18(i) and 43B(h), Public Utility Regulatory Act, is hereby reappropriated above in an amount not to exceed \$500,000 for the 1990-91 biennium.

VETERANS COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Central Administration:		
a. Management and Administration	273,618	273,618
b. Information and Training	<u>110,098</u>	<u>100,954</u>
Total, Central Administration	\$ <u>383,716</u>	\$ <u>374,572</u>
2. Claims Representation and Counseling Services:		
a. Claims Assistance and Counseling	\$ 1,383,046	\$ 1,563,046
b. Veterans Outreach Services	<u>190,890</u>	<u>190,890</u>
Total, Claims Representation and Counseling Services	\$ <u>1,573,936</u>	\$ <u>1,753,936</u>
GRAND TOTAL, VETERANS COMMISSION	\$ <u>1,957,652</u> =====	\$ <u>2,128,508</u> =====

Schedule of Exempt Positions and Per Diem of Commission Members

Executive Director	\$ 52,000	\$ 52,000
Chief Deputy Administrator	48,000	48,000
Per Diem of Commission Members	3,400	3,400

SCHEDULE OF CLASSIFIED POSITIONS (UL), VETERANS COMMISSION

GROUP 21

3201 Deputy Assistant Administrator

GROUP 20

5116 Regional Director, Texas Veterans Commission

GROUP 19

1569 Staff Development Specialist II

GROUP 18

5109 Veterans Assistance Supervisor II

GROUP 17

1563 Program Administrator I

5108 Veterans Assistance Supervisor I

VETERANS COMMISSION
(Continued)

GROUP 16
1163 Accountant III
5107 Veterans Assistance Counselor III

GROUP 15
5106 Veterans Assistance Counselor II

GROUP 14
5105 Veterans Assistance Counselor I

GROUP 13
0311 Reproduction Equipment Operator III
1162 Accountant II

GROUP 11
0310 Reproduction Equipment Operator II
1502 Administrative Technician II

GROUP 09
0138 Administrative Secretary

GROUP 08
1003 Accounting Clerk III

GROUP 07
0135 Secretary III

GROUP 06
0055 Clerk III
0133 Secretary II

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Veterans Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ 4,706	\$ -0-
Total, Capital Outlay	\$ 4,706	\$ -0-
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFERABILITY. The Veterans Commission is hereby authorized to transfer an amount not to exceed 15% in fiscal year 1990 and 10% in fiscal year 1991, of any sub-item appropriation from one sub-item to another sub-item within

VETERANS COMMISSION
(Continued)

program appropriation items numbered 1., Central Administration, and 2., Claims Representation and Counseling Services. Transfers between programs are not authorized, nor may funds be transferred into Per Diem of Commission Members or Executive Director's salary, in Management and Administration.

3. CONTINGENCY APPROPRIATION. From funds appropriated above in Item 2.a., Claims Assistance and Counseling, \$67,716 may be expended in fiscal year 1991 for Veterans Assistance Counselors only if Veterans Administration clinics open in Fort Worth, Lufkin, Austin or Victoria.

BOARD OF VETERINARY MEDICAL EXAMINERS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the Veterinary Fund No. 35:		
<u>Administration, Licensing and Enforcement</u>		
1. Program Administration	391,687	390,393
GRAND TOTAL, BOARD OF VETERINARY MEDICAL EXAMINERS	\$ 391,687	\$ 390,393
	=====	=====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 43,285	\$ 43,285
Per Diem of Board Members	10,740	10,740

SCHEDULE OF CLASSIFIED POSITIONS,
BOARD OF VETERINARY MEDICAL EXAMINERS

GROUP 17

1506 Administrative Assistant

GROUP 16

3645 Investigator III

GROUP 15

4192 Investigator, Medical Practices II, 2

GROUP 13

1162 Accountant II

GROUP 11

1502 Administrative Technician II

GROUP 08

1501 Administrative Technician I

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BOARD OF VETERINARY MEDICAL EXAMINERS
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Board of Veterinary Medical Examiners. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the Veterinary Fund
No. 035:

1. Acquisition of Computer Equipment and Software	\$ <u>1,000</u>	\$ <u>500</u>
Total, Capital Outlay	\$ <u>1,000</u> =====	\$ <u>500</u> =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during each year of the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Veterinary Fund No. 35.
3. COST RECOVERY FOR NATIONAL EXAMINATIONS. In addition to those revenues appropriated above, the Texas Board of Veterinary Medical Examiners is hereby authorized to recover full costs of the national veterinary licensing examination. Any additional revenues received by the agency in establishing a full-cost-recovery fee for the national veterinary licensing examination are hereby reappropriated to the agency for the purpose of purchasing that examination.
4. AITC APPROVAL REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
- The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

BOARD OF VETERINARY MEDICAL EXAMINERS
(Continued)

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

5. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 035 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

WATER COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Water Commissioners		
a. Commissioners	204,000	204,000
b. Office of Chief Clerk	418,579	418,579
c. Office of Hearings Examiners	980,165	980,165
Total, Water Commissioners	\$ 1,602,744	\$ 1,602,744
2. Administration and Support Services		
a. General Administration	\$ 794,250	\$ 793,745
b. Legal Services	1,134,411	1,134,629
c. Field Operations	9,052,846	8,964,921
d. Support Services	7,800,930	7,937,424
Total, Administration and Support Services	\$ 18,782,437	\$ 18,830,719
3. Water Resource Management		
a. Water Quality	\$ 5,638,564	\$ 5,906,502
b. Hazardous and Solid Waste	3,530,445	3,530,427
c. Superfund	943,356	938,424
d. Water Rights and Uses	5,299,462	5,275,741
e. Water Utilities	1,622,521	1,622,900
Total, Water Resource Management	\$ 17,034,348	\$ 17,273,994

WATER COMMISSION
(Continued)

4. Public Interest Advocate	\$ 109,390	\$ 107,980
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TOTAL, WATER COMMISSION OPERATIONS	\$ 37,528,919	\$ 37,815,437
	<hr/>	<hr/>
5. Remediation Contracts		
a. Superfund, State Program and Matching Funds, Estimated	\$ 6,559,998	\$ 11,743,668
b. Underground Storage Tanks State Match, Estimated	185,728	186,000
	<hr/>	<hr/>
Total, Remediation Contracts	\$ 6,745,726	\$ 11,929,668
	<hr/>	<hr/>
GRAND TOTAL, WATER COMMISSION	\$ 44,274,645	\$ 49,745,105
	<hr/>	<hr/>

Method of Financing:

General Revenue Fund	\$ 11,527,246	\$ 10,683,569
Water Development Board Fund No. 41, estimated	1,043,529	1,039,585
Water Quality Fund No. 153	176,815	176,815
Water Rights Administration Fund No. 158, estimated	718,500	718,500
Texas Spill Response Fund No. 452, estimated	300,000	300,000
Waste Treatment Facility Fee Fund No. 519, estimated	3,865,352	3,415,094
Hazardous Waste Generation & Facility Fee Fund No. 549, estimated	3,515,110	3,501,593
Hazardous Waste Disposal Fee Fund No. 550, estimated	7,349,708	12,533,535
Underground Storage Tank Fund No. 583, estimated	2,678,909	2,647,125
Federal Funds, estimated	9,829,644	10,039,835
Earned Federal Funds	3,269,832	4,689,454
	<hr/>	<hr/>
Total, Method of Financing	\$ 44,274,645	\$ 49,745,105
	<hr/>	<hr/>

Schedule of Exempt Positions

Commissioners	3	\$ 68,000	3	\$ 68,000
Executive Director		67,344		67,344
Deputy Director		58,000		58,000
Chief Hearings Examiner		52,000		52,000
General Counsel		52,000		52,000
Division Director	7	52,000	7	52,000
Assistant Division Directors	6	48,000	6	48,000
Senior Attorney	4	48,000	4	48,000
Assistant Chief Hearings Examiner	4	48,000	4	48,000

WATER COMMISSION
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Water Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	<u>\$ 1,394,724</u>	<u>\$ 1,044,992</u>
Total, Capital Outlay	<u>\$ 1,394,724</u>	<u>\$ 1,044,992</u>
Method of Financing:		
General Revenue Fund	\$ 271,708	\$ 179,690
Water Development Board		
Fund No. 41, estimated	16,909	16,233
Water Quality Fund No. 153	3,185	3,185
Water Rights Administration		
Fund No. 158, estimated	1,500	1,500
Waste Treatment Facility Fee		
Fund No. 519, estimated	28,002	118,262
Hazardous Waste Generation and		
Facility Fee Fund No. 549, estimated	95,307	108,864
Hazardous Waste Disposal Fee		
Fund No. 550, estimated	814	657
Underground Storage Tank		
Fund No. 583, estimated	458	30,064
Earned Federal Funds	<u>976,841</u>	<u>586,537</u>
Total, Method of Financing	<u>\$ 1,394,724</u>	<u>\$ 1,044,992</u>

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. WATER DEVELOPMENT FUND APPROPRIATIONS AND LIMITATIONS. Any revenues deposited to Fund 41 during the biennium covered by this Act and balances remaining in the fund as of August 31, 1989, are appropriated to the Commission. Expenditures from the fund shall be made only for those purposes for which the funds were initially received. At the close of the biennium, any unencumbered balance in Fund 41 shall be reported to the State Comptroller who shall transfer any sums in excess of \$500,000 to the General Revenue Fund.

WATER COMMISSION
(Continued)

3. WATER QUALITY FUND APPROPRIATIONS. There is hereby appropriated to the Texas Water Commission for the biennium beginning with the effective date of this Act all fees and proceeds collected by the Commission as authorized by House Bill No. 1328, Seventieth Legislature, Regular Session, in the Water Quality Fund No. 153.
4. WATER RIGHTS ADMINISTRATION FUND APPROPRIATIONS. All revenue collected as authorized by the Water Rights Adjudication Act, Senate Bill No. 92, Acts, Sixtieth Legislature, 1967 and House Bill No. 1787, Acts, Seventieth Legislature, Regular Session, and deposited to the Water Rights Administration Fund No. 158 during the biennium and any balances remaining in the fund at the end of each fiscal year of the biennium, are appropriated to the Commission for the purpose authorized by House Bill No. 168, Acts, Sixtieth Legislature, 1967.
5. TEXAS SPILL RESPONSE FUND APPROPRIATIONS. There is hereby appropriated for the biennium beginning with the effective date of this act any balances on hand in the Spill Response Fund No. 452 as of August 31, 1989, and any revenues and receipts deposited to the Spill Response Fund.
6. WASTE TREATMENT FACILITY FEE FUND APPROPRIATIONS. All revenue deposited to the Waste Treatment Facility Inspection Fund No. 519 during the current biennium and any balance remaining in the fund as of August 31, 1989, are appropriated to the department for the purposes authorized by the Act.
7. HAZARDOUS WASTE GENERATION AND FACILITY FEE FUND APPROPRIATIONS. Pursuant to the provisions of Senate Bill 1446, Seventieth Legislature, Regular Session, all fees deposited to the Hazardous Waste Generation and Facilities Fee Fund No. 549, not to exceed \$4,500,000 in each fiscal year of the biennium, plus unexpended balances, plus all revenues including monies received from judgments and settlements deposited to Fund No. 549, for the biennium beginning with the effective date of this Act and any balances remaining in the fund at the end of the previous biennium are appropriated to the Texas Water Commission for the purposes authorized by Article 4477-7, V.T.C.S., Solid Waste Disposal Act.
8. HAZARDOUS WASTE DISPOSAL FEE FUND APPROPRIATION AND LIMITATION. There is hereby appropriated to the Water Commission any balances on hand as of August 31, 1989, and any other revenues deposited to the Hazardous Waste Disposal Fee Fund No. 550 during the biennium beginning with the effective date of this act. The amounts specified above are appropriated from the Hazardous Waste Disposal Fee Fund for purposes authorized by the Solid Waste Disposal Act, V.A.C.S., Article 4477-7 Sec. 11a(d).
9. UNDERGROUND STORAGE TANK FUND APPROPRIATION AND USES. In addition to the amounts appropriated above, the Commission is hereby appropriated all revenue collected as authorized by Senate Bill 779, Seventieth Legislature, Regular Session, 1987 and deposited to the Underground Storage Tank Fund and any federal funds received during the biennium for implementing the provisions of the bill. Revenue deposited in the Underground Storage Tank Fund is also appropriated for use as state matching funds as required by Superfund Amendments and Reauthorization Act of 1986, amending Subtitle 1 of the Resource Conservation and Recovery Act. The Commission is authorized to reimburse the federal government from the fund for cost recovery according

WATER COMMISSION
(Continued)

to federal guidelines. The unexpended balance on August 31, 1989, is appropriated for the 1990-91 biennium.

10. TRANSFER AUTHORITY. With the exception that no funds may be transferred into or out of that portion of appropriations for Item 2.d., Support Services which are associated with acquisition or use of a new mainframe computer, and no funds may be transferred out of Item 3.a., Water Quality, an amount not to exceed 15 percent for fiscal year 1990 and 10 percent for fiscal year 1991 of any item of appropriation made to the Texas Water Commission may be transferred to another line item of appropriation of the Texas Water Commission.
11. EARNED FEDERAL FUNDS AS MATCHING FUNDS. In addition to those funds already appropriated, Earned Federal Funds out of the Hazardous Waste Disposal Fee Fund No. 550 are appropriated for use as state matching funds as required for Section 104 of the Federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), commonly referred to as the Superfund Act.
12. REIMBURSEMENT OF GENERAL REVENUE FUND. As an exception to the provision in Article V of this Act appropriating federal funds for the purpose for which they are received; any federal funds received by the agency as reimbursement for services performed using General Revenue Funds, shall be deposited in the General Revenue Fund.
13. PETTY CASH REVOLVING FUND AUTHORIZED. The Water Commission is authorized a Petty Cash Revolving Fund in the amount of \$2,500 to be used in accordance with those procedures outlined in the General Provisions in this Act. Each district office of the Water Commission may establish a petty cash fund not to exceed \$100 out of funds appropriated herein. These funds shall be maintained in cash or at a local bank and shall be used only for making emergency payments and small purchases and payments which will increase the efficiency of the operation.
14. COMMISSIONERS SERVING AS FULL-TIME EMPLOYEES. It is the intent of the Legislature and the public policy of the state that each member of the Texas Water Commission shall serve as a full-time state employee as provided by Section 5.057, Texas Water Code. In furtherance of this policy, each member of the Texas Water Commission shall be prohibited from receiving any income or other remuneration for personally rendered professional engineering or legal services outside the scope of official duties; provided, however, a member is not prohibited from receiving income or other remuneration for any such services rendered prior to the member's appointment. This prohibition shall be cumulative of other applicable state law.
15. HEALTH MONITORING. Funds appropriated above may be expended to contract health monitoring services for employees whose work poses the possibility of exposure to toxic materials.

WATER COMMISSION
(Continued)

16. CHARTERING OF AIRCRAFT AUTHORIZED. Notwithstanding any other provision of this Act, the agency is authorized to spend appropriated funds for the chartering of aircraft for the purposes of detecting water pollution problems, industrial solid waste disposal problems, illegal water diversions, and for purposes directly relating to the enforcement of pollution control and water rights laws of the State.
17. FULL COST RECOVERY OF SUPPORT SERVICES. It is legislative intent that the Support Services Activity be administered in such a way as to insure responsiveness to the needs and requests of, and to provide cost effective service to, all users of such supporting services. The Support Services Activity shall develop and implement an adequate accounting and billing system that will allow for the full recovery of expenses incurred by the commission in the provision of automatic data processing services.
18. PUBLICATION FEES AUTHORIZED. Whenever applicable, the agency shall establish a fee for the production and distribution of publications. All fees collected are hereby appropriated for the biennium beginning with the effective date of this act.
19. EARNED FEDERAL FUND APPROPRIATION. The amounts specified above are from any earned federal funds received during the biennium beginning September 1, 1989, and from any remaining earned federal funds received during the biennium beginning September 1, 1987, which were in excess of the earned federal funds expended by the agency under appropriations provided in Senate Bill 1, Acts of the Seventieth Legislature, Second Called Session, 1987. Of the amounts appropriated above from earned federal funds, \$1,002,923 for fiscal year 1990 and \$1,293,491 for fiscal year 1991 may be expended only for programming costs, salaries, and other operating expenses associated with the acquisition and utilization of a new mainframe computer.
20. COMPUTER CONTRACT PROGRAMMING. Of the amounts appropriated in Item 2.d., Support Services, the agency may not expend more than \$1,520,000 in fiscal year 1990 and \$1,868,640 in fiscal year 1991 for contract programming related to acquisition of a new mainframe computer, and the agency shall not expend more than \$302,207 in either year of the biennium for starting salaries of new personnel whose employment is necessitated by the acquisition or programming of a new mainframe computer. Expenditures for other operating expenses connected with the new computer may not exceed \$259,136 in fiscal year 1990 and \$115,394 in fiscal year 1991.
21. ACQUISITION OF COMPUTER EQUIPMENT. From the amounts identified under Item 1., Acquisition of Computer Equipment and Software under Rider 1, Capital Outlay, attached to these appropriations, \$1,089,000 in fiscal year 1990 and \$888,273 in fiscal year 1991 may be expended only for the acquisition of a new mainframe computer and related equipment. Total capital outlay expenditures for the mainframe computer shall not exceed the amounts identified in Rider 1, Capital Outlay, under Item 1., Acquisition of Computer Equipment and Software.

WATER COMMISSION
(Continued)

22. LIMITATION OF CONTRACT PROGRAMMING SERVICES. None of the funds appropriated above may be used to contract for the development of any informational databases if the contract or any amendments to the contract authorize costs to vary by more than 10 percent.
23. COST RECOVERY AND COMPUTER GRAPHICS. None of the funds appropriated above may be expended to upgrade the computer graphics capabilities of the Texas Water Commission in order to provide services under interagency contracts unless such expenditures will be fully reimbursable under such contracts.
24. AITC APPROVAL REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software, and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunications devices to the Automated Information and Telecommunications Council (AITC); and
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease, or lease-purchase are the most cost-effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software, and/or telecommunications devices cannot be purchased from another agency; and (4) the agency has complied with efforts to purchase compatible hardware, software, or telecommunications systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.
25. DEPOSIT OF COMPUTER EQUIPMENT PROCEEDS. At such time as the Texas Water Commission has completed conversion to the use of a new mainframe computer it shall sell the equipment being replaced by the new computer and the proceeds of such equipment sale shall be deposited to the General Revenue Fund.
26. SOFTWARE DEVELOPMENT PRIORITIES. Funds appropriated above for software development to service the new computer system shall be developed, tested, and implemented for agency use in the following order: (1) Texas Regulatory Activity and Compliance System (TRACS); (2) Geographic Information System, and (3) Enforcement Information System. The mission and service delivery of each new software program shall conform to and include only those capabilities identified in the revised, November 1988, Long Range Automated Information and Telecommunications Systems Plan submitted by the Texas Water Commission to the Automated Information and Telecommunications Council.
27. GALVESTON BAY NATIONAL ESTUARY PROGRAM. The Texas Water Commission is hereby directed to expend from amounts appropriated above from General Revenue Funds in Line Item 3.a. \$395,326 for fiscal year 1990 and \$463,209 for fiscal year 1991 to serve as a match for federal funds to participate in the Galveston Bay Management Conference under the National Estuary Program. The Water Commission shall coordinate the implementation of the Galveston Bay National Estuary Program with the Texas Parks and Wildlife Department to

WATER COMMISSION
(Continued)

identify and maximize the amount of state funds expended by both agencies to support this national program and qualify as a match for available federal funds, and to avoid duplication of effort between the two agencies in the administration of this program. The Texas Water Commission is authorized to contract with other state agencies and universities to maximize federal funding for this program.

28. PETROLEUM STORAGE TANK FUND APPROPRIATIONS. Contingent upon the passage and enactment of House Bill 1588, Seventieth-first Legislature, Regular Session, imposing certain fees to be deposited into the Petroleum Storage Tank Remediation Fund, there is hereby appropriated all such fee collections for the purposes of enforcing the rules and requirements of the Texas Water Code, Chapter 26. All increased fees to be deposited into Fund 583, Storage Tank Fund, are appropriated to the Texas Water Commission for the purpose of enforcing the rule and requirements of Chapter 26 of the Texas Water Code.

29. DEVELOPMENT OF WATER QUALITY MODEL. In addition to other amounts appropriated by this Act, the sum of \$50,000 is appropriated, for the biennium ending August 31, 1991, from the General Revenue Fund to the Texas Water Commission for the purpose of developing a comprehensive model for predicting the impact of point source discharges on the water quality of discrete areas within manmade reservoirs such as coves and inlets.

30. FINANCING OF COMPUTER EQUIPMENT. The Texas Water Commission is hereby authorized to access the Texas Capital Access Program of the Texas Small Business Industrial Development Corporation (TSBIDC) in an amount not to exceed \$3,727,150 for the 1990-1991 biennium to use as a temporary funding source to enter into a lease purchase agreement for computer hardware and software. The Texas Water Commission, in cooperation with TSBIDC, shall develop and implement a payment schedule not to exceed five years.

31. CONTINGENCY FOR HOUSE BILL NO. 183. Contingent upon the passage of House Bill No. 183, Seventy-first Legislature, Regular Session, or other similar legislation providing for the regulation of underground storage tank installers, there is hereby appropriated \$280,437 for fiscal year 1990 and \$232,578 for fiscal year 1991, from the Underground Storage Tank Fund No. 583 for the purpose of implementing the provisions of the Act.

32. CONTINGENCY FOR SENATE BILL NO. 1223. Contingent upon the passage of Senate Bill No. 1223, Seventy-first Legislature, Regular Session or similar legislation providing for the annual reporting of toxic chemical releases, there is hereby appropriated from the Toxic Chemical Release Reporting Fund \$77,836 for fiscal year 1990 and \$130,072 for fiscal year 1991 from fees collected by the Water Commission as authorized by the bill for the purpose of administering the Texas Toxic Chemical Reporting Act.

33. CONTINGENCY FOR SENATE BILL NO. 1544. Contingent upon the passage of Senate Bill No. 1544, Seventy-first Legislature, Regular Session, or similar legislation that imposes fees on the storage, processing, and disposal of hazardous waste at commercial hazardous waste storage, processing, and disposal facilities in the State, in addition to the amounts appropriated above there is hereby appropriated to the Texas Water Commission, for the purposes authorized by Article 4477-7, V.T.C.S., Solid Waste Disposal Act, the following fees:

WATER COMMISSION
(Continued)

- a. 25% of the total collected commercial hazardous waste storage, processing and disposal facility fees to be deposited into Fund 549, Hazardous Waste Generation and Facility Fee Fund; and
- b. 50% of the total collected commercial hazardous waste storage, processing and disposal facility fees to be deposited into Fund 550, Hazardous Waste Disposal Fee Fund.

25% of the total collected commercial hazardous waste, storage, processing, and disposal facility fees will be deposited into the Hazardous Waste Generation and Facility Fee Fund No. 549, and are appropriated for disbursement to county governments where a facility is located pursuant to the provisions of the bill. Such disbursements are to be made within 60 days from the receipt and verification of payments from commercial facilities in the county.

34. CONTINGENCY FOR HOUSE BILL NO. 1546. Contingent upon the passage of House Bill No. 1546, Seventy-first Legislature, Regular Session, or similar legislation providing for the review and approval of the water pollution control and abatement programs of certain municipalities by the Water Commission, there is hereby appropriated \$71,213 for fiscal year 1990 and \$120,498 for fiscal year 1991 from fees collected by the commission as authorized by the bill for the purpose of administering the Act.

WATER DEVELOPMENT BOARD

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administrative Services:		
a. General Administration	487,111	486,041
b. Support Services	<u>1,308,730</u>	<u>1,299,130</u>
Total, Administrative Services	<u>\$ 1,795,841</u>	<u>\$ 1,785,171</u>
2. Development Fund Management	\$ 1,145,179	\$ 1,150,935
3. Water Planning and Data Collection	4,710,062	4,707,704
4. Construction Grants	3,138,152	3,128,872
5. Subchapter H Technical Assistance	<u>200,000</u>	<u>200,000</u>
GRAND TOTAL, WATER DEVELOPMENT BOARD	<u>\$ 10,989,234</u>	<u>\$ 10,972,682</u>

Method of Financing:

General Revenue Fund	\$ 6,730,092	\$ 6,713,615
Water Quality Fund No. 153, estimated	3,056,149	3,056,074

WATER DEVELOPMENT BOARD
(Continued)

Agricultural Soil and Water Conservation Fund No. 563	200,000	200,000
Earned Federal Funds	965,000	965,000
Interagency and Other Contracts	<u>37,993</u>	<u>37,993</u>
Total, Method of Financing	\$ 10,989,234	\$ 10,972,682
	=====	=====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Administrator	\$ 60,000	\$ 60,000
Deputy Administrator	55,000	55,000
Director of Planning	52,000	52,000
Development Fund Manager	52,000	52,000
Director of Construction Grants	52,000	52,000
Director of Administrative Services	52,000	52,000
General Counsel	50,000	50,000
Assistant Division Director	5 48,000	5 48,000
Per Diem of Board Members	6,800	6,800

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Water Development Board. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	\$ <u>70,882</u>	\$ <u>49,350</u>
Total, Capital Outlay	\$ 70,882	\$ 49,350
	=====	=====

Method of Financing:

General Revenue Fund	\$ 47,482	\$ 38,350
Water Quality Fund No. 153	<u>23,400</u>	<u>11,000</u>
Total, Method of Financing	\$ 70,882	\$ 49,350
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. PRINCIPAL AND INTEREST PAYMENTS. There are hereby appropriated such amounts as may be necessary to pay the principal and interest on such bonds that mature or become due during the biennium beginning with the effective date of this Act, pursuant to Section 49-C of Article III of the Texas Constitution and Chapter 425, Acts 1957, Fifty-fifth Legislature. These funds shall be transferred to the Texas Water Development Bonds Interest and Sinking Fund.

WATER DEVELOPMENT BOARD
(Continued)

3. WATER RESOURCES FUND APPROPRIATIONS. Any monies deposited into the Texas Water Resources Fund, including but not limited to proceeds from revenue bond sales, investment earnings, and loan repayments, are hereby appropriated to the Board for the biennium beginning with the effective date of this Act for use pursuant to Senate Bill 807, Acts of the 70th Legislature, Regular Session, 1987, and any amendments thereto.
4. WATER POLLUTION CONTROL REVOLVING FUND APPROPRIATIONS. There are hereby appropriated for the biennium beginning September 1, 1989 any funds which may be deposited into the State Water Pollution Control Revolving Fund, including but not limited to funds from bond proceeds, federal contributions, investment earnings, and loan repayments, for use pursuant to Senate Bill 807, Acts of the Seventieth Legislature, Regular Session, 1987. It is the intent of the Legislature that federal funds available to the Texas Water Development Board for the administration of the State Water Pollution Control Revolving Fund are included in the above estimated Water Quality Fund No. 153, and are hereby appropriated.
5. WATER ASSISTANCE FUND. (1) There is hereby appropriated for the biennium beginning with the effective date of this Act any balances on hand in the Water Assistance Fund No. 480, plus any revenues accruing to this fund for the purposes of House Bill 8, Sixty-seventh Legislature, First Called Session, 1981, House Bill 2, Sixty-ninth Legislature, Regular Session, 1985, and Senate Bill 585, Seventieth Legislature, Regular Session, 1987. (2) In addition, the Board is appropriated \$10 million from the General Revenue Fund to the Water Assistance Fund for the purpose of providing financial assistance to economically distressed areas. (3) The Board is hereby authorized to make refinancing available to entities carrying loans made from funds appropriated to the Water Assistance Fund No. 480. The refinancing will be available to those entities noted above with loans bearing interest rates above those currently available from the Water Development Fund. Funds available from refinancing and other available Water Assistance Fund monies are hereby appropriated for the following items:

Economically Distressed Areas Projects	up to	\$10,000,000
Sewage Treatment Plan (Nuevo Laredo)	up to	2,500,000
Tide Gauges (\$250,000 for FY1990 and \$150,000 for FY1991)		400,000
Research and Planning (including \$375,000 for Trinity Flood Plain Study)	up to	3,375,000
Ground Water Monitoring (\$200,000 for each year of the biennium)	up to	400,000
Watershed Study	up to	990,000

In the installation and operation of the tide gauges, the Board shall coordinate with the General Land Office and shall contract with the Conrad Blucher Institute of Surveying and Science at Corpus Christi State University.

WATER DEVELOPMENT BOARD
(Continued)

The Board shall provide the State Soil and Water Conservation Board with a 100 percent grant for the purposes of conducting a comprehensive study of the physical conditions of the watersheds in the state that surface and underground water quality and quantity, and to determine corrective measures.

The above items are funded in priority order. Any funds not required for a priority item are hereby appropriated for the next priority item.

If legislation passes to establish a fund to assist economically distressed areas the Board shall transfer \$10,000,000 of the funds appropriated above to that fund. The Board shall advise the appropriations and natural resources committees in each house of the Legislature, from time to time, on the use of these funds and report in writing to the Legislature by the start of the Seventy-second Regular Session on the uses to which these funds were applied and the potential demand for additional funds to serve this need.

6. WATER QUALITY FUND APPROPRIATIONS. Any money transferred to the Water Quality Fund No. 153 from any federal or state agency, any gifts, fees or grants deposited in Fund No. 153, and any balance remaining in Fund No. 153 as of August 31, 1989, are hereby appropriated for the biennium beginning September 1, 1989, for only those purposes for which the funds were initially received. At the close of the biennium, any unencumbered balances in Fund No. 153 shall be reported to the State Comptroller who shall transfer any unencumbered sums in excess of \$1,250,000 for Fund No. 153 to the General Revenue Fund.
7. AGRICULTURAL TRUST FUND. There is hereby appropriated for the biennium beginning with the effective date of this Act, any balances on hand in the Agricultural Trust Fund No. 562. Any balances on hand in the Agricultural Trust Fund No. 562 not otherwise required to be maintained as principal in the fund or not otherwise required to be deposited to the Agricultural Soil and Water Conservation Fund are hereby appropriated (1) up to \$300,000 per year for administration of programs established under Senate Bill 1117 and (2) for placement in an interest and sinking fund established pursuant to Senate Bill 1117, Seventy-first Legislature, Regular Session, 1989, to be used pursuant to the provisions of Texas Constitution Article III, Section 50-d, Senate Bill 1117, and bond resolutions of the Board regarding that fund.
8. AGRICULTURAL SOIL AND WATER CONSERVATION FUND APPROPRIATIONS. There is hereby appropriated from the Agricultural Soil and Water Conservation Fund No. 563, one-third of the deposits to the fund, not to exceed \$200,000 per year as appropriated above, to the Water Development Board for the purposes of Subchapter H, Chapter 15, Water Code. Any balances remaining as of August 31, 1989 are hereby reappropriated for the balances beginning September 1, 1989 and any remaining balances remaining as of August 31, 1990 are hereby reappropriated for fiscal year 1991.

WATER DEVELOPMENT BOARD
(Continued)

9. TRANSFER AUTHORITY. An amount not to exceed 15 percent for fiscal year 1990 and 10 percent for fiscal year 1991 of any item of appropriation made to the Texas Water Development Board may be transferred to another item of appropriation of the Texas Water Development Board.
10. FEDERAL FUNDS AS REIMBURSEMENT. As an exception to the provision in Article V of this Act, appropriating federal funds for the purpose for which they are received; any federal funds received as reimbursement for services performed using General Revenue Funds, shall be deposited in the General Revenue Fund.
11. UNEXPEND BALANCE FOR BOND INVESTMENT EXPENSES. In the program, Water Development Fund Management, the amount of \$65,000 is appropriated for professional fees and services to be used only and specifically for expenses directly related to the issuance and investment of Texas Water Development Bonds, and that the 1990 unexpended balance be appropriated in 1991 for the same purpose.
12. INTERAGENCY CONTRACTS FOR GRAPHIC ARTS AND ADP. To avoid duplication and to ensure efficiency in separating the support services function between the Water Commission and the Water Development Board, the Board shall contract with the Commission for those services such as graphic arts and automated data processing services when those services are competitive with other agencies providing similar services.
13. PUBLICATION FEES. Whenever applicable, the agency shall establish a fee for the production and distribution of publications. All fees collected are hereby appropriated for the biennium, beginning with the effective date of this act.
14. ESTUARINE DATA PROGRAM. It is the intent of the Legislature that the Texas Water Development Board expend funds in amounts necessary to maintain the minimal estuarine data program.
15. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

WATER DEVELOPMENT BOARD
(Continued)

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

16. BOND DEFEASANCE. It is the intent of the legislature that proceeds from the sale of the Water Development Board's bond portfolio to the Water Resources Finance Authority be used in the following manner:
- a. Up to \$20 million be used to implement the state participation program, subject to the limits imposed elsewhere in the General Appropriations Act. The board shall attempt to maximize the usefulness of these funds to the state as a whole by providing assistance to many different projects.
 - b. Up to \$20 million be used to provide loans (including state participation and other state loans at below market interest rates) or grants, where allowed by law, for economically distressed areas (counties with unemployment rates 25 percent above the statewide average and median income 25 percent below the statewide average or adjacent to such a county and an international border).
 - c. Up to \$3 million for implementation of the bond insurance program.
 - d. Up to \$5 million for the implementation of the Texas Water Resources Program.
 - e. Up to \$500,000 for the implementation of an emergency loan program.

The board shall establish through rules the exact allocation of proceeds to its various funds.

17. STATE PARTICIPATION BONDS. The Texas Water Development Board is authorized to issue and sell up to \$50,000,000 in state participation bonds as authorized by Texas Water Code Section 17.072 and Article III, Section 49-d-2, of the constitution each year of the biennium beginning September 1, 1989. In no event, however, shall the board operate this program in such a manner that would require general revenues to be used for debt service associated with the state participation bonds during the biennium ending August 31, 1991.
18. CONTINGENCY FOR SENATE BILL No. 2. Contingent upon the passage of Senate Bill No. 2, Seventy-first Legislature, Regular Session, there is hereby appropriated to the Water Development Board \$250,000 each year of the biennium from the \$10,000,000 general revenue appropriation made in Rider No. 4., Water Assistance Fund, for the purposes of establishing and operating an economically distressed areas financial assistance program.

WATER DEVELOPMENT BOARD
(Continued)

19. AGRICULTURAL WATER CONSERVATION FUND APPROPRIATIONS. Any monies deposited into the Agricultural Water Conservation Fund, including but not limited to proceeds from agricultural water conservation bond sales, investment earnings, and loan repayments, are hereby appropriated to the Board for the biennium beginning September 1, 1989, for use pursuant to Section 50-d of Article III of the Texas Constitution and Senate Bill 1117, Acts of the Seventy-first Legislature, Regular Session, 1989. There are hereby appropriated such amounts as may be necessary to pay the principal and interest on such bonds that mature or become due during the biennium beginning with the effective date of this Act, pursuant to Section 50-d of Article III of the Texas Constitution and Senate Bill 1117, Acts of the Seventy-first Legislature, Regular Session, 1989, to be transferred to the Agricultural Water Conservation Interest and Sinking Fund.
20. EARNED FEDERAL FUNDS. The Water Development Board is hereby appropriated any unexpended earned federal funds received during the fiscal year beginning September 1, 1988, and all earned federal funds received during the biennium beginning with the effective date of this Act. Earned federal funds in excess of the amounts shown in the method of financing shall be used by the Water Development Board for the purpose of providing additional funds for planning assistance to local governments.

TEXAS RIVER COMPACT COMMISSIONERS

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Red River Compact Commission:		
a. Administration	30,257	30,257
b. Texas Pro-rata Share	<u>8,500</u>	<u>8,500</u>
Total, Red River Compact Commission	\$ <u>38,757</u>	\$ <u>38,757</u>
2. Rio Grande Compact Commission:		
a. Administration	\$ 136,135	\$ 123,688
b. Professional Services (Law Suit Contingency)	<u>75,000</u>	<u>U.B.</u>
Total, Rio Grande Compact Commission:	\$ <u>211,135</u>	\$ <u>123,688</u>
3. Sabine Compact Commission:		
a. Administration	\$ 10,522	\$ 10,522
b. Texas Pro-rata Share	<u>26,036</u>	<u>26,036</u>
Total, Sabine Compact Commission	\$ <u>36,558</u>	\$ <u>36,558</u>
4. Canadian River Compact Commission		
a. Administration	\$ 18,823	\$ 18,823

TEXAS RIVER COMPACT COMMISSIONERS
(Continued)

b. Professional Services (Law Suit Contingency)	<u>75,000</u>	<u>U.B.</u>
Total, Canadian River Compact Commission	\$ <u>93,823</u>	\$ <u>18,823</u>
5. Pecos River Compact Commission		
a. Administration	\$ 113,703	\$ 108,703
b. Professional Services (Law Suit Contingency)	<u>55,000</u>	<u>U.B.</u>
Total, Pecos River Compact Commission	\$ <u>168,703</u>	\$ <u>108,703</u>
GRAND TOTAL, TEXAS RIVER COMPACT COMMISSIONERS	\$ <u>548,976</u> =====	\$ <u>326,529</u> =====

Schedule of Exempt Positions

Red River Compact Commissioner	\$ 21,747	\$ 21,747
Rio Grande River Compact Commissioner	36,981	36,981
Sabine River Compact Commissioners	2 3,876	2 3,876
Canadian River Compact Commissioner	9,666	9,666
Pecos River Compact Commissioner	13,175	18,175

1. LAW SUIT CONTINGENCY, RIO GRANDE COMPACT. If it appears necessary for the State of Texas to bring a lawsuit against the State of New Mexico or Colorado, or agencies of the United States, in order to force compliance with the Rio Grande Compact, or any other laws affecting the rights of the State of Texas in the waters of the Rio Grande Compact Commissioner for Texas shall use the funds appropriated in Item 2.b., above, to gather and present facts to support the Texas case and to pay expenses levied by the court against the State of Texas. Unexpended balances in this item shall revert to the General Revenue Fund at the end of the 1990-91 biennium.
2. LAW SUIT CONTINGENCY, CANADIAN RIVER COMPACT. Funds appropriated to the Canadian River Compact Commission in Item 4.b., Professional Services, are to be used to purchase professional services related to the lawsuit, Oklahoma and Texas v New Mexico, No. 109, Original, U.S. Supreme Court and pay expenses levied by the Court against the State of Texas. Unexpended balances in this item shall revert to the General Revenue Fund at the end of the 1990-91 biennium.
3. LAW SUIT CONTINGENCY, PECOS RIVER COMPACT. Funds appropriated to the Pecos River Compact Commission in Item 5.b., Professional Services, are to be used to purchase professional services related to the lawsuit, Texas v. New Mexico, No. 65 Original, U.S. Supreme Court. Unexpended balances in this item shall revert to the General Revenue Fund at the end of the 1990-91 biennium.

TEXAS RIVER COMPACT COMMISSIONERS
(Continued)

4. BUDGET EXECUTION. Pursuant to Article 16, Section 69 of the Texas Constitution, funds appropriated above for Professional Services (Lawsuit Contingency) to the River Compact Commissioners may be transferred between them to support an anticipated or ongoing lawsuit with the approval of the Legislative Budget Board.
5. CLASSIFIED POSITIONS AUTHORIZED. Funds appropriated to the River Compact Commissioners of Texas for classified salaries may be expended to employ personnel in only those classified position titles that are established and approved by the State Classification Officer.
6. ARTICLE V EXEMPTION, LEAVE PROVISIONS. It is specifically provided that the Red River Compact, Sabine River Compact, Canadian River Compact and Pecos River Compact Commissioners are exempt from Article V, Section 7., Employees Working Hours and Holidays, and Article V, Section 8., Employees Vacation and Leave provisions of this Act.

WATER WELL DRILLERS BOARD

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the Water Well Driller's Fund No. 79:		
1. Administration	186,849	188,644
GRAND TOTAL, WATER WELL DRILLERS BOARD	\$ 186,849 =====	\$ 188,644 =====

Schedule of Exempt Positions and Per Diem of Board Members

Per Diem of Board Members	\$ 3,240	\$ 3,240
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1. APPROPRIATION SOURCE. The amounts specified above are appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Water Well Drillers Fund No. 79.
2. USE OF FUNDS. Funds appropriated in Item 1. Administration, shall be used by the Water Well Drillers Board to provide Per Diem and travel expenses of Board members and contract with the Texas Water Commission for necessary administrative, licensing, enforcement and technical services.

WATER WELL DRILLERS BOARD
(Continued)

3. FEE RATES. To provide for the recovery of costs for the preceding appropriations, the following fee rate is established pursuant to Article 5429n, V.A.C.S., to be effective during the biennium covered by this Act.

Late Renewal Fee	\$ 50
Driller Trainee Fee	\$ 50
Examination Fee	\$100
Water Well Driller License Fee	\$115

4. EMPLOYEE BENEFITS. The amounts appropriated above include the employee benefits of OASI, ERS, insurance, and other benefits for those Water Commission employees who work through an interagency contract in support of the Water Well Drillers Board. These benefits shall be paid from the appropriations made above to the Water Well Drillers Board.
5. TRANSFER OF EXCESS FUND BALANCE. Pursuant to Article 5429c-5, V.A.C.S. (Senate Bill No. 1322, Acts of the Sixty-ninth Legislature, Regular Session, 1985), at the end of each fiscal year of the biennium, the Comptroller of Public Accounts shall transfer any fund balance in excess of 33 percent of the sum of the following year's appropriation and other fund requirements from Fund No. 79 to the General Revenue Fund.

Transfers required by this provision may be delayed or temporarily reversed if the Comptroller determines, after review of relevant information, that cash flow difficulties would develop as a result of such transfers. However, the total transfer required by this provision shall be completed at such time as cash flow concerns have been alleviated.

EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES
SPECIAL PROVISIONS

Sec. 2. PRO RATA SHARING OF OFFICE MAINTENANCE. State agencies housed in state office buildings but not provided with appropriations in this Act shall pay into the General Revenue Fund a rental based on the following: (1) if the agency contributed, out of its own funds, towards the construction cost of the state building in which it is housed, it shall pay only its share of the operation and maintenance costs, including janitorial service, for usable space, at the rate of 84¢ per square foot per month for fiscal year 1990 and 88¢ per square foot per month for fiscal year 1991; and (2) if the agency is housed in a state office building and did not contribute toward the construction costs of the building, it shall pay at the rate of \$1.19 per square foot per month in fiscal year 1990 and \$1.25 per square foot per month in fiscal year 1991. The square footage allocated to each agency shall be determined by the State Purchasing and General Services Commission and shall be computed on that proportion of the building occupied by the agency, including halls and restrooms.

Sec. 3. SERVICE TRANSFERS.

1. For the payment of certain agencies' pro rata share of the costs of maintaining and operating space occupied in the various state buildings, there is hereby appropriated and the comptroller shall transfer, from the following funds for the years shown to the General Revenue Fund:

	For the Years Ending	
	August 31,	August 31,
	<u>1990</u>	<u>1991</u>
State Board of Insurance Operating Fund No. 36	\$ 1,076,604	\$ 1,127,871

2. Having determined that the reasonable costs of the services rendered by administrative and service departments or agencies of the state to the state agencies listed below in carrying out their statutory duties and responsibilities to be the sums herein indicated, the Legislature hereby adopts the foregoing fact-finding; and for the purpose of paying for such services there is hereby appropriated and the comptroller shall transfer from the following funds to the General Revenue Fund at the end of each fiscal year the following sum:

	For the Years Ending	
	August 31,	August 31,
	<u>1990</u>	<u>1991</u>
State Highway Fund No. 6	\$ 7,500,000	\$ 7,500,000
State Board of Insurance Operating Fund No. 36	1,180,447	1,240,034
Medical Registration Fund No. 55	116,517	122,398
Dental Registration Fund No. 86	91,977	96,620
Real Estate License Fund No. 114	166,407	174,807
Structural Pest Control Fund No. 424	53,215	55,901

EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES
SPECIAL PROVISIONS
(Continued)

Public Accountancy Fund No. 470	32,351	33,984
Pharmacy Board Operating Fund No. 523	<u>57,450</u>	<u>60,350</u>
TOTAL	<u>\$ 9,198,364</u> =====	<u>\$ 9,284,094</u> =====

Sec. 4. OUTSIDE LEGAL COUNSEL AUTHORIZATION. Prior to expenditure of funds for retaining outside legal counsel, agencies and departments covered by this Act shall request the Attorney General to perform such services. If the Attorney General cannot provide such services, he shall so certify to the Comptroller of Public Accounts and requesting agency which may then utilize funds appropriated to such agency as contingency for outside legal counsel.

Sec. 5. OCCUPATIONAL LICENSING AGENCY REQUIREMENTS.

1. The Attorney General of Texas shall develop and implement a course of instruction covering basic principles and concepts contained within the Administrative Procedures and Texas Register Act (APA & TRA) (Article 6252-13a. Texas Revised Civil Statutes) no later than January 1, 1990. Each board member of an occupational licensing agency is required to complete the course of instruction developed by the Attorney General. Every occupational licensing agency's chief administrative officer shall complete the course of instruction concerning the Administrative Procedure and Texas Register Act given by the Office of the Attorney General of Texas.
2. The occupational licensing agencies shall bear the cost of the development, implementation, and administration of the examination.

Occupational licensing agencies are defined as the following:

Board of Chiropractic Examiners
Texas State Board of Dental Examiners
Board of Examiners in the Fitting and Dispensing of Hearing Aids
Texas State Board of Medical Examiners
Board of Nurse Examiners
Board of Vocational Nurse Examiners
Texas Optometry Board
State Board of Pharmacy
Board of Physical Therapy Examiners
Board of Podiatry Examiners
State Board of Examiners of Psychologists
Board of Veterinary Medical Examiners
Texas State Board of Public Accountancy
Texas Amusement Machine Commission
Board of Architectural Examiners
Court Reporters Certification Board
Board of Registration for Professional Engineers
Board of Private Investigators and Private Security Agencies
Texas Board of Irrigators
Board of Land Surveying
Texas Motor Vehicle Commission
Structural Pest Control Board
State Board of Plumbing Examiners

EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES
SPECIAL PROVISIONS
(Continued)

Polygraph Examiners Board
Real Estate Commission
State Securities Board
Board of Tax Professional Examiners
Water Well Drillers Board

3. Every occupational licensing agency that receives an increase of three percent or more in any year of its biennial budget shall report on how the additional funding enabled the agency to better accomplish its mission. Such information shall be provided in the annual fiscal report of the agency.
4. Every occupational licensing agency at the time of its annual fiscal report shall also report the statistical analysis of its disciplinary activities and functions for the past year. The report shall contain, at a minimum, the number of complaints received, the number of complaints resolved and how the complaints were resolved, the categories and number of complaints received within a category, and the average length of time that was required to resolve each category of complaints. If a complaint within a category was not received during the reporting period, then the fact that no complaint in that category was received should also be reported. Significant trends should be noted.
5. Every occupational licensing agency shall prepare information of consumer interest describing regulatory functions of the agency and describing the agency's procedures by which consumer complaints are filed and resolved by the agency. The agency shall take affirmative, active measures to distribute the information to the general public, appropriate state agencies, and all county and district attorneys within the State of Texas.

Sec. 6. DEPARTMENT OF CRIMINAL JUSTICE CONTINGENCY. Pursuant to Article 16, Section 69 of the Texas Constitution and contingent upon passage of House Bill No. 2335 creating the Texas Department of Criminal Justice, any portion of the funds appropriated by this bill to the Texas Adult Probation Commission, the Board of Pardons and Paroles, the Texas Department of Corrections, or the Texas Department of Criminal Justice may be reallocated within those four agencies, only pursuant to budget execution approval by the Governor and the Legislative Budget Board. A proposed change made by the Governor to the Legislative Budget Board or by the Legislative Budget Board to the Governor may be: (1) ratified through adoption of an order changing the relevant appropriation in the manner specified in the proposal; (2) rejected; or (3) amended. An amended proposal must be finally approved by the originator of the initial proposal.

No action on a proposal made pursuant to this provision may be taken until at least ten days after the publication of the proposal in the Texas Register. A proposal made under this provision expires if an order has not been ratified or finally approved by the 31st day after the proposal is published in the Texas Register.

EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES
SPECIAL PROVISIONS
(Continued)

The Governor shall notify the Comptroller, the State Treasurer, and affected state agencies of the final action taken on a proposal and shall direct the Secretary of State to publish notice of the action in the Texas Register.

The authority to propose and adopt changes granted in this provision is independent of any other authority established by this Act or under other law.

RECAPITULATION - ARTICLE I
EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES

		GENERAL REVENUE	OTHER FUNDS	TOTAL
ACCOUNTANCY, Board of Public	1990		\$ 2,983,623	\$ 2,983,623
	1991		\$ 2,967,012	\$ 2,967,012
ADJUTANT General'S Department	1990	7,410,241	6,786,279	14,196,520
	1991	7,777,770	6,786,279	14,564,049
AERONAUTICS Commission	1990	863,944	560,200	1,424,144
	1991	874,744	453,000	1,327,744
AGING, Department on	1990	5,529,487	49,281,193	54,810,680
	1991	5,529,487	49,281,193	54,810,680
AGRICULTURE, Department of	1990	16,395,759	4,553,265	20,949,024
	1991	15,910,023	4,553,265	20,463,288
AIR CONTROL Board	1990	3,428,071	12,481,498	15,909,569
	1991	3,428,071	11,504,176	14,932,247
AIRCRAFT Pooling Board	1990	472,691	2,648,205	3,120,896
	1991	169,623	2,947,079	3,116,702
ALCOHOLIC Beverage Commission	1990	22,199,417		22,199,417
	1991	22,035,974		22,035,974
ANIMAL Health Commission	1990	8,691,428	3,051,093	11,742,521
	1991	8,692,816	3,051,093	11,743,909
ARCHITECTURAL Examiners, Board of	1990		858,789	858,789
	1991		865,587	865,587
NATIONAL GUARD ARMORY BOARD	1990	795,035	2,571,165	3,366,200
	1991	807,493	2,829,114	3,636,607
ARTS, Commission on the	1990	3,398,277	661,000	4,059,277
	1991	3,400,972	661,000	4,061,972
ATTORNEY General, Office of the	1990	15,993,821	76,211,514	92,205,335
	1991	15,319,320	71,289,381	86,608,701
Workers' Compensation Payments	1990	37,490,240		37,490,240
	1991	31,388,288	15,000,000	46,388,288
AUTOMATED Information and Telecommunications Council	1990	1,409,546		1,409,546
	1991	1,174,026		1,174,026
TIEND/VI		1-324	05-25-89	CC101

RECAPITULATION - ARTICLE I
EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES
(Continued)

		<u>GENERAL REVENUE</u>	<u>OTHER FUNDS</u>	<u>TOTAL</u>
BARBER Examiners, Board of	1990		509,254	509,254
	1991		507,658	507,658
BOND Review Board	1990	159,882		159,882
	1991	132,956		132,956
CHIROPRACTIC Examiners, Board of	1990		166,479	166,479
	1991		167,279	167,279
COMMERCE, Department of	1990	16,839,171	304,407,689	321,246,860
	1991	17,367,781	304,232,140	321,599,921
COMMUNITY Affairs, Department of	1990	200,000	33,796,633	33,996,633
	1991	200,000	33,796,633	33,996,633
COMPTROLLER of Public Accounts	1990	112,604,947	217,613	112,822,560
	1991	114,790,251	217,613	115,007,864
Uniform Statewide Accounting System	1990	32,300,000	1,300,000	33,600,000
	1991			
Social Security	1990	328,193,879	148,752,448	476,946,327
	1991	336,185,620	152,026,018	488,211,638
Allocation - Bank Franchise Tax	1990		50,896,000	50,896,000
	1991		46,023,000	46,023,000
Voter Registration	1990	3,000,000		3,000,000
	1991	500,000		500,000
Claims - Vendors, Texas Conservation Corps	1990			
	1991			
Misc. Claims - Art. 4351b, V.A.C.S. - Payment of Small Claims	1990	500,000	1,000,000	1,500,000
	1991	500,000	1,000,000	1,500,000
Reimbursement - Commitment Hearings, Article 5547-300, V.A.C.S.	1990	3,000		3,000
	1991			
TIEND/VI		I-325	05-25-89	CC101

RECAPITULATION - ARTICLE I
EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES
(Continued)

		GENERAL REVENUE	OTHER FUNDS	TOTAL
Reimbursement - Mixed Beverage Tax	1990		50,000,000	50,000,000
	1991		55,000,000	55,000,000
Claims - Chapter 101, 104, 110, & Federal Court Judgments	1990	22,556,437	5,000,000	27,556,437
	1991			
County Taxes on University Lands	1990	900,000		900,000
	1991	900,000		900,000
Ranger Pensions	1990	30,000		30,000
	1991	30,000		30,000
CONSERVATION Foundation	1990	81,651		81,651
	1991	81,651		81,651
CORRECTIONS, Department of	1990	571,438,955	50,216,404	621,655,359
	1991	581,968,184	38,100,819	620,069,003
COSMETOLOGY Commission	1990	1,305,111	80,000	1,385,111
	1991	1,309,141	80,000	1,389,141
CREDIT Union Department	1990		1,179,652	1,179,652
	1991		1,233,463	1,233,463
CRIMINAL Justice Policy Council	1990		307,982	307,982
	1991		307,982	307,982
DENTAL Examiners, Board of	1990		829,502	829,502
	1991		825,636	825,636
EMPLOYEE Incentive Commission	1990			
	1991	50,000		50,000
EMPLOYEES Retirement System	1990	268,445,700	178,394,300	446,840,000
	1991	313,060,800	208,595,200	521,656,000
EMPLOYMENT Commission	1990		152,299,868	152,299,868
	1991		150,331,478	150,331,478
State's Reimbursement to the Unemployment Compensation Benefit Account	1990	1,208,864	6,791,136	8,000,000
	1991	1,433,588	6,566,412	8,000,000

T1END/V1

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RECAPITULATION - ARTICLE I
EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES
(Continued)

		GENERAL REVENUE	OTHER FUNDS	TOTAL
ENGINEERS, Board of Registration for Professional	1990		1,003,001	1,003,001
	1991		998,301	998,301
FINANCE Authority, Public	1990	67,382,000	190,041	67,572,041
	1991	45,083,000	190,041	45,273,041
FINANCE Commission of	1990		4,140	4,140
	1991		4,140	4,140
BANKING, Department of	1990		10,336,687	10,336,687
	1991		10,149,592	10,149,592
CONSUMER Credit Commissioner, Office of	1990		1,261,069	1,261,069
	1991		1,270,628	1,270,628
SAVINGS and Loan Department	1990		2,988,739	2,988,739
	1991		2,988,739	2,988,739
FIRE Protection Personnel Standards and Education, Commission on	1990	212,300		212,300
	1991	211,909		211,909
FIREMEN'S Pension Commissioner	1990	170,671		170,671
	1991	168,350		168,350
FUNERAL Service Commission	1990	325,110		325,110
	1991	325,110		325,110
GOVERNOR, Office of the	1990	7,785,705	127,208,342	134,994,047
	1991	7,785,705	127,214,947	135,000,652
HEARING Aids, Board of Examiners in the Fitting and Dispensing of	1990	64,939		64,939
	1991	64,939		64,939
HIGHWAYS and Public Transportation, Department of	1990		2,494,444,228	2,494,444,228
	1991		2,616,582,792	2,616,582,792
HISTORICAL Commission	1990	1,498,957	549,765	2,048,722
	1991	1,488,471	557,265	2,045,736

TEND/V1

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RECAPITULATION - ARTICLE I
EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES
(Continued)

		GENERAL REVENUE	OTHER FUNDS	TOTAL
HUMAN RIGHTS, Commission on	1990	369,055	512,680	881,735
	1991	299,055	582,680	881,735
INDIAN Commission	1990			
	1991			
INDUSTRIAL Accident Board	1990	8,046,509	21,305,149	29,351,658
	1991	8,046,509	22,903,080	30,949,589
INSURANCE, Board of	1990	986,823	43,770,899	44,757,722
	1991	985,508	43,969,225	44,954,733
INTERAGENCY, Council on Mentally Impaired Offenders	1990	358,965		358,965
	1991	366,406		366,406
INTERGOVERNMENTAL Relations, Advisory Commission on	1990		473,447	473,447
	1991		473,447	473,447
INVESTIGATORS and Private Security Agencies, Board of Private	1990	1,616,534	50,000	1,666,534
	1991	1,615,226	55,000	1,670,226
IRRIGATORS, Board of	1990		160,393	160,393
	1991		160,393	160,393
JAIL Standards, Commission on	1990	304,076	125,000	429,076
	1991	295,666	125,000	420,666
LABOR and Standards, Department of	1990	4,994,325	187,600	5,181,925
	1991	4,996,018	189,460	5,185,478
LAND OFFICE and Veterans' Land Board, General	1990	10,783,684	8,560,627	19,344,311
	1991	10,698,249	8,569,933	19,268,182
LAND SURVEYING, Board of	1990		256,210	256,210
	1991		233,037	233,037
LAW Enforcement Officer Standards and Education, Commission on	1990		2,887,766	2,887,766
	1991		3,803,307	3,803,307

TEND/V1

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RECAPITULATION - ARTICLE I
EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES
(Continued)

		GENERAL REVENUE	OTHER FUNDS	TOTAL
LIBRARY and Archives Commission	1990	10,016,305	7,563,579	17,579,884
	1991	10,215,657	7,564,000	17,779,657
MEDICAL Examiners, Board of	1990		3,032,806	3,032,806
	1991		3,032,806	3,032,806
MOTOR Vehicle Commission	1990	703,902		703,902
	1991	703,152		703,152
NURSE Examiners, Board of	1990		1,569,814	1,569,814
	1991		1,576,206	1,576,206
NURSE Examiners, Board of VOCATIONAL	1990		881,032	881,032
	1991		883,412	883,412
NURSING Home Administrators, Board of Licensure for	1990		228,217	228,217
	1991		228,217	228,217
OPTOMETRY Board	1990		183,552	183,552
	1991		185,406	185,406
PARDONS and Paroles, Board of	1990	85,232,162	62,208	85,294,370
	1991	105,428,475	62,208	105,490,683
PARKS and Wildlife Department	1990	44,722,352	57,586,905	102,309,257
	1991	45,414,611	57,629,283	103,043,894
PENSION Review Board	1990	255,550		255,550
	1991	249,410		249,410
PEST Control Board, Structural	1990		628,650	628,650
	1991		628,200	628,200
PHARMACY, Board of	1990		1,521,139	1,521,139
	1991		1,522,743	1,522,743
PHYSICAL Therapy Examiners, Board of	1990	250,585		250,585
	1991	253,012		253,012
PLUMBING Examiners, Board of	1990		960,549	960,549
	1991		987,235	987,235
TIEND/V1		I-329	05-25-89	CC101

RECAPITULATION - ARTICLE I
EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES
(Continued)

		GENERAL REVENUE	OTHER FUNDS	TOTAL
PODIATRY Examiners, Board of	1990		71,448	71,448
	1991		71,148	71,148
POLYGRAPH Examiners Board	1990	101,816		101,816
	1991	101,816		101,816
PRESERVATION Board	1990	540,367		540,367
	1991	615,961		615,961
PROBATION Commission, ADULT	1990	77,090,325		77,090,325
	1991	145,113,785		145,113,785
PROBATION Commission, JUVENILE	1990	20,062,039		20,062,039
	1991	21,210,539		21,210,539
PROPERTY Tax Board	1990	4,499,135	83,845	4,582,980
	1991	4,460,958	84,235	4,545,193
PSYCHOLOGISTS, Board of Examiners of	1990		436,405	436,405
	1991		420,552	420,552
PURCHASING and General Services Commission	1990	53,812,620	8,093,105	61,905,725
	1991	49,506,937	7,566,176	57,073,113
RACING Commission	1990	2,685,628	3,561,501	6,247,129
	1991	2,162,670	7,535,900	9,698,570
RADIOACTIVE Waste Disposal Authority, Low-Level	1990	2,403,307		2,403,307
	1991	1,563,857		1,563,857
RAILROAD Commission	1990	23,078,605	11,444,437	34,523,042
	1991	22,959,779	11,617,951	34,577,730
REAL ESTATE Commission	1990		2,937,708	2,937,708
	1991		2,926,242	2,926,242
SAFETY, Department of Public	1990	3,264,772	179,383,518	182,648,290
	1991	4,666,292	179,231,927	183,898,219
SECRETARY of State	1990	18,895,672	338,000	19,233,672
	1991	7,453,577	338,000	7,791,577
SECURITIES Board	1990	2,814,003	18,000	2,832,003
	1991	2,849,761	18,000	2,867,761

TEND/VI

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RECAPITULATION - ARTICLE I
EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES
(Continued)

		<u>GENERAL REVENUE</u>	<u>OTHER FUNDS</u>	<u>TOTAL</u>
SOIL and Water Conservation Board	1990	3,031,017	200,000	3,231,017
	1991	3,032,868	200,000	3,232,868
STATE-FEDERAL Relations, Office of	1990	648,390		648,390
	1991	648,390		648,390
SURPLUS Property Agency	1990		2,503,676	2,503,676
	1991		2,555,243	2,555,243
TAX Professional Examiners, Board of	1990		142,755	142,755
	1991		142,882	142,882
TREASURY Department	1990	333,860	21,204,591	21,538,451
	1991	324,865	21,231,209	21,556,074
TREASURY Department, Lateral Road Fund Distribution	1990	7,300,000		7,300,000
	1991	7,300,000		7,300,000
UTILITY COMMISSION, Public	1990	6,754,116	1,125,206	7,879,322
	1991	6,947,903	1,027,500	7,975,403
UTILITY COUNSEL, Office of Public	1990	1,054,173	250,000	1,304,173
	1991	1,057,018	250,000	1,307,018
VETERANS Commission	1990	1,957,652		1,957,652
	1991	2,128,508		2,128,508
VETERINARY Medical Examiners, Board of	1990		391,687	391,687
	1991		390,393	390,393
WATER COMMISSION	1990	11,527,246	32,747,399	44,274,645
	1991	10,683,569	39,061,536	49,745,105
WATER DEVELOPMENT Board	1990	6,730,092	4,259,142	10,989,234
	1991	6,713,615	4,259,067	10,972,682
RIVER Compact Commissioners, Texas	1990	548,976		548,976
	1991	326,529		326,529

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RECAPITULATION - ARTICLE I
EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES
(Continued)

		GENERAL REVENUE	OTHER FUNDS	TOTAL
WATER WELL Drillers Board	1990		186,849	186,849
	1991		188,644	188,644
TOTAL, ARTICLE I EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES*				
	1990	\$ 1,979,059,874	\$ 4,208,666,290	\$ 6,187,726,164
	1991	\$ 2,031,542,214	\$ 4,365,636,838	\$ 6,397,179,052
		=====	=====	=====

*Total does not include rider appropriations.

ARTICLE II

HEALTH, WELFARE, AND REHABILITATION AGENCIES

Section 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, for the support, maintenance, or improvement of the designated state agencies and institutions.

COMMISSION ON ALCOHOL AND DRUG ABUSE

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration Program	\$ 3,700,086	\$ 3,706,249
2. Institutional Treatment & Rehabilitation Program:		
a. Department of Mental Health and Mental Retardation	429,953	429,953
b. Department of Health	<u>41,843</u>	<u>41,843</u>
Total, Rehabilitation Program	\$ <u>471,796</u>	\$ <u>471,796</u>
3. Community-Based Grants for Substance Abuse Services:		
a. Prevention	\$ 9,686,171	\$ 10,406,171
b. Intervention	5,235,407	5,635,407
c. Treatment	<u>29,639,014</u>	<u>30,115,981</u>
Total, Abuse Services	\$ <u>44,560,592</u>	\$ <u>46,157,559</u>
GRAND TOTAL, COMMISSION ON ALCOHOL AND DRUG ABUSE	\$ <u>48,732,474</u> =====	\$ <u>50,335,604</u> =====
Method of Financing:		
General Revenue Fund	\$ 15,053,953	\$ 16,653,343
Federal Funds, estimated	33,360,808	33,364,548
Reappropriated Receipts	38,581	38,581
Alcohol & Drug Abuse Treatment Licensure Fund No. 487	187,500	187,500
Earned Federal Funds	<u>91,632</u>	<u>91,632</u>
Total, Method of Financing	\$ <u>48,732,474</u> =====	\$ <u>50,335,604</u> =====

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$ 60,000	\$ 60,000
Deputy Director	2 52,000	2 52,000

COMMISSION ON ALCOHOL AND DRUG ABUSE
(Continued)

Division Director	4	50,000	4	50,000
Per Diem of Board Members		4,500		4,500

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Commission on Alcohol and Drug Abuse. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	\$ 15,000	\$ 10,000
Total, Capital Outlay	\$ 15,000	\$ 10,000
	=====	=====

Method of Financing:

General Revenue Fund	\$ 4,930	\$ 3,670
Federal Alcoholism Fund No. 136	10,070	6,330
Total, Method of Financing	\$ 15,000	\$ 10,000
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFER AUTHORITY.
- a. The Texas Commission on Alcohol and Drug Abuse is authorized to transfer funds from item 1. Administration Program to item 3. Community-Based Grant Program.
 - b. The Executive Director, Texas Commission on Alcohol and Drug Abuse, may transfer General Revenue funds, not to exceed 10 percent from any line item appropriation in order to minimize cash flow problems created by federal grant award notices being delayed, said transfer to be reversed when federal funds become available.
3. APPROPRIATION OF APPLICATION FEES. Application fees collected for the licensure of health care facilities that treat alcoholics and drug abusers are hereby reappropriated to the commission for the cost of administering the program.
4. DEVELOPMENT OF PROCEDURES TO REDUCE INSTITUTIONALIZATION. The Texas Commission on Alcohol and Drug Abuse and the Texas Department of Mental Health and Mental Retardation shall jointly develop proposals outlining the community intervention, treatment and rehabilitation programs needed to reduce institutionalization of substance abusers.

COMMISSION ON ALCOHOL AND DRUG ABUSE
(Continued)

5. SCREENING OF ALCOHOLICS AND DRUG ABUSERS AUTHORIZED. From funds appropriated above, the Texas Commission on Alcohol and Drug Abuse may grant, through contract, funds to support the screening of alcoholics and drug abusers prior to institutionalization in a state facility. The commission may furthermore develop new alternatives to the institutionalization of alcoholics and drug abusers through services provided by community mental health centers and alcohol and drug abuse providers.
6. DATA COLLECTION REQUIRED. The Commission is required to collect billing, services, and client information from contractors on a monthly basis. Data shall be collected on the services provided to minority populations, including Native Americans. The commission also shall document the expenditure of funds for training of personnel, staff development, public information, and other services that cannot be measured by direct client outcome.
7. INDIRECT COST PROVISIONS. The commission in cooperation with the Legislative Budget Board and the Governor's Office shall adopt standard procedures for determining all allowable cost to be charged against each grant on an indirect cost allocation method. The commission shall audit all grants awarded to insure that no more than 10 percent of each grant shall be allocated for indirect cost. All recipients allocating in excess of 10 percent of the grant for such purposes shall reimburse the amount found to be in excess to the Commission on Alcohol and Drug Abuse.
8. AGREEMENTS WITH NATIVE AMERICAN POPULATION AUTHORITIES. The Texas Commission on Alcohol and Drug Abuse shall enter into agreements with Native American population authorities for the provision of substance abuse programs aimed at dealing with the treatment of alcoholics and drug abusers among the Indian population.
9. ALCOHOL AND DRUG ABUSE INITIATE STUDIES REQUIRED. It is the intent of the Legislature that the Texas Commission on Alcohol and Drug Abuse initiate studies of the incidence and prevalence of alcohol and drug abuse in Texas, determine how alcohol and drug abuse is impacted by substance abuse services, and use the resulting data in selecting contracts.
10. PRIORITY POPULATIONS DEFINED. The Legislature designates the following priority populations of the commission.
 - youth who currently abuse, have abused, or are at risk of abusing substances.
 - people who have or are at risk of having human immunodeficiency virus infection through substance abusing behavior;
 - substance abusers who have now, or who have at one time, entered the criminal justice system; and
 - substance abusers who are at risk of institutionalization or who currently are served in mental health facilities.

COMMISSION ON ALCOHOL AND DRUG ABUSE
(Continued)

11. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

12. LIMITATION ON EXPENDITURES: PREVENTION SERVICES FOR YOUTH. Of the amounts appropriated above in Item 3.a., Prevention, \$2,090,000 in fiscal year 1990 and \$2,810,000 in fiscal year 1991 shall be expended for the expansion of prevention services for youth.
13. LIMITATION ON EXPENDITURES: INTERVENTION SERVICES FOR YOUTH. Of the amounts appropriated above in Item 3.b., Intervention, \$2,430,000 in fiscal year 1990 and \$2,830,000 in fiscal year 1991 shall be expended for the expansion of intervention services for youth.
14. LIMITATION ON EXPENDITURES: TREATMENT SERVICES FOR YOUTH. Of the amounts appropriated above in Item 3.c., Treatment, \$6,290,000 in fiscal year 1990 and \$6,750,000 in fiscal year 1991 shall be expended for the expansion of institutional, residential, and outpatient treatment programs for youth.
15. LIMITATION ON EXPENDITURES: SCHEDULE OF EXEMPT POSITIONS. The increase of the executive director's salary and the salaries of the deputy executive directors and division directors shall come from federal funds.
16. INTERAGENCY CONTRACT, "OPERATION KICK-IT". The Texas Commission on Alcohol and Drug Abuse (TCADA) shall enter into an interagency contract with the Texas Department of Corrections to fund "Operation Kick-It" with TCADA's federal criminal justice initiative money targeted for education and prevention for youth relating to substance abuse. Total cost of the program is \$169,638 for fiscal year 1990 and \$169,638 for fiscal year 1991.

COMMISSION ON ALCOHOL AND DRUG ABUSE
(Continued)

17. APPROPRIATION OF GLUE AND PAINT SALES PERMIT FEES. Glue and Paint Sales Permit Fees collected under the authority of Article 4476-15(d), Regulation of Sale of an Abusable Glue and Aerosol Paint, by the Texas Department of Health and transferred to the commission, are hereby reappropriated to carry out the provisions of the above statute. Any balances remaining at August 31, 1989, and subsequent fiscal years are hereby reappropriated to the commission for the same purposes as defined in Article 4476-15(d).
18. APPROPRIATION SOURCE, INTERAGENCY COUNCIL ON MENTALLY RETARDED, DEVELOPMENTALLY DISABLED, AND MENTALLY ILL. Out of funds appropriated above in Item 3.c., Treatment, \$50,000 in fiscal year 1990 and \$50,000 in fiscal year 1991 shall be used to provide services for the Interagency Council on Mentally Retarded, Developmentally Disabled, and Mentally Ill Offenders pilot projects.
19. DEVELOPMENT OF PLAN OUTLINING SUBSTANCE ABUSE TREATMENT AND EDUCATION PROGRAM NEEDS ASSOCIATED WITH HIV INFECTION. The Legislature designates the Texas Commission on Alcohol and Drug Abuse as the lead agency for addressing issues relating to substance abusers who have or at risk of having human immunodeficiency virus (HIV) infection. By March 1, 1990, the commission, in conjunction with the Texas Department of Mental Health and Mental Retardation, the Texas Department of Health, and appropriate criminal justice agencies shall develop a plan outlining substance abuse treatment and education needs associated with HIV infection. The plan shall outline each agency's respective role and responsibility with regard to HIV counseling and testing, residential and outpatient treatment programs for substance abusers who either have or are at risk of having HIV infection, community outreach programs, and staff training.

COMMISSION FOR THE BLIND

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration and Support:		
a. Central Administration	725,518	726,038
b. Accounting	473,846	473,846
c. Automatic Data Processing	468,054	468,054
d. Purchasing, Supply and Logistics	401,432	401,432
e. Staff Development	309,292	309,292
Total, Administration and Support	\$ 2,378,142	\$ 2,378,662
2. Rehabilitation Services:		
a. Vocational Rehabilitation	\$ 19,131,491	\$ 20,260,026
b. Business Enterprise Program	1,409,456	1,409,456

COMMISSION FOR THE BLIND
(Continued)

c. Comprehensive Rehabilitation Centers (Criss Cole Rehabilitation Center; Cole Manor)	<u>2,756,926</u>	<u>2,756,426</u>
Total, Rehabilitation Services	<u>\$ 23,297,873</u>	<u>\$ 24,425,908</u>
3. Special Services:		
a. Blind and Visually Impaired Children's Program	\$ 2,390,727	\$ 2,390,727
b. Older Blind Services/Independent Living Rehabilitation	<u>654,578</u>	<u>654,578</u>
Total, Special Services	<u>\$ 3,045,305</u>	<u>\$ 3,045,305</u>
GRAND TOTAL, COMMISSION FOR THE BLIND	<u>\$ 28,721,320</u>	<u>\$ 29,849,875</u>

Method of Financing:

1. General Revenue Fund:		
a. Administration and Support	\$ 1,067,776	\$ 1,068,296
b. Vocational Rehabilitation	1,865,855	2,134,041
c. Comprehensive Rehabilitation Centers	212,578	212,078
d. Blind and Visually Impaired Children's Program	2,325,727	2,325,727
e. Older Blind Services/Independent Living Rehabilitation	<u>148,465</u>	<u>148,465</u>
Total, General Revenue Fund	<u>\$ 5,620,401</u>	<u>\$ 5,888,607</u>
2. Federal Funds, estimated		
a. Administration and Support	\$ 1,310,366	\$ 1,310,366
b. Vocational Rehabilitation	16,958,636	17,818,985
c. Business Enterprise Program	517,828	517,828
d. Comprehensive Rehabilitation Centers	2,544,348	2,544,348
e. Older Blind Services/Independent Living Rehabilitation	<u>506,113</u>	<u>506,113</u>
Total, Federal Funds, estimated	<u>\$ 21,837,291</u>	<u>\$ 22,697,640</u>
3. Other Funds, estimated		
a. Business Enterprise Program	\$ 891,628	\$ 891,628
b. Blind and Visually Impaired Children's Program	<u>65,000</u>	<u>65,000</u>
Total, Other Funds, estimated	<u>\$ 956,628</u>	<u>\$ 956,628</u>

COMMISSION FOR THE BLIND
(Continued)

4. Earned Federal Funds:		
a. Vocational Rehabilitation	\$ 307,000	\$ 307,000
Total, Method of Financing	\$ 28,721,320	\$ 29,849,875
	=====	=====
 BOND DEBT SERVICE	 \$ 187,648	 \$ 187,800

Schedule of Exempt Positions

Executive Director	\$ 58,500	\$ 58,500
Deputy Director	2 50,000	2 50,000
Physician (part-time)	9,245	9,245

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Commission for the Blind. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	\$ 5,600	\$ -0-
Total, Capital Outlay	\$ 5,600	\$ -0-
	=====	=====
Method of Financing:		
General Revenue Fund	\$ 588	\$ -0-
Federal Adult Blind	5,012	-0-
Total, Method of Financing	\$ 5,600	\$ -0-
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. LIMITATION ON GENERAL REVENUE. It is the intent of the Legislature that the amounts hereinabove appropriated out of the General Revenue Fund shall be the maximum and that any reduction in federal funds shall result in a corresponding decrease in the above appropriations and not place additional demands on the General Revenue Fund.

COMMISSION FOR THE BLIND
(Continued)

3. EXPANSIONS OF FEDERAL PROGRAMS. It is also provided that, in the event of expansions of federal programs, additional federal funds becoming available may be used to employ additional personnel necessary to carry out the expanded programs, but only with the advance approval of the Governor; provided, however, that copies of such requests for the Governor's approval, and notice of the Governor's action on such requests, shall be filed with the Legislative Budget Board.
4. FEDERAL ADULT BLIND FUND. All federal funds available in the Federal Adult Blind Fund, No. 141, are hereby appropriated, but no salary rates shall be increased except as are authorized under the provisions of this Act relating to the Position Classification Plan.
5. TRANSFER AUTHORITY. The Commission for the Blind may transfer between sub-items within program Items 1. through 3. No transfers may be made between program items.
6. EXEMPT POSITIONS. Positions employed by the Commission for the Blind which are exempt from the Position Classification Plan, shall be paid at annual salary rates not to exceed the following and are limited to one position each: Physician (part-time) \$9,245 (1990) and \$9,245 (1991).
7. PETTY CASH FUND. Each district office, the Criss Cole Rehabilitation Center, and Cole Manor of the State Commission for the Blind may establish a petty cash fund not to exceed \$1,000 out of moneys appropriated herein. These funds shall be maintained at a local bank and shall be used only for making emergency payments. Reimbursements to these revolving funds shall be made only out of appropriations provided for in this Article.
8. CENTRAL SUPPLY REVOLVING FUND. The Commission for the Blind may, under such rules and regulations as deemed necessary, maintain and operate on a reimbursable basis a Central Supply Revolving Fund in order to contribute to the efficiency and economy of the Commission under its control and management. The Central Supply Revolving Fund may be established and operated from funds appropriated to the Commission in such amounts as shall be necessary. All receipts deposited to this Fund are appropriated for the purchase of necessary operating supplies and materials for the biennium ending August 31, 1991. To reimburse the funds from which expenditures are made, the Commission may make fund transfers from the appropriations which receive the supplies, or may submit purchase vouchers through the office of the State Comptroller.
9. EARNED FEDERAL FUNDS. Upon finding of facts by the Governor, the commission is hereby authorized to use additional earned federal funds in order to satisfy matching requirements associated with any potential increases in federal funds.
10. ENDOWMENT FUND. There is hereby appropriated to the Commission for the Blind, for the biennium beginning September 1, 1989, any balance on hand in the Endowment Fund as of August 31, 1989, and any revenue and receipts deposited to the Endowment Fund. These funds are appropriated to provide necessary client services and to carry out the provisions of paragraph 91.0301 Human Resources Code.

COMMISSION FOR THE BLIND
(Continued)

11. BUSINESS ENTERPRISES FUND. There is hereby appropriated to the Commission for the Blind, for the biennium beginning September 1, 1989, any balance on hand in the Business Enterprises Fund as of August 31, 1989, and any revenues and receipts deposited to the Business Enterprises Fund. These funds are appropriated to carry out the provisions of Chapter 94 of the Texas Human Resources Code.
12. AUDITING OF CONTRACTS. Within 90 days following the conclusion of a contract issued by the Commission for the Blind, or at the option of the contracting party, within 90 days following the conclusion of the contracting parties fiscal year, during which the contract is in force, the contracting party shall provide to the Executive Director a full accounting of state funds expended under the terms of the contract. This requirement shall be a part of any contract entered into by the Commission and contracting entities. Failure of a contracting party to provide full accounting of state funds expended under the terms of any contract under the conditions stated above shall be sufficient reason to terminate that contract and for the Commission to deny any future contracts to that contracting party.
13. REIMBURSEMENT OF SERVICES. In order to reimburse equitably the appropriation items hereinabove made from which expenditures are made for services to employees and guests of the Criss Cole Rehabilitation Center or other residential facilities operated by the Commission for the Blind, the Commission for the Blind shall establish such reimbursement rates and rules as might be necessary to assure reimbursement at rates not less than the rates of reimbursement required by institutions, agencies or offices under the jurisdiction of the Board of Health, Board of Mental Health and Mental Retardation and the Texas Youth Commission.
14. EMPLOYEE WORK ASSIGNMENTS. Employees assigned to the Criss Cole Rehabilitation Center or to special project facilities operated by the agency may, to the extent required for the effective direct provision of services to clients, be excepted from usual state policies regarding working hours, working days and holidays. Insofar as possible, the work days and work hours of such employees shall be determined according to a system comparable to that used by other state-operated special schools, hospitals, institutions or other facilities providing residential services to eligible individuals. Houseparents, attendants or related staff at the Criss Cole Rehabilitation Center for the Blind may be allowed to receive room, board and laundry services, without charge, in return for performing other duties as assigned by the administrator of the Criss Cole Rehabilitation Center for the Blind.
15. CONSULTANT CONTRACT. None of the funds appropriated to the Commission for the Blind may be used to enter into a consultant contract with any individual who has been previously employed by the Commission for the Blind within the past twelve months.

COMMISSION FOR THE BLIND
(Continued)

16. AITC CERTIFICATION REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:

- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
- b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

17. MAXIMIZATION OF MEDICAID FUNDS. The State Commission for the Blind shall collaborate with the Department of Human Services to maximize the use of federal Medicaid funds in the provision of services to blind and visually impaired children. The agencies shall evaluate options, waivers and policy changes which would enable the state to serve additional children with existing general revenue appropriated to the Commission and shall submit a report to the Legislative Budget Office and the Governor's Office of Budget and Planning by September 1, 1990.

CANCER COUNCIL

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Administration and Support	300,585	300,585
2. Texas Cancer Plan Implementation	<u>3,775,651</u>	<u>3,775,651</u>
GRAND TOTAL, CANCER COUNCIL	<u>\$ 4,076,236</u>	<u>\$ 4,076,236</u>

Schedule of Exempt Positions

Executive Director	\$ 54,380	\$ 54,380
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CANCER COUNCIL
(Continued)

1. EXECUTIVE DIRECTOR SALARY. Out of the funds appropriated to the Texas Cancer Council, those amounts specified above may be expended for the salary of the Executive Director. This position may receive in addition to the above amounts a supplement from private sources.
2. UNEXPENDED BALANCES. Any unexpended balances in the appropriations for the fiscal year ending August 31, 1990, may be carried forward into fiscal year 1991 to item 2, Texas Cancer Plan Implementation, and such balances are hereby appropriated.
3. HIV INFORMATION. The Texas Cancer Council shall encourage recipients of grant awards to include, when appropriate and feasible, information about the transmission, prevention, and treatment of human immunodeficiency virus infection.

COMMISSION FOR THE DEAF

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Central Administration	113,644	113,644
2. Local Contract Administration	185,042	185,042
3. Local Contract Services:		
a. Interpreter Services	257,463	257,463
b. Information and Referral	7,500	7,500
c. Services to the Elderly Deaf	78,650	78,650
d. Message Relay	52,500	52,500
Total, Local Contract Services	\$ 396,113	\$ 396,113
4. Board of Evaluation for Interpreters	\$ 64,522	\$ 64,522
5. Special Services:		
a. Outdoor Training Program	38,000	38,000
b. TDD Placement and Maintenance	21,228	21,228
Total, Special Services	\$ 59,228	\$ 59,228
GRAND TOTAL, COMMISSION FOR THE DEAF	\$ 818,549	\$ 818,549
	=====	=====
Method of Financing:		
General Revenue Fund	\$ 731,414	\$ 731,414
Interagency Contracts	73,000	73,000

COMMISSION FOR THE DEAF
(Continued)

Other Funds	14,135	14,135
Total, Method of Financing	\$ 818,549	\$ 818,549
	=====	=====

Schedule of Exempt Positions

Executive Director	\$ 45,000	\$ 45,000
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SCHEDULE OF CLASSIFIED POSITIONS, COMMISSION FOR THE DEAF

GROUP 19

1565 Program Administrator III

GROUP 17

1563 Program Administrator I

GROUP 16

1163 Accountant III

GROUP 15

1504 Administrative Technician IV, 3

GROUP 11

1502 Administrative Technician II, 2

9732 Instrument and Office Machine Repairer II

GROUP 08

1003 Accounting Clerk III

1501 Administrative Technician I

GROUP 06

0128 Stenographer III

0133 Secretary II

1002 Accounting Clerk II

GROUP 05

0127 Stenographer II

0131 Secretary I

1. EXPANSION OF PROGRAM SERVICES. All funds received as reimbursement for services rendered by the Commission shall be used to expand the services of the program from which the fees were paid within the fiscal year in which the reimbursement is received.
2. MAINTENANCE OF TDD'S. Out of the funds appropriated above in line item 5.b. TDD Placement and Maintenance, \$10,000 in FY 1990 and \$10,000 in FY 1991 shall be used for contracting with State Purchasing and General Services for repair and maintenance of telecommunication devices for the deaf, (TDD), units.

COMMISSION FOR THE DEAF
(Continued)

3. EXPENDITURES FOR REGISTRY OF INTERPRETERS. None of the funds appropriated for Item 4. Board of Evaluation for Interpreters, may be expended for the development of a Registry of Interpreters which does not include interpreters certified by the National Registry of Interpreters for the Deaf.
4. AUDITING OF CONTRACTS. Within 90 days following the conclusion of a contract issued by the Texas Commission for the Deaf, or at the option of the contracting party, within 90 days following the conclusion of the contracting parties fiscal year, during which the contract is in force, the contracting party shall provide to the Executive Director a full accounting of state funds expended under the terms of the contract. This requirement shall be a part of any contract entered into by the Commission and contracting entities. Failure of a contracting party to provide full accounting of state funds expended under the terms of any contract under the conditions stated above shall be sufficient reason to terminate that contract and for the Commission to deny any future contracts to that contracting party.
5. COMMUNITY-BASED INTERPRETER SERVICES. Any fees collected by local community-based organizations for interpreter services are hereby appropriated and shall be used solely for the purpose of providing additional hours of interpreter services to eligible individuals who are deaf or hearing impaired.
6. AITC CERTIFICATION REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

COMMISSION FOR THE DEAF
(Continued)

7. SOLICITATION OF GRANTS, GIFTS, AND DONATIONS. The Texas Commission for the Deaf is authorized to develop plans and programs to solicit and may solicit gifts, grants, and donations from private and public sources to be expended for the purposes specified by the donor provided that such programs are consistent with Chapter 81 of the Human Resources Code and such gifts, grants, and donations are hereby appropriated to the commission. Any balance of gifts, grants, or donation amounts unexpended for fiscal year 1990 shall be available for expenditure in fiscal year 1991.

DEPARTMENT OF HEALTH

	For the Years Ending	
	August 31, 1990	August 31, 1991
<u>Administrative Services</u>		
1. Departmental Administration	14,057,503	13,971,626
<u>Utilities</u>		
2. Utilities, State-owned buildings--Austin (non-transferable)	1,385,323	1,385,323
<u>Community and Rural Health</u>		
3. Community and Rural Health Program Support	811,397	811,397
4. Public Health Regions	6,989,264	6,989,264
5. Community Health Services	7,432,358	7,432,358
6. Emergency Management Services	3,256,979	3,256,979
7. Laboratories	6,588,720	6,654,970
8. Public Health Promotion	1,246,728	1,246,728
<u>Personal Health Services</u>		
9. Personal Health Services Program Support	330,489	330,489
10. Personal Health Services:		
a. Maternal and Child Health	39,649,131	39,649,131
b. Women, Infants and Children Supplemental Feeding Program	145,527,197	145,527,197
c. Chronically Ill and Disabled Children's Services	35,644,959	36,266,595
d. Epilepsy Services	500,000	500,000
e. Kidney Health Care	11,321,450	12,325,559
f. Chronic Disease Screening	1,981,164	1,981,164
g. Primary Care	8,390,833	9,090,833
h. Children's Outreach Heart Program	247,000	247,000

DEPARTMENT OF HEALTH
(Continued)

i. Texas Diabetes Council	612,493	743,223
Total, Personal Health Services	\$ 243,874,227	\$ 246,330,702
11. Dental Health Services	\$ 2,374,967	\$ 2,374,967
<u>Preventable Diseases</u>		
12. Preventable Diseases Program Support	435,299	435,299
13. Communicable Disease Control	47,723,927	52,742,093
14. Epidemiology:		
a. Cancer Registry	815,263	820,763
b. Other Epidemiology Services	733,964	733,964
Total, Epidemiology	\$ 1,549,227	\$ 1,554,727
<u>Special Health Services</u>		
15. Special Health Services Program Support	\$ 238,093	\$ 238,093
16. Licensing and Certification:		
a. Long Term Care	13,471,325	13,861,253
b. Other Licensing and Certification	4,105,741	4,105,741
Total, Licensing and Certification	\$ 17,577,066	\$ 17,966,994
17. Vital Statistics	\$ 2,595,995	\$ 2,595,995
<u>Environmental and Consumer Health Protection</u>		
18. Environmental and Consumer Health Program Support	477,599	477,599
19. Consumer Health Protection	3,769,022	3,791,205
20. Environmental Health	19,464,936	19,368,881
21. Mass Burn Incinerator Grants	2,500,000	& U.B.
22. Less:		
Contracts with other State Agencies	-9,405,455	-9,461,389
GRAND TOTAL, DEPARTMENT OF HEALTH	\$ 375,273,664 =====	\$ 380,494,300 =====

Method of Financing:

All revenues, fees, grants-in-aid and other receipts received for credit by the Department of Health during the biennium beginning September 1, 1989, together with the balance of such funds on hand

DEPARTMENT OF HEALTH
(Continued)

at August 31, 1989, are hereby appropriated for the purposes itemized above from the following sources:

Out of the General Revenue Fund:

General Revenue Funds	\$ 138,674,594	\$ 143,191,111
Transfer to the Indigent Health Care Assistance Fund No. 554	<u>24,068,814</u>	<u>24,768,814</u>
Subtotal, General Revenue	<u>\$ 162,743,408</u>	<u>\$ 167,959,925</u>

Out of Other General Revenue Fees:

Migrant Labor Camp Inspection Fees, estimated	\$ 10,922	\$ 10,922
Massage Therapists and Establishments, estimated	175,683	175,683
Home Health Services License Fees, estimated	531,405	531,405
Respiratory Care Practitioners Fee, estimated	259,703	259,703
Inhalant Abuse Fee, estimated	34,332	34,332
Food Service Workers Fee, estimated	107,170	107,170
Asbestos Removal License Fee, estimated	79,303	79,303
Workplace Chemical List Fee, estimated	41,115	41,115
Solid Waste Disposal Permit Fee, estimated	18,540	18,540
Medical Radiologic Technician Certification Fee, estimated	133,216	133,216
Onsite Wastewater Research Fee, estimated	175,000	175,000
Subtotal, General Revenue Fees Funds	<u>\$ 1,566,389</u>	<u>\$ 1,566,389</u>

Out of Vital Statistics Fund No. 19, estimated	\$ 2,081,184	\$ 2,081,184
Out of Sanitarian Registration Fund No. 33, estimated	10,333	10,333
Out of Hospital Licensing Fund No. 129, estimated	291,374	291,374
Out of Professional Counselors Licensure Fund No. 139, estimated	147,851	147,851
Out of Dieticians Registration Fund No. 498, estimated	80,165	80,165
Out of Speech Pathologists and Audiologists Registration Fund No. 515, estimated	149,909	149,909
Out of Public Health Services Fee Fund No. 524, estimated	1,549,166	1,549,166

DEPARTMENT OF HEALTH
(Continued)

Out of Food, Drug, Devices and Cosmetic Salvage Fee Fund No. 517, estimated	14,626	14,626
Out of Emergency Medical Services Fee Fund No. 512, estimated	259,674	259,674
Out of Ambulatory Surgical Centers Fee Fund No. 546, estimated to be	100,281	100,281
Out of Birthing Centers Fee Fund No. 547, estimated to be	13,176	13,176
Out of Abortion Clinic Fee Fund No. 548, estimated to be	36,615	36,615
Federal Funds, estimated	198,455,825	198,459,944
Earned Federal Funds, estimated	5,958,116	5,958,116
State Legalization Impact Assistance Grants, estimated	<u>1,815,572</u>	<u>1,815,572</u>
Total, Method of Financing	\$ 375,273,664	\$ 380,494,300

BOND DEBT SERVICE	\$ 1,596,881	\$ 1,760,287
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Schedule of Exempt Positions

Commissioner of Health		\$ 80,000		\$ 80,000
Deputy Commissioner for Professional Services		68,000		68,000
Deputy Commissioner for Management and Administration		68,000		68,000
Executive Assistant To Bureau Chief, Long Term Care		45,800		45,800
Administrator, Laredo-Webb County Health Department		57,885		57,885
Associate Commissioner, NTE 4	4	64,300	4	64,300
Bureau Chief, NTE 21	21	57,885	21	57,885
Division Director, NTE 29	29	55,470	29	55,470
General Counsel		55,000		55,000
Special Assistant to the Commissioner		50,000		50,000
Assistant Regional Director for Administration, NTE 8	8	49,000	8	49,000
Director Special Projects		46,752		46,752
Regional Director of Public Health, NTE 8	8	61,771	8	61,771
Regional Engineer, NTE 8	8	48,000	8	48,000
Regional Veterinarian, NTE 8	8	48,000	8	48,000
Local Health Unit Directors, NTE 5	5	60,282	5	60,282
Other Local Health Unit Directors	UL	57,885	UL	57,885
Public Health Physician III	UL	64,000	UL	64,000
Public Health Physician II	UL	61,000	UL	61,000
Public Health Physician I	UL	58,000	UL	58,000
Public Health Dentist III	UL	49,470	UL	49,470

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DEPARTMENT OF HEALTH
(Continued)

Public Health Dentist II	UL	45,900	UL	45,900
Public Health Dentist I	UL	41,392	UL	41,392
Physician in Residency, NTE 3	3	34,880	3	34,880
General Physician II		61,000		61,000

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Department of Health. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Construction, Repair and Renovation		
a. Replace Elevators	\$ 135,000	\$ -0-
b. Asbestos Removal	<u>200,000</u>	<u>120,000</u>
Total, Construction, Repair and Renovation	<u>\$ 335,000</u>	<u>\$ 120,000</u>
2. Acquisition of Computer Equipment and Software	<u>\$ 397,806</u>	<u>393,545</u>
Total, Capital Outlay	<u><u>\$ 732,806</u></u>	<u><u>\$ 513,545</u></u>

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. AUTHORIZATION TO RECEIVE, ADMINISTER, AND DISBURSE FEDERAL FUNDS. The appropriations made herein may be used to match federal funds granted to the state for the payment of personal services and other necessary expenses in connection with the administration and operation of a state program of public health services. Notwithstanding the provisions of Article V, Sections 20 and 21 of this Act, the Texas Board of Health is hereby authorized to receive and disburse in accordance with plans acceptable to the responsible federal agency, all federal moneys that are made available (including grants, earnings, allotments, refunds and reimbursements) to the state for such purposes, and to receive, administer, and disburse federal funds for federal regional programs in accordance with plans agreed upon by the Department of Health and the responsible federal agency, and such other activities as come under the authority of the Texas Board of Health, and such moneys are hereby appropriated to the specific purpose or purposes for which they are granted or otherwise made available. Such federal funds shall offset the General Revenue Fund appropriation to the maximum extent allowable under state and federal statutes and regulations. Such General Revenue Fund savings shall not be available for expenditure by the Department of Health.

DEPARTMENT OF HEALTH
(Continued)

3. SPECIAL ACCOUNT APPROPRIATIONS. Any revenue collected and deposited in a special account in the State Treasury in accordance with Senate Bill No. 150, Sixty-first Legislature, is hereby appropriated for salary, travel, other operating expense, capital outlay and refund during the biennium beginning with the effective date of this Act.
4. TRANSFER AUTHORITY. In addition to other transfer provisions contained in this Act, an amount not to exceed fifteen (15) percent in fiscal year 1990 and ten (10) percent in fiscal year 1991 of any item of appropriation made to the Texas Department of Health may be transferred to another item of appropriation of the department upon approval by the Texas Board of Health, following a written request by the commissioner, whenever such board deems that such transfers are necessary to make the most effective and economical use of such funds. Such transfers are for the purpose of providing direct public health services. Direct public health services are defined as medical services to individuals; epidemiological investigations; identifications, control or elimination of environmental health hazards; and regulatory activities authorized in the above appropriations. Certified copies of the board's authorization of such transfers along with a detailed explanation of the relationship of the amount of the transfer and the change in the number of clients to be served, shall be filed with the State Comptroller, Governor's Budget and Planning Office, and the Legislative Budget Office.
5. TRANSFER AUTHORITY - STATE CHEST HOSPITALS. The Texas Board of Health is hereby authorized to transfer appropriated funds between chest hospitals under its jurisdiction and the Communicable Disease Control Program of the Department of Health. Such transfers shall be made only for the purchase of drugs and equipment to be used for the direct purpose of prevention, management and control of chest diseases and training as authorized in Senate Bill No. 130 of the Fifty-ninth Legislature, Regular Session, House Bill No. 799 and House Bill No. 211 of the Sixty-second Legislature.
6. TRANSFER AUTHORITY - VACCINES, DRUGS, UTILITIES AND POSTAGE. The Board of Health is authorized to transfer funds to and from the various programs for the purchase of vaccine, drugs, utilities and postage; for Chronically Ill and Disabled Children's Services; for Kidney Health Care; for the Laboratory Program and the Automated Data Services Activity for computer activities required by changes in program emphasis. Federal funds may be transferred from one appropriation item to another in accordance with department policy and federal guidelines.
7. APPROPRIATION OF RADIATION AND PERPETUAL CARE FUND REVENUES. Any revenue collected and deposited in the Radiation and Perpetual Care Fund No. 476 is hereby appropriated during the biennium beginning September 1, 1989.
8. APPROPRIATION OF REVENUES FOR THE TEXAS COUNCIL ON ALZHEIMER'S DISEASE. Pursuant to House Bill 1066, Seventieth Legislature, any revenue collected for the Texas Council on Alzheimer's Disease and Related Disorders is hereby appropriated for carrying out the provisions of the Act.

DEPARTMENT OF HEALTH
(Continued)

9. APPROPRIATIONS FOR TEXAS DIABETES COUNCIL. Any funds collected by the Department of Health for the Texas Diabetes Council, pursuant to Article 4477-60, V.T.C.S. as amended by Senate Bill 244, Seventieth Legislature, Regular Session, are hereby appropriated for carrying out the provisions of the Act.
10. APPROPRIATION OF FUNDS - SOLID WASTE DISPOSAL PROGRAM. Any funds collected by the Department and deposited in the General Revenue Fund under the authority of Section 4(e) (5) of the Solid Waste Disposal Act (Article 4477-7, Vernon's Texas Civil Statutes) are hereby appropriated to the Department to be used for the purposes authorized therein during the biennium September 1, 1989.
11. REAPPROPRIATION OF UNEXPENDED BALANCES - FALLS CITY MILL TAILING SITE. Any unexpended balances appropriated for the biennium ending August 31, 1989 in for the purpose of cleaning up the mill tailing site at Falls City are hereby reappropriated for the same purposes for the biennium beginning September 1, 1989.
12. UNEXPENDED BALANCES - COMMUNICABLE DISEASES. In addition to other provisions of this Act which relate to the reappropriation of unexpended balances, and subject to the approval of the Board of Health, all unexpended balances not otherwise restricted from appropriations to Item 13. Communicable Disease Control at the close of the fiscal year ending August 31, 1990, are reappropriated for the fiscal year beginning September 1, 1990.
13. DEPARTMENT OF HEALTH OPERATING FUND. The State Comptroller is authorized to establish a special fund in the State Treasury to be known as the Department of Health Operating Fund. At the request of the Texas Department of Health, the State Comptroller is authorized to make transfers from any appropriation made to the Texas Department of Health to a single account in the Operating Fund for the purpose of making expenditures. After expenditures have been made from the Operating Fund and as soon as proper line item appropriations have been identified, the Texas Department of Health will process adjustments to the Comptroller in summary amounts to facilitate accurate cost allocations.
14. STATEMENT OF PROFESSIONAL FEES. A report shall be filed, in compliance with Article V of this General Appropriation Bill, by the Texas Department of Health giving an itemized statement of all professional fees paid out of appropriations made in this Act. It is the intent of the Legislature that such list shall not include professional fees paid for routine or special examinations for the purpose of determining eligibility of individuals for any of the programs administered by the department, professional fees for treatment, services or care for individual recipients, or for providing special needs or appliances such as fees to pharmacists for filling prescriptions for individual recipients, but shall include fees for professional services or consultative services rendered for the general administration of the department.

DEPARTMENT OF HEALTH
(Continued)

15. RATE OF PER DIEM. The rate of per diem for members of the Board of Health for the 1990-1991 biennium shall be \$30.

16. VITAL STATISTICS FEE RATES. To provide for the recovery of costs for line item 17., Vital Statistics, the following fee rates are established pursuant to Article 5429n, Vernon's Texas Civil Statutes, to be effective during the fiscal biennium covered by this Act:

(1) Each Certified Copy of Birth Record	\$ 8.00
(2) Each Certified Copy of Death Record	\$ 8.00
(3) Each Search	\$ 8.00
(4) Amendments to Complete Birth or Death Record	\$15.00
(5) Amendments Based on Court Order for Change of Name	\$15.00
(6) New Birth Record Based Upon Adoption, Legitimation, or Paternity Determination	\$25.00
(7) Filing Delayed Record of Birth	\$25.00
(8) Remove Indication of Illegitimacy from Birth Record	\$25.00

17. RESTRICTION OF FUNDING FOR RULE AND REGULATION IMPLEMENTATION. None of the funds appropriated in this Act may be used as a source of funding for written verification that funds are available to adequately reimburse hospital or long-term service providers for implementation of rules or regulations promulgated by either the Department of Health or Department of Human Services which increase the cost of providing such services, unless the rule or regulation is required by federal statute, rule or regulation.

18. CHRONICALLY ILL AND DISABLED CHILDREN'S SERVICES ADMINISTRATIVE COSTS. It is the intent of the Legislature that the Department of Health shall not expend any monies appropriated above the fiscal 1989 budgeted level for line item 10.c., Chronically Ill and Disabled Children's Services for any administrative or related costs but shall use those additional monies for direct client services provided this provision is not in conflict with any federal law or regulation.

19. AITC REVIEW REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:

- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
- b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

DEPARTMENT OF HEALTH
(Continued)

- The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.
20. LICENSING OF URANIUM RECOVERY FACILITIES. Funds appropriated above in line item 20, Environmental Health, shall be applied to ensure that the Department continues the licensing and inspection program for uranium recovery facilities under Article 4590f so as to maintain compliance with the Articles of Agreement between the United States Atomic Energy Commission and the State of Texas, as amended March 24, 1982.
 21. CHRONICALLY ILL AND DISABLED CHILDREN'S SERVICES, GIFTS, DONATIONS AND REFUNDS. Subject to the limitations appearing in this Act, all gifts, donations and refunds for chronically ill and disabled children work received under the provisions of Article 4419c, Vernon's Annotated Civil Statutes, and any amendments thereto, and any unexpended balances are hereby appropriated for the biennium covered by this Act to the Chronically Ill and Disabled Children's Services Program for its use under the provisions of this Act. It is the intent of the Legislature that the Board of Health maximize the effective utilization of existing hospital, clinic, and other outpatient facilities and other professional services in the local communities as close to the home of patients as practicable.
 22. CLASSIFIED EMPLOYMENT. Funds appropriated above may be expended to employ classified personnel in only those classified position titles listed in Article V of this Act or in such other positions established and approved by the State Classification Officer for use by the department. It is further provided that amendments to class specifications for classified positions used by the department may be made when necessary to comply with federal standards for a merit system of personnel administration. Such amendments shall not change the pay group designated for the class specifications so amended. Salary adjustments within designated salary ranges for departmental employees shall be governed by agreements with the federal government pursuant to federal standards for a merit system of personnel administration.
 23. IMMUNIZATION OF EMPLOYEES. Moneys appropriated above may be expended for any immunization which is required of employees at risk in the performance of their duties.
 24. COORDINATED REGIONAL HEALTH PROGRAMS. Any of the appropriations made hereinabove may be expended in a coordinated regional program. Any available space in the chest hospitals under the jurisdiction of the Texas Department of Health may be used in a coordinated public health regional program.
 25. STATE LEGALIZATION IMPACT ASSISTANCE GRANTS. The appropriations above include \$1,815,572 annually from State Legalization Impact Assistance Grants (SLIAG). These amounts may be expended in addition to the expenditures authorized by Section 100-1, Article V of this Act.

DEPARTMENT OF HEALTH
(Continued)

26. ALLOCATION FOR ACQUIRED IMMUNE DEFICIENCY (AIDS) AND HUMAN IMMUNODEFICIENCY VIRUS (HIV). Of the appropriations made in Item 13., Communicable Disease, \$7,911,236 in fiscal year 1990 and \$10,503,236 in fiscal year 1991 are appropriated for programs relating to human immunodeficiency virus (HIV) infection. No more than 5% of the funds appropriated shall be expended for administrative costs of operating the programs.

In determining the distribution of funds, the Department shall complement available federal funding, address the most pressing HIV education and service delivery needs, and initiate programs as needed.

The Department is hereby authorized to carry any fiscal year 1990 unexpended balances for activities relating to HIV into fiscal year 1991, and such balances are hereby appropriated.

27. APPROPRIATION OF ON-SITE WASTEWATER PERMIT FEES. All funds collected pursuant to House Bill 1875, Seventieth Legislature, Regular Session, relating to permits for and inspections of on-site wastewater disposal systems, are hereby appropriated to the Department of Health for carrying out the provisions of that Act.
28. APPROPRIATION OF ENVIRONMENTAL HEALTH FUNDS. From the amount appropriated in Item 20, Environmental Health, at least \$3,833,589 shall be allocated to radiation control functions for each year of the biennium. The department shall recover from fees, for deposit in the General Revenue Fund, the cost for the radiation regulation control functions under Item 20, and shall establish fees based on the expenses estimated by the department to be incurred annually:
- 1) in processing applications for a license or registration;
 - 2) for amendments to or renewals of licenses or registrations;
 - 3) for making inspections of licenses and registrants; and
 - 4) for collecting and accounting for fees imposed under this rider
29. TEXAS RADIATION ADVISORY BOARD. Of the funds appropriated in Line Item 20., Environmental Health, and contingent upon the enactment of legislation related to the Texas Radiation Advisory Board, \$80,000 per year shall be allocated to the operations of the Texas Radiation Advisory Board for the purpose of reviewing and evaluating policies and programs of the State related to radiation, making recommendations and furnishing technical advice on the development, regulation, and utilization of sources of radiation. It shall also make recommendations on the appropriations of the Bureau of Radiation Control. Not less than sixty days prior to the beginning of the Regular Session of the Seventy-second Legislature, the board shall submit to the Board of Health, the Governor, and the appropriate committees of the Legislature, a biennial report that shall serve as a basis for periodic oversight hearings on the operations of the Bureau of Radiation Control and the status of radiation policies and programs of the State.

DEPARTMENT OF HEALTH
(Continued)

30. EMERGENCY MANAGEMENT SERVICES. Contingent upon the enactment of House Bill 2161 or House Bill 1164, an additional \$300,000 is appropriated to Line-Item 6., Emergency Management Services, for each year of the biennium for the use of rape crisis centers provided none of the additional proceeds may be used to employ additional staff.
31. MASS BURN INCINERATOR GRANTS. Funds appropriated above in Item 21., Mass Burn Incinerator Grants, are allocated for matching grants to purchase Mass Burn Incinerator Units during the 1990-1991 biennium. The units are to be purchased in accordance with the policies stated in Article 4477-7c., Comprehensive Municipal Solid Waste Management, Resource Recovery, and Conservation Act. Grants to any political subdivision may not exceed \$300,000 and require not less than a 50 percent match of funding from non-state sources. All purchases funded herein are to be approved by the county commissioners court of the affected county.
- The Board of Health shall adopt rules or guidelines consistent with the intent of this provision to implement the program.
32. TUBERCULOSIS SERVICES. It is the intent of the Legislature that the Department of Health concentrate the provision of Tuberculosis Services in geographical areas with a high prevalence of the disease.
33. NURSES SALARIES. In order to acquire and retain the employment of registered nurses, institutions and Public Health Regions of the Department of Health, upon written authorization of the Commissioner or his/her designee, may hire or pay registered nurses at any step within the appropriate pay group established in Article V of this Act. This is to be used only in those localities where it is necessary to meet prevailing salaries encountered by the agencies in their recruitment and retention of registered nurses.
34. ADJUSTMENT OF AMOUNTS OF REQUIRED FINANCIAL SECURITY. Contingent upon the enactment of authorizing legislation, the department shall evaluate and adjust the amounts of financial security required of license holders under Section 8, Article 4509f, V.T.C.S., in light of federal standards for groundwater protection adopted under the federal Atomic Energy Act of 1954 as amended, 42 U.S.C. Sec. 2011 et seq.
35. ELIGIBLE CONDITIONS FOR THE CHRONICALLY ILL AND DISABLED CHILDREN'S SERVICES PROGRAM. The Texas Board of Health shall designate phenylketonuria, human immunodeficiency virus infection acquired neonatally or through a blood transfusion, and bone marrow treatment programs as coverable under Chronically Ill and Disabled Children's Services. In addition, the Chronically Ill and Disabled Children's Services Program is directed to fully implement a case management program during the 1990-91 biennium.
36. CHRONICALLY ILL AND DISABLED CHILDREN'S SERVICES CHALLENGE GRANT. The Texas Department of Health shall designate a minimum of \$50,000 each year of the biennium out of the funds appropriated in Item 10.c., Chronically Ill and Disabled Children's Services, for a challenge grant to establish a community-based support network for families with chronically ill or disabled children. In awarding the challenge grant, the department shall require a local contribution at least equal to the amount of state funds awarded.

DEPARTMENT OF HEALTH
(Continued)

37. TEXAS COUNCIL ON ALZHEIMER'S AND RELATED DISORDERS. Of the funds appropriated to the Texas Department of Health in Line Item 1., Departmental Administration, \$72,525 each year of the 1990-91 biennium shall be used to fund the Texas Council on Alzheimer's and Related Disorders.
38. MAXIMIZATION OF FEDERAL MEDICAID FUNDS. The Texas Department of Health shall collaborate with the Texas Department of Human Services to maximize the use of federal Medicaid funds used for public health programs, to reduce administrative costs and duplication of effort, and to simplify access to services for clients of both agencies. The departments shall jointly prepare periodic status reports as requested by the Legislative Budget Office on the status of these activities.
39. GRANTS FOR COMMUNITY HEALTH CARE PROGRAMS. Of the funds appropriated to the Texas Department of Health in Line Item 5, Community Health Services, the department may authorize grants to fund community health care programs required to offset reductions in the National Health Service Corps personnel and related support staff.
40. SEXUAL ASSAULT CENTERS. Of the funds appropriated to the Texas Department of Health in Line Item 6., Emergency Management Services, at least \$387,891 in 1990 and \$387,891 shall be used for grants to sexual assault centers.
41. STUDY OF REGION FUND DISTRIBUTION. The Department of Health shall conduct a study of the method of distributing funds among the health regions of the State. The study should consider the development of a formula for future distribution of funds which considers such need factors as client base and economic and geographic factors throughout the State and within the regions of the State. The report shall contain an impact analysis of any recommended changes in the current funding formula. The report shall be completed and filed with the Legislative Budget Office to accompany the first submission of the Agency's Legislative Appropriation Request for the next biennium.
42. FARMERS MARKET COUPON DEMONSTRATION PROGRAM. From the funds appropriated to the Texas Department of Health in Line Item 10.b., Women, Infants and Children Supplemental Feeding Program, \$126,000 in fiscal year 1990 and \$157,000 in fiscal year 1991 shall be used to administer the Farmers Market Coupon Demonstration Program.
43. URANIUM MINING HEALTH RISK STUDY. Out of the funds appropriated above for fiscal year 1990, an amount not to exceed \$200,000 is to be used to contract with the University of Texas Medical Branch at Galveston for a comprehensive study of the health risks of radiation exposure to the general public from uranium mining and from activities related to disposal of radioactive waste. In addition, the Department of Health and The University of Texas Medical Branch at Galveston are directed to avoid duplication with a similar study conducted by the Texas Department of Agriculture.

DEPARTMENT OF HEALTH
(Continued)

44. CONTINGENCY FOR HOUSE BILL NO. 1821. Contingent upon the passage of House Bill No. 1821, Seventy-first Legislature, Regular Session, the Department of Health is hereby appropriated \$61,500 each year of the biennium from 50 percent of the fees collected by the Parks and Wildlife Department as authorized by the act. These funds shall be used for the purpose of providing two additional shellfish sanitation officers, in addition to those appropriated above, and the balance of funds transferred to the Department of Health are to be used in accordance with the provisions of the act, for purposes authorized by the act.
45. CONTINGENCY FOR HOUSE BILL NO. 18. Contingent upon enactment of House Bill No. 18, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$339,097 for fiscal year 1990 and \$329,466 for fiscal year 1991, from the General Revenue Fund is hereby appropriated for the purpose of implementing the provisions of the Act and such amounts shall be transferred to the appropriate program item.
46. CONTINGENCY FOR HOUSE BILL NO. 291. Contingent upon enactment of House Bill No. 291, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, any revenue collected related to the programs of the Act for the fiscal biennium beginning September 1, 1989 is hereby appropriated for the purpose of implementing the provisions of the Act.

SAN ANTONIO STATE CHEST HOSPITAL

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration Program	813,695	808,695
2. General Support Services	1,518,341	1,478,841
3. Utilities (non-transferable)	567,747	567,747
4. Inpatient Treatment and Care	6,684,671	6,565,971
5. Outpatient Treatment and Care	745,691	745,691
6. Research and Education	336,143	328,335
GRAND TOTAL, SAN ANTONIO STATE CHEST HOSPITAL	\$ 10,666,288	\$ 10,495,280

Method of Financing:

General Revenue Fund	\$ 9,231,874	\$ 9,068,674
Medical Services Trust Fund		
(General Revenue Fund), estimated	505,165	505,165
Reappropriated Receipts, estimated	676,621	676,621
Interagency Contracts, estimated	21,340	21,340
Federal Funds, estimated	208,788	200,980

SAN ANTONIO STATE CHEST HOSPITAL
(Continued)

Earned Federal Funds	<u>22,500</u>	<u>22,500</u>
Total, Method of Financing	\$ 10,666,288 =====	\$ 10,495,280 =====

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the San Antonio State Chest Hospital. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Construction, Repair and Renovation		
a. Replace Air Handlers, Building 502	\$ 83,278	\$ -0-
b. Emergency Power System	48,000	-0-
c. Fire Alarm System	50,000	-0-
d. Roof/Repair Wiring Building 533	52,000	-0-
e. Air Conditioning, Building 502	<u>45,000</u>	<u>-0-</u>
Total, Capital Outlay	\$ 278,278 =====	\$ -0- =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

SOUTH TEXAS HOSPITAL

	For the Years Ending August 31, 1990	August 31, 1991
1. Administration Program	\$ 596,771	\$ 590,899
2. General Support Services	1,362,684	1,328,595
3. Utilities (non-transferable)	349,958	349,958 & U.B.
4. Patient Care Services:		
a. Expanded Surgery Capacity	169,714	& U.B.
b. Other Patient Care Services	<u>4,420,578</u>	<u>4,210,738</u>
Total, Patient Care Services	\$ <u>4,590,292</u>	\$ <u>4,210,738</u>
GRAND TOTAL, SOUTH TEXAS HOSPITAL	\$ 6,899,705 =====	\$ 6,480,190 =====

SOUTH TEXAS HOSPITAL
(Continued)

Method of Financing:

General Revenue Fund	\$	6,259,423	\$	5,839,908
Medical Services Trust Fund				
(General Revenue Fund), estimated		263,872		263,872
Reappropriated Receipts, estimated		181,913		181,913
Contracts with Other State				
Agencies, estimated		<u>194,497</u>		<u>194,497</u>
Total, Method of Financing	\$	<u>6,899,705</u>	\$	<u>6,480,190</u>

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the South Texas Hospital. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Construction, Repair and Renovation				
a. Upgrade Air Conditioning System	\$	<u>11,000</u>	\$	<u>-0-</u>
Total, Capital Outlay	\$	<u>11,000</u>	\$	<u>-0-</u>

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

CHEST HOSPITALS OF THE DEPARTMENT OF HEALTH

Schedule of Exempt Positions

Superintendent (plus house, utilities & supplement)	2	\$	62,300	2	\$	62,300
Clinical Director (plus house and utilities)	2		61,775	2		61,775
Nurse Anesthetist	2		42,500	2		42,500

SOUTH TEXAS HOSPITAL
(Continued)

1. SALARY OF SUPERINTENDENTS. In addition to the salary detailed above in the Schedule of Exempt Positions, the Superintendents of the State Chest Hospitals are authorized a house, utilities and supplement from the Medical Services Trust Fund.
2. APPROPRIATION OF UNEXPENDED BALANCES. All balances on hand on August 31, 1989 and any receipts during the biennium from the Medical Services Trust Fund are hereby appropriated for purposes as stated in Article 3201a-3, Sec. 6A, V.A.C.S.
3. APPROPRIATION OF EARNED FEDERAL FUNDS. Earned federal funds received as a result of the award of AIDS research grants are appropriated to the San Antonio Chest Hospital for support of the program.
4. TRANSFER AUTHORITY. Transfers may be made between items of appropriations for particular chest hospitals upon the advance written approval by the Board of Health whenever such board deems that such transfers are necessary to meet unanticipated institutional population gains or losses, and for unanticipated physical plant operating cost requirements.
5. TRANSFER AUTHORITY - UTILITIES. In order to provide for unanticipated cost increases in purchased utilities for the chest hospitals during fiscal 1990, the Board of Health may transfer amounts necessary to cover such increases from appropriations made in fiscal 1991 for utilities to amounts appropriated in fiscal 1990 for utilities. Prior to transferring fiscal 1991 funds into the 1990 fiscal year, notification shall be given to the Comptroller of the amounts to be transferred and quarterly reports shall be filed with the Legislative Budget Board detailing the necessity for such transfers.
6. PROFESSIONAL LIABILITY INSURANCE PREMIUMS. The professional liability insurance premiums may be paid for physicians employed by the San Antonio State Chest Hospital and the South Texas Hospital out of the appropriations from the Medical Services Trust Fund.
7. INTERAGENCY AGREEMENTS. It is the intent of the legislature that South Texas Hospital and the Department of Health develop interagency agreements with the Texas Department of Mental Health and Mental Retardation so that medical and surgical services, auxiliary services, pharmacy and laboratory services, and other support services of Texas Department of Mental Health and Mental Retardation facilities are provided to the extent possible by the two hospital facilities.
8. PROVISION OF SERVICES TO CERTAIN STATE INSTITUTIONS. The San Antonio State Chest Hospital may provide services to the San Antonio State Hospital and the San Antonio State School from the following program appropriations without reimbursement: Inpatient Treatment and Care, and Utilities.

SOUTH TEXAS HOSPITAL
(Continued)

9. TRAVEL EXPENSES OF PATIENTS. Out of the items of appropriations made to State Chest Hospitals by this Article, there may be paid the necessary travel expenses for returning to such hospitals voluntary patients who left against medical advice while in an infectious state of disease, subject to such rules and regulations as the Texas Board of Health may approve.

INTERAGENCY COUNCIL ON EARLY CHILDHOOD INTERVENTION

	For the Years Ending August 31, 1990	August 31, 1991
1. Administration and Support	1,378,405	1,588,405
2. Intervention Services	17,887,405	20,677,405
 GRAND TOTAL, INTERAGENCY COUNCIL ON EARLY CHILDHOOD INTERVENTION	 \$ 19,265,810 =====	 \$ 22,265,810 =====

Method of Financing:

General Revenue Fund	\$ 14,177,972	\$ 17,177,972
Federal Funds, estimated	5,087,838	5,087,838
 Total, Method of Financing	 \$ 19,265,810 =====	 \$ 22,265,810 =====

1. CONTRACTORS FEE SCHEDULE. In order to expand available services, it is the intent of the Legislature that all contractors under item 2., Intervention Services, establish a sliding fee schedule and implement a fee collection system for services provided under this item; however, no one shall be denied services if they are unable to pay. The Interagency Council shall require contractors to submit a fee schedule and projected fee revenue as part of the contacting application process. The provisions of this rider do not apply if found to be inconsistent with federal regulations.
2. AUTHORITY OF FINAL JURISDICTION. The Interagency Council on Early Childhood Intervention shall have the final authority for the obligation and expenditure of the funds herein appropriated and shall be held responsible for compliance with all laws and regulations applicable to the disposition of said funds. The state auditor shall conduct a separate examination of the activities of the Interagency Council on Early Childhood Intervention for purposes of determining compliance with applicable statutes and regulations.

INTERAGENCY COUNCIL ON EARLY CHILDHOOD INTERVENTION
(Continued)

3. COMPLIANCE WITH FEDERAL LAW. The Interagency Council on Early Childhood Intervention shall establish standards governing the amount, duration and scope of services provided under this program. Such standards shall insure compliance with the requirements of PL 99-457 and rules promulgated thereunder as a condition for obtaining federal funds for the support of the program.

HEALTH AND HUMAN SERVICES COORDINATING COUNCIL

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Coordination and Planning Program:		
a. State Legalization Impact Assistance Grant Administration	\$ 197,500	\$ 195,000
b. Other Coordination and Planning	<u>287,335</u>	<u>287,165</u>
Total, Coordination and Planning Program	\$ <u>484,835</u>	\$ <u>482,165</u>
2. Computer Node and Client Registry	\$ <u>574,782</u>	\$ <u>700,474</u> & U.B.
GRAND TOTAL, HEALTH AND HUMAN SERVICES COORDINATING COUNCIL	\$ <u>1,059,617</u> =====	\$ <u>1,182,639</u> =====
Method of Financing:		
Federal Funds, estimated	\$ 197,500	\$ 195,000
Interagency Contracts, estimated	<u>862,117</u>	<u>987,639</u>
Total, Method of Financing	\$ <u>1,059,617</u> =====	\$ <u>1,182,639</u> =====

Schedule of Exempt Positions

Executive Director	\$ 50,388	\$ 50,388
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1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Health and Human Services Coordinating Council. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Construction, Repair and Renovation (Computer Node and Client Registry)	\$ -0-	\$ 92,000
2. Acquisition of Computer Equipment and Software	<u>5,000</u>	<u>\$ 2,206,150</u>

HEALTH AND HUMAN SERVICES COORDINATING COUNCIL
(Continued)

Total, Capital Outlay	\$ 5,000	\$ 2,298,150
	<u>=====</u>	<u>=====</u>

Method of Financing:

Federal Funds	\$ 2,500	\$ 5,000
Interagency Contracts	<u>2,500</u>	<u>2,293,150</u>
 Total, Method of Financing	 \$ 5,000	 \$ 2,298,150
	<u>=====</u>	<u>=====</u>

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. INTERAGENCY CONTRACTS. Funds appropriated from contracts with other state agencies are to be provided by the following agencies in the amounts indicated:

Department on Aging	\$ 3,000	\$ 3,000
Commission on Alcohol and Drug Abuse	25,000	25,000
Commission for the Blind	3,000	3,000
Commission for the Deaf	3,000	3,000
Texas Education Agency	50,000	50,000
Department of Health	50,000	50,000
Department of Human Services	50,000	50,000
Juvenile Probation Commission	3,000	3,000
Department of Mental Health and Mental Retardation	50,000	50,000
Texas Rehabilitation Commission	49,835	50,165
Youth Commission	<u>3,000</u>	<u>3,000</u>
 Total	 \$ 289,835	 \$ 292,165

Any other agencies providing health and/or human services may also contract with the Council to provide coordination and planning services. It is the intent of the Legislature that the interagency contract amounts listed above be a source of advance funding for the services to be provided by the Council. To assist with the cash flow needs of the Council, the Comptroller shall transfer funds as necessary from the agencies to the Council. The Comptroller is authorized to prescribe procedures necessary to implement this provision.

3. STATEWIDE NEEDS ASSESSMENT PROJECT. The Legislature hereby authorizes the Texas Health and Human Services Coordinating Council to implement the Statewide Needs Assessment Project (SNAP) and to report its findings and recommendations to the Seventy-second Texas Legislature in 1991. The Texas Health and Human Services Coordinating Council is authorized to seek and receive any available public and private monies in order to conduct such a study and is further directed to coordinate its efforts with the appropriate health and human services agencies.

HEALTH AND HUMAN SERVICES COORDINATING COUNCIL
(Continued)

4. **TRANSFER AUTHORITY: CASH FLOW PURPOSES.** The Council may transfer funds between Items 1.a. and 1.b. in order to meet cash flow requirements.
5. **AUTOMATED INFORMATION AND TELECOMMUNICATIONS COUNCIL CERTIFICATION REQUIRED.** Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software, and/or telecommunications equipment of any kind until:
- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunications devices to the Automated Information and Telecommunications Council (AITC); and
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease, or lease-purchase are the most cost-effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software, and/or telecommunications devices cannot be purchased from another agency; and (4) the agency has complied with efforts to purchase compatible hardware, software, or telecommunications systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

6. **COMPUTER NODE AND CLIENT REGISTRY: PRO RATA INTERAGENCY TRANSFERS.** a. Funds appropriated above for capital outlay and operational-related costs for Item 2., Computer Node and Client Registry, are to be transferred by the Comptroller from the following agencies in the amounts indicated:

	<u>1990</u>	<u>1991</u>
Commission on Alcohol and Drug Abuse	\$ 3,513	\$ 18,267
Office of the Attorney General	8,211	42,695
Texas Employment Commission	18,225	94,761
Department of Human Services	387,956	2,017,205
Department of Health	41,444	215,494
Department of Mental Health and Mental Retardation	88,897	462,226
Juvenile Probation Commission	1,612	8,383
Texas Rehabilitation Commission	18,080	94,009
Texas Youth Commission	6,844	35,584
	<u>\$ 574,782</u>	<u>\$ 2,988,624</u>

Fiscal year 1990 funds shall be transferred from agency appropriations and may not result in reduced funding for client services. Fiscal year 1991 funds may be transferred from agency appropriations or from unexpended balances pursuant to the Article V provision of this Act captioned: Computer Node and Client Registry: Appropriation of Unexpended Balances.

HEALTH AND HUMAN SERVICES COORDINATING COUNCIL
(Continued)

b. The Council may accept and expend gifts, grants and contributions from any public or private source for any expenses necessary in the development, acquisition and operation of a computer node and a client registry.

7. COMPUTER NODE AND CLIENT REGISTRY ACCESS. The Health and Human Services Coordinating Council shall facilitate access by and make available to state agencies data contained in the health and human services computer node and client registry.

DEPARTMENT OF HUMAN SERVICES

	For the Years Ending	
	August 31, 1990	August 31, 1991
<u>Income Assistance</u>		
1. Aid to Families with Dependent Children (AFDC) Assistance Payments	386,954,711	411,391,715
2. Income Assistance Program Delivery	166,086,657	181,469,832
3. Food Services	62,717,061	63,622,855
Total, Income Assistance	\$ 615,758,429	\$ 656,484,402
<u>Health Care Services</u>		
4. Purchased Health Services:		
a. Aged and Disabled Premiums	\$ 397,473,084	\$ 433,672,723
b. SMIB Premiums	87,580,283	98,868,995
c. AFDC Related Premiums	656,992,633	751,663,519
d. Pregnant Women and Children	102,643,392	168,448,206
e. Utilization Review	1,912,724	2,079,796
f. Catastrophic Coverage	46,445,662	52,379,422
g. Medically Needy	20,342,421	22,566,466
h. Tax Technical Amendments	39,729,600	35,072,820
Total, Purchased Health Services	\$ 1,353,119,799	\$ 1,564,751,947
5. Indigent Health Care Program	\$ 24,541,724	\$ 25,969,298
6. Health Care Services Program Administration	4,621,298	4,647,845
Total, Health Care Services	\$ 1,382,282,821	\$ 1,595,369,090
<u>Services to Families and Children</u>		
7. Protective Services for Abused and Neglected Children and Families:		
a. Foster Care, Residential Care and Adoption Support Payments	\$ 64,895,609	\$ 69,462,580

DEPARTMENT OF HUMAN SERVICES
(Continued)

b. Child Protective Services		
(1) Purchased Client Services	19,505,765	21,735,688
(2) Local Office Service Delivery	<u>84,559,043</u>	<u>86,517,773</u>
Subtotal, Child Protective Services	<u>\$ 104,064,808</u>	<u>\$ 108,253,461</u>
c. Alternate Treatment for Youth	\$ 1,869,578	\$ 1,869,578
d. Services for Runaway and At-Risk Youth	3,652,358	3,872,383
e. Family Violence Services	5,470,987	5,470,987
f. Program Support	<u>6,186,217</u>	<u>6,212,955</u>
Total, Protective Services for Abused and Neglected Children and Families	<u>\$ 186,139,557</u>	<u>\$ 195,141,944</u>
8. Children's Trust Fund, estimated	\$ 1,475,208	\$ 1,575,339
9. Family Self Support Services:		
a. Family Planning Services	43,634,418	44,698,405
b. Child Day Care Services	37,475,550	39,063,701
c. Early, Periodic Screening, Diagnosis and Treatment Program	26,780,645	29,896,635
d. Employment Services	14,066,432	14,066,432
e. Emergency Nutrition and Temporary Emergency Relief Program	2,488,310	2,488,310
f. Program Delivery	18,980,572	19,317,180
g. Program Support	<u>2,410,121</u>	<u>2,420,484</u>
Total, Family Self Support Services	<u>\$ 145,836,048</u>	<u>\$ 151,951,147</u>
10. Licensing of Child Caring and Child Placing	<u>\$ 9,504,378</u>	<u>\$ 9,570,687</u>
Total, Services to Families and Children	<u>\$ 342,955,191</u>	<u>\$ 358,239,117</u>
<u>Services to Aged and Disabled Persons</u>		
11. Nursing Home Vendor Payments	\$ 737,020,946	\$ 843,795,071
12. Intermediate Care for the Mentally Retarded Vendor Payments	156,213,524	202,037,201
13. Vendor Drugs:		
a. Vendor Payments	181,995,707	209,399,626
b. Quality Assurance and Consultation	745,076	746,568

DEPARTMENT OF HUMAN SERVICES
(Continued)

c. Catastrophic Coverage		<u>7,788,454</u>
Total, Vendor Drugs	\$ <u>182,740,783</u>	\$ <u>217,934,648</u>
14. Medical Transportation	\$ 5,449,920	\$ 6,049,210
15. Community Care for Aged and Disabled Persons	200,354,044	226,484,004
16. Adult Protective Services:		
a. Investigative Services	9,972,851	10,673,168
b. Client Services	<u>1,215,920</u>	<u>1,490,718</u>
Total, Adult Protective Services	\$ <u>11,188,771</u>	\$ <u>12,163,886</u>
17. Services to Aged and Disabled Program Delivery:		
a. Catastrophic Coverage	\$ 11,377,387	\$ 11,818,336
b. Other Program Delivery	<u>47,674,673</u>	<u>49,080,087</u>
Services to Aged and Disabled Program Delivery	\$ <u>59,052,060</u>	\$ <u>60,898,423</u>
Total, Services to Aged and Disabled Persons	\$ <u>1,352,020,048</u>	\$ <u>1,569,362,443</u>
18. Welfare Reform and Hunger Prevention Act	\$ 14,998,501	\$ 98,592,230
19. Agency Administration	66,362,440	70,893,306
20. Other Federally Funded Programs, estimated	35,703,472	34,761,825
21. Implementation of Omnibus Budget Reconciliation Act of 1987	<u>30,928,797</u>	<u>51,241,707</u>
GRAND TOTAL, DEPARTMENT OF HUMAN SERVICES	\$ <u>3,841,009,699</u> =====	\$ <u>4,434,944,120</u> =====

Method of Financing:

General Revenue Fund:

Children's Assistance Funds	\$ 135,022,341	\$ 137,415,569
Medical Assistance Funds	1,031,402,693	1,168,801,706
Child Care Administrator's Fees, estimated	15,000	15,000
Other General Revenue Funds	<u>258,162,476</u>	<u>333,072,882</u>
Total, General Revenue Fund	\$ <u>1,424,602,510</u>	\$ <u>1,639,305,157</u>

DEPARTMENT OF HUMAN SERVICES
(Continued)

Earned Federal Funds:

Child Welfare Earned Funds, estimated	\$ 4,383,985	\$ 4,699,383
Other Earned Federal Funds, estimated	<u>38,523,469</u>	<u>29,614,978</u>
Total, Earned Federal Funds estimated	<u>\$ 42,907,454</u>	<u>\$ 34,314,361</u>
Social Worker's Fund No. 143, estimated	\$ 227,023	\$ 228,514
Child Abuse and Neglect Prevention Operating Fund No. 54T, estimated	1,310,208	1,350,339
Federal Funds, estimated	2,345,946,345	2,748,716,964
Commodity Distribution Fees, estimated	948,131	960,233
Other Funds, estimated	4,568,028	4,568,552
Premium Credits (State Share)	<u>20,500,000</u>	<u>5,500,000</u>
Total, Method of Financing	<u>\$ 3,841,009,699</u>	<u>\$ 4,434,944,120</u>

Schedule of Exempt Positions

Commissioner	\$ 80,000	\$ 80,000
Executive Deputy Commissioner	72,000	72,000
Deputy Commissioner for Health Services	68,000	68,000
Deputy Commissioner for Field Management	68,000	68,000
Deputy Commissioner for Information Systems	68,000	68,000
Deputy Commissioner for Services to Aged & Disabled	68,000	68,000
Deputy Commissioner for Services to Families & Children	68,000	68,000
Deputy Commissioner for Support Operations	68,000	68,000
Assistant Commissioner V, NTE	4 58,000	4 58,000
Assistant Commissioner IV, NTE	5 56,000	5 56,000
Assistant Commissioner III, NTE	12 54,000	12 54,000
Assistant Commissioner II, NTE	5 52,000	5 52,000
Assistant Commissioner I, NTE	13 49,000	13 49,000
Regional Administrator II, NTE	5 54,000	5 54,000
Regional Administrator I, NTE	5 52,000	5 52,000
Assistant Regional Administrator II, NTE	8 49,000	8 49,000
Assistant Regional Administrator I, NTE	5 48,000	5 48,000

DEPARTMENT OF HUMAN SERVICES
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Department of Human Services. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Construction, Repair and Renovation	\$ 1,000,000	\$ 1,000,000
2. Acquisition of Computer Equipment and Software	<u>10,463,320</u>	<u>5,000,000</u>
Total, Capital Outlay	<u>\$ 11,463,320</u>	<u>\$ 6,000,000</u>
	=====	=====

Method of Financing:

General Revenue Fund	\$ 2,102,022	\$ -0-
Medical Assistance Funds	<u>231,660</u>	<u>-0-</u>
Subtotal, General Revenue Fund	\$ 2,333,682	\$ -0-
Earned Federal Funds	\$ 4,948,601	\$ 3,946,428
Federal Funds	4,179,705	2,053,338
Other Funds	<u>1,332</u>	<u>234</u>
Total, Method of Financing	<u>\$ 11,463,320</u>	<u>\$ 6,000,000</u>
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. SALARY PROVISIONS. Salary adjustments within designated salary ranges shall be governed by agreements with the federal government pursuant to federal standards for a Merit System of Personnel Administration, provided, however, that line-item positions may be filled by two half-time employees each or by part-time employees on a proportional basis should the Texas Commissioner of Human Services find that the necessity therefor exists.
3. EDUCATIONAL STIPENDS AUTHORIZED. Out of the funds appropriated hereinabove the Department of Human Services is authorized to create exempt positions to pay for professional educational stipends which shall be expended only for items such as tuition, books, fees, moving expenses, travel to and from the designated school and living costs (including salaries) while attending school to enable selected Texas Department of Human Services employees to attend accredited schools approved by the department that they might gain professional and technical knowledge and skill necessary for the administration of the department's programs. The monthly exempt salary shall not exceed one step lower than the monthly salary of the classified position held by the employee immediately prior to attending school.

DEPARTMENT OF HUMAN SERVICES
(Continued)

4. AFDC PAYMENTS AND UNEXPENDED BALANCES. Funds appropriated for payments for Aid to Families with Dependent Children shall be payable in equal monthly installments on the first day of each calendar month; provided, however, that any balances on hand in these funds may be carried over from month to month during each fiscal year and from fiscal year 1990 to fiscal year 1991 and such funds are reappropriated to the department for the 1990-1991 biennium.
5. MEDICAL ASSISTANCE PAYMENTS AND UNEXPENDED BALANCES. Funds appropriated hereinabove out of Medical Assistance funds for all medical programs shall be payable in equal monthly installments on the first day of each calendar month; provided, however, that any balances on hand in such funds may be carried over from month to month during each fiscal year and from fiscal year 1990 to fiscal year 1991, and such funds are reappropriated to the department for the 1990-1991 biennium.
6. FEDERAL FUNDS APPROPRIATED. The appropriations herein made may be used to match federal funds granted to the state for the payment of personal services, travel and other necessary expenses in connection with the administration and operation of a state program of public welfare services. The Texas Department of Human Services is hereby authorized to receive and disburse in accordance with plans acceptable to the responsible federal agency, all federal moneys that are made available (including grants, earnings, allotments, refunds, and reimbursements) to the state for such purposes and all fees authorized by federal law, and to receive, administer, and disburse federal funds for federal programs in accordance with plans agreed upon by the Department of Human Services and the responsible federal agency, and such other activities as come under the authority of the Department of Human Services, and such moneys are appropriated to the specific purpose or purposes for which they are granted or otherwise made available.
7. FEDERAL, STATE AND LOCAL FUNDS APPROPRIATED. The Department of Human Services is hereby authorized to accept all moneys appropriated by the federal or state governments, or by the Commissioners' Court of any county, or by any political subdivisions, as provided by Section 11.003 of the Human Resources Code, as amended, for any purpose including but not limited to the cost of distributing foods to needy people, institutions, school lunch programs, or otherwise as provided by the laws of the United States and the rules and regulations issued pursuant thereto for the distribution of commodities as they now read or as they may be hereafter amended, and to deposit said moneys in the State Treasury. All of said funds are hereby appropriated to the Texas Department of Human Services for the purposes for which they were granted.
8. APPROPRIATION OF RECEIPTS: COMMODITY FUNDS. There is hereby appropriated to the Texas Department of Human Services all moneys received from assessments and all moneys received for the distribution of commodities and deposited in the State Treasury, and the moneys so appropriated out of the fund with the Treasury shall be expended by the Texas Department of Human Services in accordance with and for the purposes for which they were received as set forth herein and as enumerated in Chapter 33, Human Resources Code.

DEPARTMENT OF HUMAN SERVICES
(Continued)

9. **ATTORNEY GENERAL REPRESENTATION.** The Attorney General and the Commissioner of Human Services are authorized to jointly select one or more Assistant Attorneys General to be assigned to the Texas Department of Human Services for the purpose of assisting with the legal work of the department and, more particularly, of representing the department in lawsuits. The Assistant Attorneys' General salaries shall be in the amounts to be agreed upon between the Attorney General and the Commissioner and said salaries, travel and other incidental expenses and the salary and expenses of the required clerical staff shall be paid out of any appropriation to the Texas Department of Human Services.
10. **INTERNAL ACCOUNTING.** The expenditures of the Texas Department of Human Services shall be allocated to the various funds in accordance with the internal accounting system approved by the State Auditor. At the close of the fiscal year, any remaining unencumbered balance in the Department of Human Services Administration Operating Fund and/or the Department of Human Services Assistance Operating Fund shall be reported to the State Comptroller by funds to which it belongs as determined and designated by the Department of Human Services. Unencumbered balances thus identified with fund balances which revert to the General Revenue Fund under Legislative Acts shall be returned to the appropriate funds as determined and designated by the Department of Human Services.
11. **PHYSICIAN AND DENTIST SALARY SUPPLEMENTATION.** In order to acquire and retain the employment of physicians and dentists, the Texas Department of Human Services may, upon written authorization of the Commissioner of Human Services, pay from funds appropriated by this Act to the Department of Human Services, an amount not to exceed \$6,000 per annum in addition to the salary rates specified in this Act. It is the intent of the Legislature that this authorization be used to prevent critical vacancies with the department.
- In addition to the salary rates specified for exempt positions for the department and the additional compensation for physicians, physicians who are certified by a U.S. Medical Specialty Board may be paid not to exceed \$3,000 per annum out of the department's appropriations if the physician is working full-time for the department in the field of his specialty certification.
- Copies of the Commissioner's written authorization shall be filed with the Comptroller prior to payment for additional compensation.
12. **REAPPROPRIATION OF FEDERAL AND LOCAL FUNDS.** All funds received by the department from counties, cities, federal agencies and from any other local source and all balances from such sources as of August 31, 1989, are hereby appropriated for the biennium ending August 31, 1991, for the purpose of carrying out the provisions of this Act.
13. **FOOD STAMP PROGRAM FUNDS APPROPRIATED.** The Texas Department of Human Services is hereby designated as the state agency to establish and operate a statewide Food Stamp Program and to accept all moneys appropriated for this purpose by the federal or state governments, by the Commissioners' Court of any county, by any political subdivision of the state, or received from any other source as provided for herein and in Chapter 33, Human Resources Code. The Texas Department of Human Services is authorized to expend such funds for welfare purposes, including the cost of distributing foods to needy

DEPARTMENT OF HUMAN SERVICES
(Continued)

people, institutions, school lunch programs, or otherwise as provided by the laws of the United States and the rules and regulations issued pursuant thereto, for the establishment and operation of a statewide Food Stamp Program, and for the employment of essential personnel who shall be employed under a merit system basis comparable to the merit rules and regulations applicable to all other personnel of the department.

14. COMMISSIONER'S ADMINISTRATIVE AUTHORITY. All moneys received from any source, including the funds appropriated herein, shall be expended by the department for the purposes for which they were granted. The Commissioner, with the approval of the Texas Board of Human Services, shall have the sole discretion of determining the method of administration including a method of deducting funds from the monthly payments received by public assistance recipients. The department is hereby authorized to enter into agreements with any agency of the federal government, any other state agencies or departments, any political subdivision of the state, or with other agencies for the efficient and economical operation of the commodity and statewide Food Stamp Programs as may be authorized by federal statutes or rules and regulations issued pursuant thereto.

15. FOSTER CARE PROVISIONS.

- a. FOSTER CARE PAYMENTS. Any sums herein appropriated for foster care may be expended by the department for any expenses incidental to the foster care program, including but not limited to salaries, professional fees and services, travel expense, consumable supplies and materials, and current and recurring operating expense.
- b. PERMANENCY GOALS. In order to comply with P.L. 96-272, it is the intent of the Legislature that the Department of Human Services actively seek permanent homes for the children who are in the department's foster care program for long periods. To this end, the department shall seek to limit the number of children under the department's responsibility who are in foster care for a period longer than 24 months. For fiscal year 1990, the goal for such children is forty-five percent (45%) of the total number of children in the department's Foster Care Program at any time during the year. For fiscal year 1991, the goal is forty-five percent (45%) of such children.

Further, it is the intent of the Legislature that whenever possible, the department shall utilize state and/or federal funds currently being expended for foster care to cover the cost of assuring permanent homes where appropriate for foster children.

16. FAMILY PLANNING CONTRACTS. The department may contract for the provision of family planning services with public or private agencies and organizations with established records of performance in the provision of these medical and social services. Where no such agency or organization exists the department may contract with individual physicians unless otherwise required by federal law or regulation. In all such contracts referred to herein the department will retain continuing administrative responsibility over the provision of family planning services.

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17. ANNUAL REPORT - PROFESSIONAL FEE EXEMPTION. It is the intent of the Legislature that the Annual Report required by Article V of this Act shall not include professional fees paid for routine or special examinations for the purpose of determining eligibility of individuals for any of the programs administered by the department, professional fees for treatment, services or care for individual recipients, or for providing special needs or appliances such as fees to pharmacists for filling prescriptions for individual recipients, but shall include fees for professional services or consultative services rendered for the general administration of the department.
18. APPROPRIATION OF FEES: CHILD CARE ADMINISTRATORS LICENSURE. All fees collected by the department in its examination and/or licensure of administrators of child-caring institutions, as prescribed by Chapter 43, Human Resources Code, as amended, shall be retained by the department to partially offset the state cost of the operation of these functions and are hereby appropriated to the department.
19. SEMI-ANNUAL EXPENDITURE REPORT. Funds appropriated above are contingent upon adherence to the following procedure: Within 60 days following the end of each six months of the fiscal year, the Department of Human Services shall file an expenditure report with the Governor's Budget and Planning Office and the Legislative Budget Office which shall:
 - a. reflect expenditures for each six months of the fiscal year for each program,
 - b. reflect cumulative expenditures for the fiscal year for each program,
 - c. contain such other data needed by the Governor's Budget and Planning Office and the Legislative Budget Office.

The report due 60 days after the end of each even-numbered year shall be incorporated into the Legislative Appropriations Request in which final expenditure estimates for the even-numbered year are submitted.
20. MEDICAL ASSISTANCE CONTRACTS. The Texas Department of Human Services is authorized to enter into agreements with the Department of Mental Health and Mental Retardation, Department of Health and any other state agency or university, subject to approval by the United States Department of Health and Human Services for the purpose of paying medical assistance on behalf of patients in state hospitals for mental diseases, state schools for mentally retarded, and in alternate care arrangements (including but not limited to foster family care, nursing home care, social care facility, homemaker service, other necessary home services, etc.) and the hospital and nursing sections of institutions for mental retardation. The Department of Human Services is authorized to pay medical assistance in such other facilities as are required under federal law, rules and regulations.
21. DEPOSIT OF MEDICAL ASSISTANCE PAYMENTS MADE TO CERTAIN STATE AGENCIES. All funds paid to the Department of Mental Health and Mental Retardation and the Department of Health and any other state agency or university by the Texas Department of Human Services pursuant to agreements between said agencies for the purpose of paying for medical services on behalf of patients in state hospitals for mental diseases, alternate care arrangements (including

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but not limited to foster family care, nursing home care, social care facility, homemaker service, other necessary home services, etc.) and the hospital and nursing sections of institutions for mental retardation are hereby required to be deposited, on a monthly basis, by the Department of Mental Health and Mental Retardation and the Department of Health in the General Revenue Fund.

Reimbursement under the Home and Community-Based Services Waiver, as authorized by Section 4.3. Special Provisions Relating Only to the Department of Mental Health and Mental Retardation and the Department of Human Services, is excluded from this rider.

22. **AUDIT OF MEDICAID FUNDS.** All transactions involving the transfer or investment of any funds of the Title XIX Medicaid program, held in trust or reserve for the state by any non-governmental entity shall be subject to audit by the State Auditor's Office.
23. **NOTIFICATION OF PILOT, RESEARCH OR DEMONSTRATION PROJECTS.** Prior to implementation of any pilot, research, or demonstration project, the Department of Human Services shall file a written report with the Governor's Budget and Planning Office and the Legislative Budget Office, which report shall contain the following information:
 - the purpose of the project,
 - the recipients to be served,
 - the source of funding and the operating budget for the project,
 - the location of the project,
 - the criteria and methodology for evaluating the project upon completion; and
 - the citations of federal and state legal authority under which the project is being conducted.
24. **ADVANCE PAYMENTS REVOLVING FUND.** The State Comptroller shall establish a separate account from which advance payments may be made for programs or projects under which the Texas Department of Human Services has contracted for social services. The Texas Department of Human Services is authorized to establish a revolving fund to be funded from Earned Federal Funds and to make transfers into and out of the separate account from funds appropriated to pay for contracted social services in accordance with the provisions of Human Resources Code, Section 22.002, Subsection g., as amended.
25. **RENOVATIONS AND CAPITAL EXPENDITURE ACCOUNT.** The State Comptroller shall establish a separate account from which payments may be made for renovations and capital expenditures. The Department of Human Services is authorized to make transfers into and out of the separate account from appropriated funds to be used to finance renovations and capital expenditures. Any funds on hand in the separate account may be carried forward from fiscal year 1989 to fiscal year 1990 and such funds are reappropriated to the department for the 1990-1991 biennium. Funds received through federal participation including depreciation on renovations and capital expenditures may be deposited to the separate account to finance future renovations and capital expenditures. Any funds on hand in the separate account may be carried over from fiscal year 1990 to fiscal year 1991 and such funds are reappropriated to the department for the 1990-1991 biennium.

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26. APPROPRIATION OF RECEIPTS: SOCIAL STUDIES. All fees awarded to the Department of Human Services as costs for social studies under Sections 11.12 and 11.18 of the Family Code are appropriated to the department and may be used for child protection purposes. Any balances on hand in these funds as of August 31, 1989 are reappropriated to the department for the 1990-91 biennium. Any balances on hand in these funds on August 31, 1990 may be carried forward to fiscal year 1991.
27. LIMITATION ON EXPENDITURES FOR CONSERVATORSHIP SUITS. To the extent allowed by federal regulation, federal funds may be used by the department in conjunction with funds provided by counties with which the department has child welfare contracts to pay for legal representation for children or their parents in suits in which the department is seeking to be named conservator. No General Revenue funds appropriated to the department may be used to make such payments.
28. NURSING HOME PROGRAM PROVISIONS.
- a. NURSING HOME INCOME ELIGIBILITY CAP. It is the intent of the Legislature that the income eligibility cap for becoming eligible for nursing home care shall be set to make maximum use of federal matching funds. The income eligibility cap shall not be less than \$1,104, nor more than the maximum allowable for federal reimbursement. Further, it is the intent of the Legislature that any cost-of-living increase in social security or other benefits sponsored by the federal government or that any cost-of-living increase in other pension plans should not result in the termination of Title XIX benefits for persons already eligible for services. The Department of Human Services is hereby authorized to expend General Revenue or Medical Assistance Funds only, to the extent necessary, to insure the continuation of benefits to persons eligible.
 - b. GRANDFATHERED NURSING CARE RECIPIENTS. It is the intent of the Legislature that the Department of Human Services continue to provide appropriate care to those recipients who were "grandfathered" due to the department's restructuring Nursing Home levels of care during the 1980-81 biennium.
 - c. LIMITATION ON PER DAY COST OF ALTERNATE CARE. No funds shall be expended by the Department of Human Services for alternate care where the cost per patient per day exceeds the cost per patient per day in the ICF level of care, except for cases individually exempted by the Board of Human Services.
 - d. SURVEY AND CERTIFICATION AND QUALITY OF CARE ADMINISTRATION. The Department of Human Services is hereby authorized to enter into contract with the Texas Department of Health for the provision of Survey and Certification and Quality of Care Administration activities. The department shall reimburse the Texas Department of Health for the federal portion of these activities that are appropriately allocated to the department. The state's portion of such expenses shall be paid from appropriations made to the Texas Department of Health.

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- e. ESTABLISHMENT OF A SWING-BED PROGRAM. Out of the funds appropriated above for nursing home vendor payments, the department shall establish a "swing-bed" program, in accordance with federal regulations and Rider 28.f., to provide reimbursement for skilled nursing patients who are served in hospital settings in counties with a population of 100,000 or less. If the swing beds are used for more than one 30-day length of stay per year per patient, the hospital must comply with the regulations and standards required for nursing home facilities.
- f. NURSING HOME BED CAPACITY MORATORIUM. In the event that the moratorium on accepting applications for the contracting of Medicaid Intermediate Care Facility and Skilled Nursing Facility (ICF/SNF) beds is continued beyond August 31, 1989, the moratorium shall not apply to beds in hospital facilities which are or could be converted to long-term care beds under the federal "swing-bed" regulations, provided the length of stay is limited to 30 days per year and the hospital is located in a county with a population of 100,000 or less.
- g. PROVIDER ENROLLMENT IN DHS TO BE INCREASED. DHS shall require increased enrollment of nursing home vendors in the federal Medicare Program.
- 29. RISK STABILIZATION RESERVE. Upon termination of a contract with the insurance carrier for purchased health insurance, the state's share of the refunds of the unexpended balance in the risk stabilization reserve shall be deposited in the General Revenue Fund and such funds are not reappropriated to the Department of Human Services.
- 30. MEDICAL INFLATION FACTORS. It is the intent of the Legislature that the Department of Human Services utilize the lowest feasible alternative when selecting appropriate inflation factors for all medical programs, and it is the intent of the Legislature that the Department of Human Services actively attempt to limit inflation adjustments in medical services to the lowest possible levels that will not adversely impact the quality of care provided by the affected industry as a whole.
- 31. MENTAL HEALTH AND MENTAL RETARDATION PROGRAMS.
 - a. It is the intent of the Legislature that the Department of Mental Health and Mental Retardation, as the state agency responsible for programs in the field of mental health and mental retardation assume appropriate responsibility for the programs for Intermediate Care for Mentally Retarded. The Department of Mental Health and Mental Retardation shall be responsible for: (1) the development of facility and program standards (2) the development of non-financial eligibility criteria and level of care standards; (3) the monitoring of utilization review functions; and (4) providing direction and assistance in the development of program cost reimbursement methodologies. The Department of Mental Health and Mental Retardation shall be responsible for the conduct of all public hearings and development of all rules and regulations necessary to administer its duties designated above.

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- b. The Department of Human Services shall continue to function as the state's single state agency under the Title XIX, Medicaid Program. The Department of Human Services shall retain the appropriate functions as required under Title XIX federal regulations specifically including ultimate budgetary and fiscal responsibility and have final approval over the duties assigned to the Texas Department of Mental Health and Mental Retardation in Subsection a. above.
 - c. It is further the intent of the Legislature that the Department of Mental Health and Mental Retardation contract with the Department of Human Services to maximize the use of Title XIX federal funds and accomplish the duties of the agencies established under Subsection a. and b. above.
32. TRANSITIONAL CARE AND SEMI-INDEPENDENT LIVING ARRANGEMENTS. It is the intent of the Legislature that funds appropriated in the line-item Community Care for Aged and Disabled Persons may be utilized by the Department of Human Services for transitional care and demonstration programs in semi-independent living arrangements to assist both younger physically disabled adults and elderly persons to return to or remain in their communities. Funds may be used by the Department of Human Services to provide living arrangements (such as personal care homes, adult foster care, and congregate apartment living) and attendant care for these individuals. The Department of Human Services is encouraged to utilize a sliding fee scale for these services.
33. ACCOUNTING OF SUPPORT COSTS. The State Comptroller shall establish separate accounts from which certain support costs shall be paid. The Department of Human Services is hereby authorized to make transfers into and out of these separate accounts from appropriated funds in order to pay for these expenses in an efficient and effective manner. Only costs not directly attributable to a single program may be budgeted in or paid from these accounts. Items to be budgeted in and paid from these accounts include but are not limited to: postage, occupancy costs, equipment repair, telephones, office printing costs, supplies, freight and transport costs, telephone system costs and salary and travel costs of staff whose function supports several programs.
34. EMPLOYMENT PROGRAM: FEDERAL JTPA FUNDS TO ASSIST AFDC RECIPIENTS. It is the intent of the Legislature that federal funds available under the Job Training and Partnership Act be used, to the extent feasible, to supplement efforts directed toward securing employment for recipients of the Aid to Families with Dependent Children program.
35. APPROPRIATION OF FEES: SOCIAL WORK CERTIFICATION. All fees collected by the Department of Human Services for the administration of Social Work Certification, as prescribed in Section 50, Human Resources Code, are hereby appropriated to the department.

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36. TITLE XX FUND REDUCTION. In the event of a reduction in federal Title XX (Social Services Block Grant) funding, the department should attempt to maintain the affected programs as near to the appropriated levels as possible through use of the department's transfer authority or the allocation of any other available funds. If maintenance of the appropriated levels is not feasible, the department shall reduce all affected programs in proportion to the total amounts appropriated above.
37. TRANSFER AUTHORITY.
- a. The Department of Human Services may exercise its authority to transfer appropriated funds between line items and between sub-items within the same program when necessary to carry out its statutory responsibilities and the provisions of this Act. At least 21 days prior to any transfer of funds within the appropriation for the Department of Human Services and at least 21 days prior to a meeting of the Board of Human Services to adopt program expansion that could result in a subsequent transfer of funds, a written report shall be delivered to the Governor's Office of Budget and Planning; the Legislative Budget Office; the offices of each member of the Legislative Budget Board and the offices of the Chairs of both the House Human Services Committee and the Senate Health and Human Services Committee. The report shall include the source of funds to be transferred; the program from which the transfer is made and the program to which the transfer is made; the need which was to be served through the original appropriation and the basis for the decrease in need; the need to be served in the program receiving the funds and the basis for such selection and the amounts of funds to be spent on direct client services as opposed to both general and operating support costs.
 - b. It is the intent of the Legislature that the department exercise its authority to transfer funds between the Nursing Home Vendor Payments and Community Care for Aged and Disabled Persons line-items as needed to respond to unanticipated population shifts between nursing home care and alternate care, including the expenditure of general revenue or medical assistance funds only, in order to provide the most appropriate services to the elderly in the most orderly and cost-effective manner possible.
38. LIMITATION ON FUNDS FOR HOSPITAL AND LONG TERM SERVICE PROVIDERS. None of the funds appropriated in this Act may be used as a source of funding for written verification that funds are available to adequately reimburse hospital or long-term service providers for implementation of rules or regulations promulgated by either the Department of Health or Department of Human Services which increase the cost of providing such services, unless the rule or regulation is required by federal statute, rule or regulation.
39. SALARIES OF PROBATIONARY EMPLOYEES. It is provided that funds herein appropriated may be expended at rates established by the Department of Human Services for the salaries of employees who are newly hired, transferred or promoted into bona fide administrative or professional jobs and who are participating in a formalized training program in conjunction with their period of probationary service. At the successful conclusion of the probationary period these employees will be moved into regular classified positions.

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40. AGENCY ADMINISTRATION ACTIVITY ITEMIZATION. Funds appropriated above for Agency Administration shall be expended as nearly as practicable for the following programs.

	<u>1990</u>	<u>1991</u>
Central Management Support	\$18,276,709	\$18,528,779
Field Management Support	19,284,677	19,460,495
Information Systems	27,138,254	31,075,132
Capital Outlay	1,662,800	1,828,900

41. BOARD MEMBERS' PER DIEM. Out of the funds appropriated for agency administration, the Department of Human Services is hereby authorized to pay board members in accordance with provisions of Article V of this Act.
42. APPROPRIATION OF RECEIPTS: CIVIL MONETARY DAMAGES AND PENALTIES. Out of funds collected by the department as civil monetary damages and penalties under Human Resources Code Section 32.039, there are appropriated to the department amounts equal to the costs of the investigation and collection proceedings conducted under that section, and any amounts collected as reimbursement for claims paid by the department.
43. LIMITATION ON EXPENDITURES: GENERAL REVENUE APPROPRIATED FOR MEDICALLY DEPENDENT WAIVER. Of the amounts appropriated in the line-item Community Care for Aged and Disabled Persons, not less than \$416,797 in fiscal year 1990 and \$413,567 in fiscal year 1991 from the General Revenue Fund shall be allocated to 1915(c) waiver services for medically dependent children. Should the amount necessary to fund the waiver services be less than these amounts from the General Revenue Fund, the unexpended amounts may be expended only for other in-home or family support services for medically dependent children or developmentally disabled clients.
44. AITC CERTIFICATION REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
- a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

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The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.

45. DISPOSITION OF STATE FUNDS AVAILABLE RESULTING FROM FEDERAL MATCH RATIO CHANGE. In the event the Federal Medical Assistance Percentage should be greater than 63.17% for federal fiscal year 1991, the department shall be authorized to expend the state funds thereby made available only to the extent authorized in writing by the Legislative Budget Board. A copy of such authorization shall be provided to the Comptroller of Public Accounts to assist in monitoring compliance with this provision.
46. LIMITATION ON EXPENDITURE OF EARNED FEDERAL FUNDS: CASH FLOW NEEDS OF CHILD PROTECTIVE SERVICES. Included in the appropriations above are \$11,175,000 annually in Earned Federal Funds to be used solely to meet cash flow needs of Child Protective Services reimbursed under Title IV-E of the Social Security Act. Should federal reimbursement reduce the cash flow needs of the program, any Earned Federal Funds made available may be expended only upon the prior written approval of the Legislative Budget Board in accordance with Article 16, Section 69 of the Texas Constitution.
47. BUDGET AUTHORITY FOR ESTIMATED PASS THROUGH FUNDS. In addition to the amounts listed in the line appropriations above for the Department of Human Services, the department may establish additional budget authority (approved by the Board of Human Services) with the Comptroller of Public Accounts to reflect other estimated income except funding from general revenue and other limited sources. These budgets may include, but are not limited to, the following estimated amounts:

	<u>1990</u>	<u>1991</u>
Foster Care Payments IV-E - Federal fund reimbursement to Texas Youth Commission	\$ 2,242,065	\$ 2,298,962
ICF-MR Vendor Payments - Federal fund reimbursement for services provided in facilities operated by the Department of Mental Health and Mental Retardation	181,035,625	186,080,593
ICF-MR Program Support - Federal fund reimbursement to the Depart- ment of Mental Health and Mental Retardation	9,869,602	10,526,029
Community Care for Aged and Disabled 1915(c) Waiver - Federal fund reimbursement to the Depart- ment of Mental Health and Mental Retardation	10,348,407	15,338,322
Services to Aged and Disabled Program Delivery - Federal fund		

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reimbursement to the Department
of Health

9,444,064

9,444,064

\$212,939,763

\$223,687,970

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The above items, as well as any other budget increases, must be supported by other provisions specifically appropriating the receipts.

48. LIMITATION ON EXPENDITURES: IMPLEMENTATION OF FEDERAL LEGISLATION.

Appropriations to the Department of Human Services for costs associated with implementing provisions of the Family Support Act of 1988 or the Hunger Prevention Act of 1988 (i.e., Welfare Reform and Hunger Prevention Act line item), the Medicare Catastrophic Coverage Act of 1988 (i.e., Catastrophic Coverage line items), and the Tax Technical Amendments line item may be expended only for mandated programs and services in accordance with the provisions of each Act. Any appropriations made for costs associated with the Family Support Act, the Hunger Prevention Act, the Medicare Catastrophic Coverage Act, and the Tax Technical Amendments which exceed amounts necessary to implement the mandatory provisions of such legislation may be expended only upon the prior written approval of the Legislative Budget Board in accordance with Article 16, Section 69, of the Texas Constitution.

49. CHILD PROTECTIVE SERVICE PROVISIONS.

- a. CHILD PROTECTIVE SERVICES: IN-HOME AND FOLLOW-UP SERVICES. The Department of Human Services (DHS) shall provide necessary follow-up services to as many abused children and their families in need after the investigation as possible. DHS shall report to the Legislature by region the number of confirmed child abuse cases and the number of those cases opened for services. It shall also provide an explanation of regional differences in the amount of services provided.
- b. IN-HOME AND FOSTER CARE SERVICES. DHS shall, in conjunction with experts in child protective services, develop a policy defining a minimal base line of services for in-home and foster care by September 1, 1990, and develop outcome measures to track and monitor their effectiveness by January 1, 1991. Funding appropriated in Line Item 7.b., Child Protective Services, shall be utilized by DHS to attempt to provide the defined services with the goals of preventing further abuse and helping victims and their families deal with the effects of the abuse. DHS is directed to inform the Legislative Budget Board how the defined minimal base line of services compares to the services provided in other states and how the level of services provided compares by region within the state.
- c. PURCHASED CLIENT SERVICES REPORTING REQUIREMENT. DHS shall submit a detailed accounting of expenditures, by region, under the line item for "Purchased Client Services" to the Senate Committee on Health and Human Services and the Legislative Budget Office. The accounting shall specify the total amounts expended for and the total number of children and families needing and receiving the following: (a) psychological or psychiatric evaluations; (b) professional counseling; (c) medical examinations; (d) medical treatment; (e) parenting classes; (f)

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homemaker assistance; (g) protective day care; and (h) any other purchased service. The data provided should reflect whether the services were provided to children living at home or in substitute living arrangements.

- d. **RESTRICTION OF EXPENDITURES IN LOCAL OFFICE SERVICE DELIVERY.** The Department of Human Services is prohibited from transferring any funds out of Line Item 7.b.(2), Local Office Service Delivery, except that certain support costs including occupancy costs, telephone costs, supplies and other overhead expenses may be transferred in accordance with Rider 33. The department shall not expend any of the funds appropriated under this line item for any state office or regional office activities, including salaries, travel, or overhead not directly supporting local office staff and services. Additionally, these funds shall not be expended to support any agency program other than the Child Protective Services program.
50. **STUDY OF REGION FUND DISTRIBUTION.** The Department of Human Services shall conduct a study of the method of distributing funds among the regions of the state. The study should consider the development of a formula for future distribution of funds which considers such need factors as client base and the economic and geographic factors throughout the state and within the regions of the state. The report shall contain an impact analysis of any recommended changes in the current funding formula. The report shall be completed and filed with the Legislative Budget Office to accompany the first submission of the Agency's Legislative Appropriation Request for the next biennium.
51. **REDUCTION OF PAPERWORK.** The Texas Department of Human Services Forms Reduction Committee shall review all forms currently in use relating to service delivery and shall recommend specific approaches to reduce the paperwork required of applicants, clients, and employees. The Department of Human Services shall present a brief summary of the committee recommendations and on the department's action in adopting or rejecting such recommendations to the Governor's Office of Budget and Planning and the Legislative Budget Board Office by August 31, 1990.
52. **ANALYSIS OF SERVICES FOR CHILDREN WITH HIV INFECTION.**
 - a. The Department of Human Services (DHS) shall conduct a comprehensive analysis of the availability of foster care and day care services for children with human immunodeficiency virus (HIV) infection. At a minimum, the department shall assess whether state regulations impede the availability of services, explore the possibility of new classification categories for children with HIV infection, and evaluate the feasibility of new reimbursement levels for HIV-infected children in state-funded programs.

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- b. The department also shall evaluate the availability of state-supported services to families in which more than one member is infected with HIV. At a minimum, the department shall assess the adequacy of respite, home health, and other social support services that help maintain such families as intact units.

- c. By August 1, 1990, the department shall submit comprehensive reports on the aforementioned studies to the Legislative Budget Board, the Senate Committee on Health and Human Services, and the House Committee on Human Services. The reports shall include policy and program recommendations and an estimate of the possible cost of implementing such recommendations.

53. NOTICE AND APPROVAL OF CERTAIN EXPENDITURES REQUIRED.

- a. This section applies to any contract or agreement to provide goods, services (including professional services covered by Section 69 of Article V of this Act), or products in which:
- 1) a former board member or employee of the Department of Human Services, while serving as a board member or employee, participated substantially in the development of the program for which the goods, services, or products are to be provided and is an officer, director, employee, or consultant employed by the provider of the goods, services, or products; or
 - 2) a former board member or employee holds a substantial interest in the business entity that will provide the goods, services, or products, regardless of whether such entity is a sole proprietorship, partnership, corporation, or other business entity.
 - 3) For the purposes of this provision, the term "former board member or employee" shall apply to any board member or employee whose service or last day of duty with the department ended September 1, 1987 or thereafter.
- b. The department may not expend funds appropriated by this Act for a contract or agreement covered by this section unless at least 30 days before executing the contract or agreement the department gives written notice to the Legislative Budget Board and the Governor's Office of Budget and Planning. During the 30-day period after the date on which the notice is received, the Legislative Budget Board may disapprove the expenditure of appropriated funds for the contract or agreement. If the agency does not receive notice from the Legislative Budget Board that the expenditure is disapproved, then the agency may proceed with the contract or agreement.

54. PAYMENT OF HOSPITAL PROVIDERS. At the hospital's option, all payments from funds appropriated for Purchased Health Services made to hospitals with 100 or fewer licensed beds shall be reimbursed under a cost-reimbursement methodology authorized by the Tax Equity and Fiscal Responsibility Act of 1984 (TEFRA), using the most current available cost figures. Hospitals reimbursed under TEFRA cost principles shall be paid without the imposition of the TEFRA cap.

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55. MEDICAID PROGRAM: USE OF LOCAL FUNDS. To the extent allowed by federal Medicaid requirements including waiver, demonstration and pilot project options, the Department of Human Services shall use local and donated funds to obtain federal matching funds to enhance the Medicaid program.
56. USE OF MEDICAID FUNDS FOR EARLY CHILDHOOD INTERVENTION. The Department of Human Services (DHS) shall collaborate with the Early Childhood Intervention Council to maximize the amount of federal funds available through Title XIX to provide services to children eligible for ECI services. The department shall provide periodic status reports as required by the Legislative Budget Office on the use of federal Medicaid funds for ECI services.
57. POST-ADOPTION SERVICES. Of the amounts appropriated above for Foster Care, Residential Care and Adoption Support Payments, \$3,400,000 in 1990 and \$4,600,000 in 1991 from the General Revenue Fund may be expended only for post-adoption services.
58. LIMITATION ON EXPENDITURES: CERTAIN CONTRACTS. Out of funds appropriated above, no professional fee for management consulting services or computer services contract, irrespective of the amount, shall be executed by the Department of Human Services prior to 30 days following written notification of the Legislative Budget Office and the Governor's Office of Budget and Planning.
59. AUDIT OF PURCHASED HEALTH SPECIFICATIONS. The Department of Human Services shall request the Health Care Financing Administration to conduct an audit of the Request for Proposals specifications and the current insurance contract related to administration of the Purchased Health Services program.
60. LOCAL PARTICIPATION. It is the intent of the Legislature that the Department of Human Services shall take affirmative action to encourage positive local participation in specific DHS programs through cash appropriations, in-kind services, or in such other form as may be acceptable to both DHS and a contributing local entity. DHS shall restructure its present accounting methods in such a way as to not export local supplements or benefits to specific programs from within the local jurisdiction, and DHS shall not decrease funding or services in a program, either in anticipation of or upon receipt of local supplements or benefits, except by express agreement of the local entity.
61. MEDICAID VENDOR DRUG PROGRAM. To the extent that appropriations for the Medicaid vendor drug program are sufficient to so permit their use, it is the intent of the Legislature that the appropriations be expended for supplies for diabetics.
62. TEXAS YOUTH COMMISSION AND TEXAS JUVENILE PROBATION COMMISSION INTERAGENCY PILOT PROJECT. It is the intent of the Legislature that the Texas Department of Human Services participate in an interagency pilot project with the Texas Youth Commission and the Texas Juvenile Probation Commission to develop and/or expand nonresidential community contracts that will increase competency development for troubled families in each agency's client population. Participation by either agency shall be contingent upon the availability of adequate funds for its share of the project.

DEPARTMENT OF HUMAN SERVICES
(Continued)

63. **RUNAWAYS AND AT-RISK YOUTH PILOT PROJECT.** It is the intent of the Legislature that the Department of Human Services develop a pilot project for better coordination of service delivery for runaways and other at-risk youth. The project shall provide a local contracted at-risk youth case manager to work with both the child protective and juvenile probation systems, with the case manager taking referrals from and making referrals to both systems. The case manager shall also coordinate and develop community services for at-risk youth and their families.
64. **CONTINGENCY PROVISIONS: IN-HOME AND FAMILY SUPPORT SERVICES FOR DISABLED PERSONS.** The Department of Human Services shall expand the In-Home and Family Support services to persons with both physical and developmental disabilities, in accordance with Senate Bill 1509 or House Bill 2873, if enacted. Not less than six million dollars (two million dollars in 1990 and four million in 1991) of the funds appropriated to the department shall be used to fund the In-Home and Family Support services. Nothing herein prevents the department from seeking to obtain federal funds to be used for these services.
65. **AUTOMATION PRIORITY: CHILD PROTECTIVE SERVICES.** The Department of Human Services shall make automation of the Child Protective Services Program the top priority in its automation initiatives.
66. **DISPROPORTIONATE SHARE HOSPITAL ELIGIBILITY.** A hospital that provides health care to indigents pursuant to an agreement or contract with a state agency or department, at no cost to the state, may be eligible as a disproportionate share hospital under Title 5 of Article 4438f (V.T.C.S.) and the Texas Medicaid program. Such hospital's total expenditures for indigent health care, according to such agreement or contract, may be credited as local revenue to be used to determine disproportionate share eligibility.
67. **LIMITATION ON LOCATION OF OFFICES.** Amounts appropriated by this Act to the Texas Department of Human Services may not be expended to lease, maintain, or otherwise support an office of the department at 11920 Walters Road in the city of Houston after January 1, 1990.
68. **ALLOCATION OF FUNDS FOR SERVICES TO DEVELOPMENTALLY DISABLED PERSONS.** From funds appropriated above in Item 12., Intermediate Care for the Mentally Retarded Vendor Payments, \$8,541,000 in general revenue funds for the biennium shall be allocated to provide services, to persons with developmental disabilities other than mental retardation who are in need of active treatment and otherwise eligible under Title XIX without regard to qualifying limitations of Intelligence Quotient (IQ). Contingent upon adequate funding, Texas Department of Human Services (TDHS) shall make funds available for up to 750 ICF-MR beds for individuals with developmental disabilities under a separate level of care for this client population. Any funds not used to fund beds for this population may be used for the remainder of the ICF/MR program. TDHS may make use of various types of residential alternatives and support services, including waived services for this population. The program for this population shall be administered by TDHS. It is the intent of the Legislature that providing services to this population shall not adversely affect services provided to persons with mental retardation under the ICF/MR program.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

For the Years Ending
August 31, August 31,
1990 1991

Mental Health Services

1. Program Administration (Mental Health)	1,743,889	1,743,889
2. State Mental Hospitals:		
a. Campus Based Residential Treatment and Habilitation	126,309,616	127,736,809
b. Facility Management and Support	42,258,179	41,473,374
c. Utilities	8,886,906	9,442,314
d. Community Services	<u>20,504,391</u>	<u>25,534,482</u>
Total, State Mental Hospitals	\$ <u>197,959,092</u>	\$ <u>204,186,979</u>
3. Harris County Psychiatric Center	\$ 19,103,486	\$ 19,103,486
4. State Centers (Mental Health):		
a. Campus Based Residential Treatment and Habilitation	4,010,022	4,010,022
b. Facility Management and Support	1,862,390	1,862,390
c. Utilities	355,224	355,224
d. Community Services	<u>4,493,692</u>	<u>6,157,283</u>
Total, State Centers (Mental Health)	\$ <u>10,721,328</u>	\$ <u>12,384,919</u>
5. Contracted Community Services (Mental Health):		
a. Residential Services	\$ 35,819,319	\$ 38,607,125
b. Client and Family Support	71,202,788	74,424,253
c. Case Management	10,693,409	12,876,823
d. Tarrant County Psychiatric Hospital	3,712,959	3,999,255
e. Child and Adolescent Services	500,000	1,500,000
		& U.B.
Total, Contracted Community Services (Mental Health)	\$ <u>121,928,475</u>	\$ <u>131,407,456</u>
6. Department of Corrections Support	\$ 2,692,368	\$ 2,692,368
7. In Home and Family Support (Mental Health)	<u>2,000,000</u>	<u>2,000,000</u>
Total, Mental Health Services	\$ <u>356,148,638</u>	\$ <u>373,519,097</u>

Mental Retardation Services

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
(Continued)

8. Program Administration (Mental Retardation)	\$ 3,988,744	\$ 4,205,994
9. State Schools for the Mentally Retarded:		
a. Campus Based Residential Treatment and Habilitation	200,240,866	193,867,354
b. Facility Management and Support	66,475,659	64,333,520
c. Utilities	10,522,828	10,760,253
d. Community Services	40,682,217	48,672,979
Total, State Schools for the Mentally Retarded	\$ 317,921,570	\$ 317,634,106
10. State Centers (Mental Retardation):		
a. Campus Based Residential Treatment and Habilitation	\$ 7,039,080	\$ 7,039,080
b. Facility Management and Support	4,994,115	4,994,115
c. Utilities	713,463	713,463
d. Community Services	10,427,409	12,329,597
Total, State Centers (Mental Retardation)	\$ 23,174,067	\$ 25,076,255
11. Contracted Community Services (Mental Retardation):		
a. Residential Services	\$ 30,431,950	\$ 37,478,901
b. Client and Family Support	34,538,814	40,093,732
c. Case Management	3,957,611	5,689,815
Total, Contracted Community Services (Mental Retardation)	\$ 68,928,375	\$ 83,262,448
12. Home and Community Services	\$ 4,971,519	\$ 7,036,800
13. In Home and Family Support (Mental Retardation)	3,500,000	4,500,000
14. Mentally Retarded Offenders Program	300,000	300,000
Total, Mental Retardation Services	\$ 422,784,275	\$ 442,015,603
<u>State-wide Client Services</u>		
15. Autism Services	\$ 1,178,504	\$ 1,278,504
16. Communicable Disease Prevention and Control	571,971	571,971
17. Genetics Screening and Counseling	2,904,388	2,945,300
18. Central Food Purchase Fund	13,252,297	13,398,617
19. Recreation and Rehabilitation Center	139,618	139,618
20. Capital Expenditures	3,081,140	2,810,245

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
(Continued)

21. Education: Residential Placement	<u>5,200,000</u>	<u>5,200,000</u>
Total, State-wide Client Services	<u>\$ 26,327,918</u>	<u>\$ 26,344,255</u>
<u>Central Office</u>		
22. Central Administration:		
a. General Administration	\$ 6,348,672	\$ 6,548,672
b. Program Standards and Quality Assurance	1,681,196	1,681,196
c. Client Services and Rights Protection	409,956	409,956
d. Utilities	<u>482,288</u>	<u>482,288</u>
Total, Central Administration	<u>\$ 8,922,112</u>	<u>\$ 9,122,112</u>
23. Field Support:		
a. Financial Management	\$ 5,184,938	\$ 5,288,643
b. Management Information Services	7,276,544	7,776,544
c. Support Services	<u>1,807,777</u>	<u>1,807,917</u>
Total, Field Support	<u>\$ 14,269,259</u>	<u>\$ 14,873,104</u>
Total, Central Office	<u>\$ 23,191,371</u>	<u>\$ 23,995,216</u>
GRAND TOTAL, DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION	<u>\$ 828,452,202</u>	<u>\$ 865,874,171</u>
<u>Method of Financing:</u>		
General Revenue Fund	\$ 786,328,761	\$ 823,708,584
Federal Funds, estimated	16,419,166	16,419,166
Other Funds, estimated	7,903,788	7,916,788
Interagency Contracts, estimated	17,775,487	17,804,633
Earned Federal Funds	<u>25,000</u>	<u>25,000</u>
Total, Method of Financing	<u>\$ 828,452,202</u>	<u>\$ 865,874,171</u>

BOND DEBT SERVICE \$ 3,682,489 \$ 8,981,861

Schedule of Exempt Positions and Per Diem of Board Members

Commissioner (plus house and utilities)	\$ 84,267	\$ 84,267
Medical Director	63,036	63,036
Executive Deputy Commissioner	68,000	68,000
Deputy Commissioner, Management and		

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
(Continued)

Support		68,000		68,000
Deputy Commissioner, Mental Health Services, M.D.		68,000		68,000
Deputy Commissioner, Mental Retardation Services		68,000		68,000
Assistant Deputy Commissioner II	3	54,000	3	54,000
Assistant Deputy Commissioner I	13	49,000	13	49,000
Director, V	2	58,203	2	58,203
Director, IV	4	56,000	4	56,000
Director, III		54,000		54,000
Director, II	7	52,000	7	52,000
Director, I	11	49,000	11	49,000
State Hospital Superintendent (plus house and utilities)	8	62,301	8	62,301
Assistant Superintendent for Administration (plus house and utilities)	8	48,000	8	48,000
Director, Waco Center for Youth (plus house and utilities)		52,000		52,000
Director, Vernon Drug Dependent Youth Program		47,000		47,000
Clinical Director (plus house and utilities) NTE 2 at each facility		60,304		60,304
Assistant Director, Waco Center for Youth		47,000		47,000
State School Superintendent (plus house and utilities)	13	62,301	13	62,301
Medical Director (plus house and utilities)	13	56,312	13	56,312
Assistant Superintendent for Programs (plus house and utilities)	13	48,000	13	48,000
Assistant Superintendent for Administration (plus house and utilities)	13	48,000	13	48,000
State Center Director (plus house and utilities)	5	52,000	5	52,000
Assistant Director, State Centers (plus house and utilities)	5	47,000	5	47,000
Per Diem of Board Members		7,200		7,200

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Department of Mental Health and Mental Retardation. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Construction, Repair and Renovation	\$ 55,479,200	\$ U.B.
2. Acquisition of Computer Equipment and Software	<u>1,500,000</u>	<u>1,500,000</u>
Total, Capital Outlay	\$ 56,979,200	\$ 1,500,000

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
(Continued)

Method of Financing:

	=====	=====
General Revenue Fund	\$ 6,500,000	\$ 1,500,000
State Highway Fund No. 006	2,000,000	-0-
Bonded Construction Funds	<u>48,479,200</u>	<u>-0-</u>
 Total, Method of Financing	 \$ 56,979,200 =====	 \$ 1,500,000 =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

Bonded construction funds appropriated above through Article VII include \$5,242,500 from bond appropriation authority granted by Senate Bill No. 1, Acts of the Seventieth Legislature, Second Called Session, 1987. The remaining bonded construction funds appropriated to the department are contingent upon passage of legislation granting additional bonding authority.

Contingent upon specific authorization and the appropriation of funds for the construction of an 80-bed psychiatric facility, the department is hereby authorized to use such funds to establish a facility in the Killeen area to be jointly operated by the Department of Mental Health and Mental Retardation, Scott and White Hospital, and Texas A&M University.

2. TRANSFER AUTHORITY. The Department of Mental Health and Mental Retardation is authorized to transfer funds from any program in an amount not to exceed ten (10) percent per year. Transfers are authorized between sub-items of program appropriations except that funds transferred into facility management and support items, Central Office or Program Administration cannot exceed three (3) percent of the amounts appropriated in these items in a given fiscal year. The department is authorized complete transferability from these items to any other line item or sub-item.

Notwithstanding the paragraph above, for the purpose of complying with existing settlement agreements the department is authorized to transfer funds from any line item to any other line item in order to improve staffing ratios of state facilities, provide incentives for community placements, or improve the quality of care for patients or clients served by the agency. At least 15 days prior to any transfer of funds under the provisions of this section, the department will provide in writing to the Governor and the Legislative Budget Board a detailed description of the amount of funds to be transferred and the basis for the proposal including the change in the number of patients or clients to be served.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
(Continued)

3. **UTILITY TRANSFERS.** In order to provide for unanticipated cost increases in purchased utilities the Department of Mental Health and Mental Retardation is authorized to transfer amounts necessary from utility appropriations in the second year of the biennium to utility appropriations in the first year of the biennium. The department is authorized to transfer funds between all utilities sub-items. Such transfers are not subject to limits specified in Rider 2, Transfer Authority.
4. **FEDERAL FUNDS.** It is the intent of the Legislature that the Department of Mental Health and Mental Retardation shall be the state agency in Texas to receive and administer federal funds allocated to the state for programs in the field of mental health and mental retardation.
5. **COST ALLOCATION SYSTEM.** It is the intent of the Legislature that the Department of Mental Health and Mental Retardation establish a uniform cost allocation system that accurately reflects the cost of providing services in state facilities and all other facilities funded through TDMHMR, including community programs. This system shall include establishment of a standardized definition of services and chart of accounts. A report is to be submitted to the Legislative Budget Board and the Governor's Budget Office quarterly that details the progress being made in complying with this rider.
6. **ITEMIZED CHARGES.** The department shall:
 - a. develop and maintain a system for itemizing charges for physician and ancillary services in all state facilities,
 - b. develop rules and procedures that insure the accurate determination of the ability to pay of all patients of state mental hospitals,
 - c. develop uniform criteria for the determination of the ability to pay of clients in state schools and state centers.
7. **MENTAL HEALTH BLOCK GRANT.** The maximum distribution of funds allowed from the Alcoholism, Drug Abuse, and Mental Health Block Grant shall be allocated to the Department of Mental Health and Mental Retardation for the purposes of providing or supporting the provision of mental health services or complying with provisions of existing settlement agreements in class action litigation against the department.
8. **UNOBLIGATED CONSTRUCTION BALANCES.** Any unobligated balances as of August 31, 1989, in appropriations made by for Construction Senate Bill No. 1, Acts of the Seventieth Legislature, Second Called Session, 1987, or previous acts, are hereby reappropriated for the identical purposes and subject to the same restrictions for the biennium beginning with the effective date of this Act. Any balances remaining in excess of the requirements of such identical purposes may be allocated by the board for the purpose of emergency repairs and maintenance and life safety code alterations.
9. **CONSTRUCTION REPORT.** A construction report shall be made by the department and filed with the Governor's Office of Budget and Planning and the Legislative Budget Board not later than thirty (30) days following the end of each fiscal year. Such construction reports shall include the following information for each separate construction project; a concise description of

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
(Continued)

the project and its location, the name of the contractor and date of contract award, the date construction is to begin and proposed date of completion, appropriated funds available, total amount of contract award and any subsequent modifications, total project expenditure upon completion, percentage of project completion as of date of report and any comments pertinent to the status of the project.

10. **FEDERAL COLLECTIONS.** The Department of Mental Health and Mental Retardation shall implement procedures for maximizing collections under Title XVIII and Title XIX of the Social Security Act and from other third party sources as reimbursement for services. All collections pertaining to reimbursement for services received by the Department after the effective date of this act, excluding per diem medicaid reimbursement for state schools, for services provided prior to September 1, 1989 are hereby appropriated as follows:
 - a. To the Department to offset the cost of collections.
 - b. Fifty percent of all remaining collections shall be appropriated to the department for expansion of community services. The remaining fifty percent shall be deposited to the General Revenue Fund.
11. **FOOD PURCHASE COSTS.** In order to provide for unanticipated cost increases in the purchase, storage, and delivery of food for the institutions under its jurisdiction, the Board of Mental Health and Mental Retardation may transfer amounts necessary to cover such increases from amounts appropriated in the second year of the biennium for the Central Food Purchase Fund to the amounts appropriated in the first year of the biennium for the Central Food Purchase Fund. Prior to transferring funds, notification shall be given to the Comptroller of Public Accounts of the amounts to be transferred and quarterly reports shall be filed with the Legislative Budget Board detailing the necessity for such transfers.
12. **MAXIMUM SECURITY SALARIES.** As a specific exception to the provisions in Article V of this Act governing salary rates of classified positions, funds are included hereinabove for Rusk State Hospital and Vernon State Hospital, to pay those of their employees working in the Skyview Unit of the Texas Department of Corrections or the Maximum Security Units of Vernon State Hospital a two additional step increase over those salary rates provided by Article V.
13. **HARRIS COUNTY BALANCES.** Any balances remaining after the first year of the biennium in the above appropriation to the Harris County Psychiatric Center including any locally generated revenues are hereby reappropriated for the same purposes for the second year of the biennium.
14. **INTERNAL AUDIT PROCEDURES.** The Texas Department of Mental Health and Mental Retardation shall enforce standard service definitions for all facilities and audit the utilization of service definitions as part of its internal audit process.
15. **ANCILLARY SERVICES.** In an effort to provide for efficient and effective utilization of resources in state institutions and contracted community services, the Texas Department of Mental Health and Mental Retardation shall develop, implement, and enforce standards of productivity for all ancillary and treatment services provided by the department. Ancillary

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
(Continued)

services include, but are not limited to, Volunteer Services, Quality and Standards, Maintenance Services, Housekeeping Services, Laundry Services, and Food Service. Treatment services include, but are not limited to, Rehabilitation Services, Special Education Services, Recreation Services, Occupational Therapy, Physical Therapy, Speech Therapy, Chaplaincy, Pharmacy, Dental Services, and Laboratory Services.

16. LABORATORY SERVICES. Community mental health and mental retardation centers and state centers should purchase laboratory services from state facility laboratories or other state laboratories, unless such services can be provided internally or from private providers at less cost.
17. PHARMACY SERVICES. The department shall establish unit-dose packaging of products not available from vendors in unit-dose form.
18. COURT MONITORING. Contingent upon termination of the RAJ vs. Jones monitor by the federal courts, the Comptroller of Public Accounts is directed to transfer from the fund which the monitor is financed \$170,000 per year to the Office of the Governor or the entity designated by the Governor to monitor ongoing compliance with the provisions of the RAJ vs. Jones settlement agreement in accordance with SCR 68, 70th Legislature, Regular Session. In the event the monitor is discontinued during any given fiscal year, the Comptroller shall only transfer the proportionate amount necessary to finance such a monitoring activity during that fiscal year.
19. GENETIC COUNSELING SERVICE. The Department of Mental Health and Mental Retardation is authorized to charge for genetic counseling services at a rate not to exceed the actual cost of providing such services. The proceeds from such charges shall be retained and used by the Department for the continued provision of such preventative services. Any unobligated fee collection balances remaining at the end of a fiscal year are hereby reappropriated for the same purposes for the next fiscal year.
20. EDUCATION REQUIREMENTS. The education of school-age residents of the state schools will be provided by local school districts.

Funds appropriated to the Central Education Agency and funds transferred to the Central Education Agency by the Department of Mental Health and Mental Retardation by interagency contract for the purpose of educating school-age residents of the state schools shall be used solely for that purpose.

The department's obligation to provide care and treatment, including residential placement, for mentally retarded or mentally ill school-age individuals who are eligible for such services under current statutory provisions and who are referred by local public schools to the Central Education Agency for approval of residential placement shall be paid by the Central Education Agency and the local public schools making the referrals described herein. The Commissioners of the Department and the Central Education Agency shall jointly develop procedures for the implementation of this provision.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
(Continued)

21. NURSE AND THERAPIST SALARIES. In order to acquire and retain the employment of registered nurses and registered therapists, institutions of the Department of Mental Health and Mental Retardation, upon written authorization of the commissioner or his designee, may hire or pay registered nurses and registered therapists at any step rate within the appropriate pay group established in Article V of this Act. This is to be used only in those localities where it is necessary to meet prevailing salaries encountered by the agencies in their recruitment and retention of registered nurses and registered therapists.
22. COMMUNITY CARE WAIVER PROGRAM. The provisions of 1915(c) of the Social Security Act shall be utilized in order to maximize funds available for the home and community-based services. The Texas Department of Mental Health and Mental Retardation shall certify and/or transfer appropriated state funds to the Texas Department of Human Services so that it can claim federal financial participation through the provisions of 1915(c), Social Security Act.
23. AITC REVIEW. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.
24. SUPPORTED WORK. From funds appropriated above, the Texas Department of Mental Health and Mental Retardation shall expand the availability of alternative integrated community employment opportunities for persons with mental illness or mental retardation through community services of state hospitals, schools and centers and the contracted community services.
25. COMMUNITY PLACEMENT. The department shall continue to develop community alternatives and to place residents of state schools into appropriate community programs in accordance with the department's six-year strategic plan, 1988-1992, when such placements are determined by department professionals to be in the best interest of the individual. These placements shall be funded using the "dollar-follow-the-client" principle such that a portion of the funds appropriated for the client's care and treatment in state schools shall be transferred with the client to the community setting.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
(Continued)

26. REVENUE COLLECTIONS. The Texas Department of Mental Health and Mental Retardation is appropriated 50 percent of all collections under Title XVIII and Title XIX of the Social Security Act and other third party collections, excluding per diem Medicaid reimbursement for state schools, that are in excess of the amounts collected for services rendered in fiscal year 1989, excluding per diem Medicaid reimbursement for state schools. It is the intent of the Legislature that these funds be allocated to state facilities based on each facility's pro rata share of the increased collections. The remaining 50 percent of these collections shall be deposited in the General Revenue Fund. The total amount of collections appropriated to the department may not exceed \$5 million in either year of the biennium. The department shall provide an annual report to the Legislative Budget Board and the Governor's Office of Budget and Planning on revenues and expenditures as a result of this rider provision.
27. MENTAL HEALTH GERIATRIC SERVICES. The Legislature designates Kerrville State Hospital as having the primary mission for geriatric inpatient psychiatric care for the State. Kerrville State Hospital shall also continue to provide inpatient and outreach general psychiatric services to the citizens of Texas.
28. CHILD AND ADOLESCENT SERVICES. Funding appropriated in Item 5.e., Child and Adolescent Services, shall be utilized to provide community mental health services for children and adolescents defined in the priority populations and for children and adolescents defined by the Texas Department of Mental Health and Mental Retardation as being at high risk of developing severe mental illness. Monies from Item 5.e. appropriated during the biennium shall not supplant the fiscal year 1989 level of funding expended by each community mental health center for mental health services for children and adolescents, but shall be in addition to it. The Texas Department of Mental Health and Mental Retardation shall develop incentives to encourage community mental health centers to expand community mental health services for children and adolescents. The department shall submit an annual report on agency expenditures for child and adolescent services to the Legislative Budget Board and the Governor's Budget and Planning Office.
29. RIO GRANDE PROPERTY TRANSFER. The Texas Department of Mental Health and Mental Retardation shall abandon the property currently utilized by the Rio Grande State Center for administration, inpatient psychiatric, and substance abuse services during the 1990 fiscal year. Upon completion of relocation of the Rio Grande State Center to the South Texas Hospital, the Texas Department of Mental Health and Mental Retardation shall transfer its rights, title and interests to the abandoned property to the Texas State Technical Institute, Harlingen. Such transfer shall be without consideration from Texas State Technical Institute, Harlingen.
30. RIO GRANDE ACCREDITATION. The Texas Department of Mental Health and Mental Retardation shall assure that the Rio Grande State Center will apply for and meet the Joint Commission Accreditation for Hospitals (JCAH) accreditation standards for mental health services. Staffing and facility standards shall be met by August 31, 1990.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
(Continued)

31. **COST ACCOUNTING SYSTEM.** Funds appropriated above to Line Items 23.a., Financial Management, 23.b., Management Information Services and in Article VII of this act, include \$1,900,000 in fiscal year 1990 and \$2,500,000 in fiscal year 1991 to develop and enhance an automated uniform cost accounting system, client records system, accounts payable, purchasing and inventory system, and data communications network. The department shall report to the Legislative Budget Office and the Governor's Budget and Planning Office, not later than January 1, 1990 on its progress toward making its cost accounting system fully operational. A second report to the above listed entities shall be made on the capabilities of the fully operational system no later than January 1, 1991. The cost accounting system shall be fully operational no later than September 1, 1991.
32. **LONG-RANGE PLAN.** The Department of Mental Health and Mental Retardation shall develop a plan for serving people with chronic, long-term mental illnesses. The plan shall be submitted to the Legislative Budget Board by September 1, 1990, and shall outline the types of services needed by this population, the projected costs of providing such services, and proposals for funding community services targeted to this population.
33. **COMMUNITY MANAGEMENT AND SUPPORT.** Funds appropriated under Item 5., Contracted Community Services (Mental Health) and Item 11., Contracted Community Services (Mental Retardation) may be used to purchase community management and support services. The department shall track all biennial expenditures for management and support services under Item 5., Contracted Community Services (Mental Health) and Item 11., Contracted Community Services, (Mental Retardation). By December 1, 1990, the department shall report such expenditures for fiscal year 1990 to the Governor's Budget and Planning Office and the Legislative Budget Board.
34. **STUDY OF REGION FUND DISTRIBUTION.** The Department of Mental Health and Mental Retardation shall conduct a study of the method of distributing funds among the regions of the state. The study should consider the development of a formula for future distribution of funds which considers such need factors as client base and the economic and geographic factors throughout the state and within the regions of the state. The report shall contain an impact analysis of any recommended changes in the current funding formula. The report shall be completed and filed with the Legislative Budget Office to accompany the first submission of the Agency's Legislative Appropriation Request for the next biennium.
35. **CLINICAL RESEARCH UNIT.** Funds appropriated above to Item 2.a. Campus Based Residential Treatment and Habilitation include \$1.0 million each year of the biennium to provide for a research unit at the San Antonio State Hospital to be operated in conjunction with the University of Texas Health Science Center at San Antonio. The 1990 fiscal year funding is contingent on passage of Senate Bill No. 1235. The department shall seek other public and private funds to supplement these appropriations.
36. **PILOT PROJECTS.** From funds appropriated above for the Mentally Retarded Offenders Program, \$300,000 in fiscal year 1990 and \$300,000 in fiscal year 1991 shall be used to provide services for the Travis County Pilot Project of the Interagency Council on Mentally Retarded, Developmentally Disabled, and Mentally Ill Offenders. In addition, up to \$100,000 in fiscal year 1990 and up to \$200,000 in fiscal year 1991 from other funds appropriated above

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
(Continued)

shall be used to provide services for one additional Pilot Project of the Interagency Council on Mentally Retarded, Developmentally Disabled and Mentally Ill Offenders.

37. **AFTERCARE CONTINGENCY APPROPRIATION.** In addition to funds appropriated above and contingent upon TDMHMR's submission of a plan to the Legislative Budget Board for meeting compliance criteria for aftercare in the RAJ case, once those criteria have been clearly established, and contingent upon the LBB's approval of that plan, \$10 million from the General Revenue Fund is hereby appropriated to TDMHMR for providing aftercare services to persons discharged from state mental hospitals.

38. **LIAISON WORKER CONTINGENCY APPROPRIATIONS.** In addition to funds appropriated above, in the event the federal Medicaid funding for liaison worker services provided by the Department of Mental Health and Mental Retardation and community MHMR centers is deferred or denied, the Department may retain up to \$6,000,000 in 1990 and \$2,000,000 and U.B. in 1991 from federal Medicaid per diem reimbursement for state schools and such funds are hereby appropriated. Funds retained by the Department shall not exceed the amounts of federal funding deferred or denied, reduced by federal reimbursement for liaison worker services under other provisions of the State Medicaid Plan during the 1990-91 biennium. Funds shall be released to the Department under this provision only upon the approval of the Governor's Budget Office and Legislative Budget Board, and funds retained by the Department under this section may only be used to offset the loss of federal funds for liaison workers.

REHABILITATION COMMISSION

	For the Years Ending August 31, 1990	August 31, 1991
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Administration Program:

1. Administration and Support Services	15,067,712	15,094,167
2. Governor's Committee for Disabled Persons	227,060	231,610
	\$ 15,294,772	\$ 15,325,777
Total, Administration Program		

Vocational Rehabilitation Program:

3. Program Support and Implementation	\$ 26,404,109	\$ 26,439,169
4. Case Services (including Grants)	61,388,459	63,973,853
	\$ 87,792,568	\$ 90,413,022
Total, Vocational Rehabilitation Program		

Disability Determination Program:

5. Program Support and Implementation	\$ 23,783,426	\$ 23,724,735
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REHABILITATION COMMISSION (Continued)

6. Medical Examinations and Transportation for Disability Determination	<u>10,787,313</u>	<u>10,787,313</u>
Total, Disability Determination Program	\$ <u>34,570,739</u>	\$ <u>34,512,048</u>

Extended Rehabilitation Program:

7. Program Support and Implementation	\$ 825,310	\$ 826,560
8. Case Services (including Grants)	<u>3,010,294</u>	<u>3,009,044</u>
		& U.S.
Total, Extended Rehabilitation Program	\$ <u>3,835,604</u>	\$ <u>3,835,604</u>

Independent Living Program:

9. Case Services (including Grants)	\$ 4,940,618	\$ 4,640,618
		& U.S.
10. Deaf/Blind Client Services	<u>663,500</u>	<u>663,500</u>
Total, Independent Living Program	\$ <u>5,604,118</u>	\$ <u>5,304,118</u>

11. Developmental Disabilities Services	\$ 3,565,720	\$ 3,568,660
12. Occupational Therapy: Operating Expense	137,594	137,594
13. Comprehensive Medical Rehabilitation Services	1,000,000	1,000,000
14. Interagency Transitional Services	400,000	400,000
15. Supported Employment	1,213,198	1,213,198
16. Personal Attendant Services	<u>350,000</u>	<u>500,000</u>

GRAND TOTAL, REHABILITATION COMMISSION

\$ 153,764,313	\$ 156,210,021
=====	=====

Method of Financing:

1. General Revenue Fund:		
a. Administration Program	\$ 1,323,905	\$ 1,329,018
b. Vocational Rehabilitation Program	21,862,766	21,862,766
c. Extended Rehabilitation Program	3,835,604	3,835,604
d. Independent Living Program	4,278,861	3,978,861
e. Developmental Disabilities Services	210,048	212,988
f. Comprehensive Medical Services	1,000,000	1,000,000
g. Interagency Transitional Services	400,000	400,000
h. Personal Attendant Services	<u>350,000</u>	<u>500,000</u>
Total, General Revenue Fund	\$ <u>33,261,184</u>	\$ <u>33,119,237</u>
2. Federal Funds, estimated:		
a. Administration Program	\$ 12,566,052	\$ 12,586,327

REHABILITATION COMMISSION
(Continued)

b. Vocational Rehabilitation Program	65,376,840	67,997,294
c. Disability Determination Program	34,570,739	34,512,048
d. Independent Living Program	1,325,257	1,325,257
e. Developmental Disabilities Program	3,355,672	3,355,672
f. Supported Employment	<u>1,213,198</u>	<u>1,213,198</u>
Total, Federal Funds, estimated	\$ <u>118,407,758</u>	\$ <u>120,989,796</u>
3. Earned Federal Funds:		
a. Administration Program	\$ 1,404,815	\$ 1,410,432
b. Vocational Rehabilitation Program	<u>552,962</u>	<u>552,962</u>
Total, Earned Federal Funds	\$ <u>1,957,777</u>	\$ <u>1,963,394</u>
4. Occupational Therapy Fund:		
a. Occupational Therapy	\$ <u>137,594</u>	\$ <u>137,594</u>
Total, Method of Financing	\$ <u>153,764,313</u>	\$ <u>156,210,021</u>

BOND DEBT SERVICE	\$ 3,466,995	\$ 3,467,427
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Schedule of Exempt Positions and Per Diem of Commission Members

Commissioner		\$ 72,000		\$ 72,000
Executive Deputy Commissioner		65,000		65,000
Deputy Commissioner	3	58,000	3	58,000
Executive Assistant Commissioner		55,787		55,787
Assistant Deputy Commissioner	10	52,215	10	52,215
Controller		52,215		52,215
Chief Medical Consultant (M.D.)		59,254		59,254
Regional Director	6	46,542	6	46,542
Per Diem of Commission Members		4,960		4,960
Per Diem of Board Members-				
Occupational Therapy Board		1,800		1,800

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Texas Rehabilitation Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Acquisition of Computer Equipment and Software	\$ 1,242,336	\$ 1,276,650
Total, Capital Outlay	\$ 1,242,336	\$ 1,376,650

Method of Financing:

REHABILITATION COMMISSION
(Continued)

General Revenue Fund	\$ 119,355	\$ 112,742
Federal Funds	1,023,796	1,174,340
Earned Federal Funds	95,185	89,568
Other Funds	4,000	-0-
	<hr/>	<hr/>
Total, Method of Financing	\$ 1,242,336	\$ 1,376,650
	<hr/>	<hr/>

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. EXPANSIONS OF FEDERAL PROGRAMS. It is also provided that, in the event of expansions of federal programs, additional federal funds becoming available may be used to employ additional personnel necessary to carry out the expanded programs. Job titles and annual salary rates of such personnel shall be filed with the State Classification Officer and Legislative Budget Board prior to expenditure of such funds.
3. TRANSFER AUTHORITY. Any surplus in any item of any appropriation for the Texas Rehabilitation Commission may be transferred to the item of "Case Services" upon the approval of the Texas Rehabilitation Commission. Any such transfers shall be filed with the Legislative Budget Board and the Governor's Office of Management and Budget.
4. TRANSPORTATION ALLOWANCE. Under authority of Chapter 231, General Laws, page 523, Acts of the Fifty-sixth Legislature, Regular Session, 1959 (Section 8, Vernon's Annotated Civil Statutes, Article 6823a), the Texas Rehabilitation Commission is authorized to pay an employee whose duties customarily require travel within his designated headquarters a local transportation allowance for this travel. This monthly transportation allowance for the individual employee shall never exceed the transportation allowance for use of a privately owned automobile as set by the Legislature in the General Appropriation Acts.
5. PETTY CASH FUND. Each regional office and the central office of the Texas Rehabilitation Commission may establish a petty cash fund not to exceed \$4,000 out of the moneys appropriated herein. These funds shall be maintained in cash or at a local bank and shall be used only for making emergency payments. Reimbursements to these revolving funds shall be made only out of appropriations provided for in this Article.
6. AUDITING OF CONTRACTS. Within 90 days following the conclusion of a contract issued by the Texas Rehabilitation Commission, or at the option of the contracting party, within 90 days following the conclusion of the contracting parties fiscal year, during which the contract is in force, the contracting party shall provide to the Commissioner a full accounting of state funds expended under the terms of the contract. This requirement shall be a part of any contract entered into by the Commission and contracting entities. Failure of a contracting party to provide full accounting of state funds expended under the terms of any contract under the conditions stated above shall be sufficient reason to terminate that contract and for the Commission to deny any future contracts to that contracting party.

REHABILITATION COMMISSION
(Continued)

7. APPROPRIATION OF REVENUES-OCCUPATIONAL THERAPY. The amounts specified above for administration of the Occupational Therapy Act are appropriated from revenues received during the biennium, and from any balances on hand at the beginning of each fiscal year of the biennium in the Occupational Therapy Licensing Fund No. 496.
8. DEAF/BLIND CLIENT SERVICES. From the amounts appropriated above for Item 10, Deaf/Blind Client Services, a minimum of \$663,500 each year of the 1990-91 biennium shall be used to provide services to deaf/blind clients which include, but are not limited to: community-based residential care; sheltered/supported employment; a summer camp program; and parental counseling.
9. USE OF INFLATION FACTORS. It is the intent of the Legislature that the Texas Rehabilitation Commission utilize the lowest feasible alternative when selecting inflation factors for all medical expenses, and it is the intent of the Legislature that the commission limit increases in medical cost and fees paid for such medical services to the extent possible without adversely impacting the quality of care delivered to the clients of the commission.
10. AITC CERTIFICATION REQUIRED. Pursuant to the authority granted by Article 16, Section 69 of the Texas Constitution, none of the funds appropriated above shall be expended for the purchase, lease, and/or lease-purchase of computer hardware, software and/or telecommunications equipment of any kind until:
 - a. The agency has submitted a long-range plan and a complete inventory of all existing hardware, software, and telecommunication devices to the Automated Information and Telecommunications Council (AITC); and,
 - b. The AITC has certified in writing that: (1) the terms of the purchase, lease or lease-purchase are the most cost effective alternative; (2) the required services cannot be obtained through interagency contract with another state agency or agencies; (3) the requested hardware, software and/or telecommunication devices cannot be purchased from another agency; and, (4) the agency has complied with efforts to purchase compatible hardware, software or telecommunication systems.

The AITC shall adopt rules and procedures to govern the implementation of this provision. Such rules may include the waiver of the AITC review and certification for expenditures below certain limits, for emergency purposes, or after a designated time period has elapsed.
11. SKILLS TRAINING. The Texas Rehabilitation Commission may use funds appropriated above for Item 13., Comprehensive Medical Rehabilitation Services, to provide essential behavior and cognitive skills training to persons suffering from traumatic brain injuries.

REHABILITATION COMMISSION
(Continued)

12. SOLICITATION OF GIFTS, GRANTS AND DONATIONS. The Governor's Committee for Disabled Persons is authorized to develop plans and programs to solicit, and may solicit and accept gifts, grants, and donations from private and public sources to be expended for the purposes specified by the donor provided that such purposes are consistent with the Executive Order authorizing the Governor's Committee for Disabled Persons, and all such gifts, grants, and donations are hereby appropriated to the Committee. Any balance of gift, grant, or donation amounts unexpended during fiscal year 1990 shall be available for expenditure during fiscal year 1991.
13. ALTERNATIVE COMMUNITY EMPLOYMENT. Recognizing that productive employment for persons with disabilities is achieved best through integrated work performed in the community, rather than in sheltered workshop programs only, it is the intent of the Legislature that the Texas Rehabilitation Commission expand the availability of alternative integrated community employment opportunities for persons with severe disabilities through the Extended Rehabilitation Services and other components of the commission.
14. OCCUPATIONAL THERAPY LICENSING FUND. From amounts appropriated herein above in Item 12., Occupational Therapy: Operating Expense, an amount not to exceed \$13,000 each year of the biennium from the Occupational Licensing Fund No. 496 is to be used for travel, transportation, and other costs relating to license checks, investigation, hearings, and enforcement by the board.
15. PERSONAL ATTENDANT SERVICES. The Texas Rehabilitation Commission shall conduct a study of the existing need for personal attendant services and report its findings, along with recommendations concerning the establishment of a system for prioritizing the provision of Personal Attendant Services to program clients. The report shall also describe the methods used, if any, for the prioritization of services provided with funds appropriated for fiscal year 1990. The report should be submitted to the Legislative Budget Office and the Governor's Office of Budget and Planning no later than August 1, 1990.
16. SLIDING FEE SCHEDULE. In order to maximize the availability of services under Item 16., Personal Attendant Services, the Texas Rehabilitation Commission shall establish a sliding fee schedule and implement a fee collection system for services provided by the Personal Attendant Services program.
17. UNEXPENDED BALANCES: INDEPENDENT LIVING. An amount not to exceed \$200,000 in unexpended balances for the year ending August 31, 1990 for Item 9., Case Services, may be carried forward into fiscal year 1991, and such balances are hereby reappropriated.
18. EXPANSION OF MEDICAID REIMBURSEMENT. The Texas Rehabilitation Commission and the Texas Department of Human Services are directed to pursue the possible use of general revenue funds appropriated to the Texas Rehabilitation Commission for rehabilitative services, including Comprehensive Medical Rehabilitative Services, for Medicaid coverage in order to maximize federal reimbursements. Any additional federal funds that may be received are hereby appropriated and shall be expended for the client groups for which the reimbursement is made. Prior to implementation of the use of funds to expand Medicaid for these purposes, the agencies shall make

REHABILITATION COMMISSION
(Continued)

a status report to the Legislative Budget Board and the Governor's Budget Office regarding the costs and benefits of this initiative.

19. PILOT PROJECTS. \$300,000 in fiscal year 1990 and \$300,000 in fiscal year 1991 from Vocational Rehabilitation Services shall be used to provide services for the Travis County Pilot Project and one additional Pilot Project of the Interagency Council on Mentally Retarded, Developmentally Disabled, and Mentally Ill Offenders.
20. CONTINGENCY APPROPRIATION FOR TRANSITIONAL PLANNING. Contingent upon Central Education Agency legislation passing requiring the Texas Rehabilitation Commission to adopt a memorandum of understanding with other participating agencies, \$500,000 in fiscal year 1990 and \$500,000 in fiscal year 1991 is hereby appropriated in Line Item 3., Program Support and Implementation. These funds shall be used for providing transitional planning for special education students.
21. OUTSIDE LEGAL COUNSEL. The Texas Rehabilitation Commission is hereby authorized to contract with outside legal counsel for subrogation cases on a contingency fee basis. Contracts between the commission and outside legal counsel shall be subject to the prior written approval of the Legislative Budget Board.

YOUTH COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration	942,169	932,908
2. Administrative Support	2,409,262	2,383,794
3. Child Care Support	1,107,194	1,107,194
4. Institutional Services:		
a. Institutional Administration	4,201,637	4,178,945
b. Utilities	1,440,953	1,440,953
c. Student Care	20,933,003	21,247,909
d. Education	6,383,574	6,697,696
e. Counseling and Rehabilitation	3,037,984	3,035,940
Total, Institutional Services	\$ 35,997,151	\$ 36,601,443
5. Community Services:		
a. Regional Administration	\$ 461,703	\$ 492,672
b. Parole Services	2,524,325	2,524,325
c. Non-Residential Services	280,100	280,100
d. Independent Living	297,502	297,502
e. Residential Services	4,872,455	5,716,386

YOUTH COMMISSION
(Continued)

f. Contract Care	<u>13,526,436</u>	<u>14,792,863</u>
Total, Community Services	<u>\$ 21,962,521</u>	<u>\$ 24,103,848</u>
GRAND TOTAL, YOUTH COMMISSION	<u>\$ 62,418,297</u>	<u>\$ 65,129,187</u>

Method of Financing:

General Revenue Fund	\$ 59,080,328	\$ 61,771,705
Federal Funds, estimated	2,443,099	2,462,612
Earned Federal Funds, estimated	100,891	100,891
Other Funds, estimated	<u>793,979</u>	<u>793,979</u>
Total, Method of Financing	\$ 62,418,297	\$ 65,129,187

BOND DEBT SERVICE

\$ 4,515,368 \$ 5,323,688

Schedule of Exempt Positions and Per Diem of Board Members

Executive Director	\$	72,000	\$	72,000
Deputy Executive Director		65,000		65,000
Assistant Executive Director for Support Services		58,000		58,000
Assistant Executive Director for Child Care		58,000		58,000
Director of Institutional Services		56,000		56,000
Director of Community Services		56,000		56,000
Chief Medical Consultant		59,254		59,254
Superintendent of Education		58,000		58,000
Physician (part-time)	7	27,736	7	27,736
Dentist (part-time)	7	18,175	7	18,175
Superintendent (plus house and utilities)	8	52,000	8	52,000
Assistant Superintendent (plus house and utilities)	6	47,000	6	47,000
Principals, Supervisors, Teachers and Coaches (As provided in the Foundation School Program Act, as amended)				
Division Director II	4	52,000	4	52,000
Division Director I	5	48,000	5	48,000
Youth Correctional Psychologist V		48,500		48,500
Youth Correctional Psychologist II	UL	36,400	UL	36,400
Per Diem of Board Members		3,600		3,600

YOUTH COMMISSION
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Texas Youth Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Construction, Repair and Renovation:		
a. Asbestos and PCB Abatement	\$ 914,990	\$ U.B.
b. Major Repairs and Life Safety Code Improvements - Seven Institutions	9,753,646	U.B.
c. Additions and Alterations to Statewide Reception Center	1,136,803	U.B.
d. Roofing Repairs and Reroofing - Five Training Schools	952,047	U.B.
e. Expand Education Programs - Brownwood and Crockett State Schools	578,226	U.B.
f. Perimeter Security Fence System - West Texas Children's Home	3,107,730	U.B.
g. Renovate Kitchen/Cafeteria	447,113	U.B.
Subtotal, Construction, Repair and Renovation	\$ 16,890,555	\$ U.B.
2. Acquisition of Computer Equipment and Software	\$ 565,484	\$
Total, Capital Outlay	\$ 17,456,039	\$ U.B.
Method of Financing:		
General Revenue Fund	\$ 565,484	\$
Bonded Construction Funds	16,890,555	U.B.
Total, Method of Financing	\$ 17,456,039	\$ U.B.

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

YOUTH COMMISSION
(Continued)

It is the intent of the Legislature that the funds appropriated in Article VII and identified in Item 1., Construction, Repair and Renovation, be utilized for the specified projects. In the event that funds are available from any of the above-mentioned projects, then such amounts may be transferred to other projects previously specified, if such funds are necessary to complete the project.

Out of the amounts appropriated in Article VII and identified in Item 2., Acquisition of Computer Equipment and Software, \$500,000 in fiscal year 1990 is authorized solely for the lease-purchase and installation of a mainframe computer system, as well as the software and peripheral hardware necessary to operate the system, and said appropriation shall be used for no other purpose. The total contract price of the computer mainframe acquisition for which funding is authorized in this provision shall not exceed \$2,500,000. Any unexpended balances in the appropriation identified herein for mainframe acquisition remaining as of August 31, 1990, are hereby reappropriated for the same purpose for the fiscal year beginning September 1, 1990.

Any mainframe computer system purchased with the above identified appropriation shall have the capacity of maintaining offender identification and have the capacity to provide this data to the information systems of state criminal justice agencies.

2. TRANSFER AUTHORITY. The Texas Youth Commission is hereby authorized to transfer funds appropriated above, the total of which may not exceed thirty-five percent (35%) from any line item, only as follows:
 - a. Within program appropriation item number 4., Institutional Services, appropriations for sub-items other than 4.b., Utilities and 4.c., Student Care, are transferable from one sub-item to another sub-item within the program appropriation. Appropriations for any sub-item except 4.b., Utilities, may be transferred into 4.c., Student Care. Appropriations for any sub-item may be transferred into 4.b., Utilities.
 - b. Funds appropriated herein to 4., Institutional Services, 5.b., Parole Services, 5.e., Residential Services and 5.f., Contract Care, may be transferred to 4., Institutional Services, 5.b., Parole Services, 5.e., Residential Services and 5.f., Contract Care in those instances where, as a result of the changing needs of the total client population the Texas Youth Commission determines that:
 - 1) Children should be assigned to a program where funds are not available for their care; or
 - 2) Length of stay in a particular program should be increased, thereby causing an increase in population and a need for additional funding.
 - c. The Texas Youth Commission may transfer amounts not to exceed two percent from appropriation items 4. Institutional Services and 5. Community Services into appropriations items 1. Administration, 2. Administrative Support, and 3. Child Care Support for the purpose of providing for increases in administrative activities resulting from expansion of child care programs. Such transfers may also be made when the Commission determines that administrative activities performed at field locations can be performed more efficiently at the Central Office.

YOUTH COMMISSION
(Continued)

3. REPORTING REQUIREMENTS. It is the intent of the Legislature that the Texas Youth Commission and its institutions constitute a single agency for the purposes of purchasing, paying and reporting, and submitting of proposed budget requests.
4. PROFESSIONAL SERVICES AUTHORIZED. It is the intent of the Legislature that appropriations made in Item 1. Administration, and Item 3., Child Care Support, include funds which may be expended for professional fees, attorney's fees, psychiatric or psychological examination, testing, diagnosis, treatment and care of emotionally disturbed or mentally abnormal children to the extent deemed necessary by the Texas Youth Commission and in accordance with applicable laws. These funds may also be allocated by the Texas Youth Commission for transfer and expenditure by the institutions under its administrative jurisdiction to the extent necessary to carry out these provisions.
5. SERVICES AUTHORIZED. Funds appropriated above for Items 5.f., Contract Care and 5.e., Residential Services, include amounts to be used for the care and treatment of children under the custody of the Texas Youth Commission. The funds may be expended for purchasing services, including appropriate housing, meals, psychiatric, casework, and counseling services from existing public or private agencies, and all necessary expenses.
6. INTERSTATE TRANSPORTATION OF JUVENILES AUTHORIZED. The Texas Youth Commission as authorized under the Uniform Interstate Compact of Juveniles (Title II, Chapter 25, Article IV, Texas Family Code) may expend NTE \$40,000 appropriated in Item 3., Child Care Support, above to return to their homes non-T.Y.C. youth, detained by authorities in another state. Every attempt to find other sources of funds will be made prior to obligating these funds.
7. INTERAGENCY CONTRACT AUTHORIZED, WEST TEXAS CHILDREN'S HOME. The Texas Youth Commission is authorized to lease from The University of Texas, for a term of years and upon conditions that are mutually agreeable to the Texas Youth Commission and The University of Texas, under authority of the Interagency Cooperation Act, certain facilities situated at Pyote Air Force Base, in Ward County, Texas (same being located in Block 16, University Lands). The Texas Youth Commission is authorized to pay to The University of Texas as rental for such a lease a sum not to exceed Ten Dollars (\$10) per year.
8. UNEXPENDED BALANCES. Any unobligated balances as of August 31, 1989, in appropriations made by Senate Bill No. 1, Acts of the Seventieth Legislature, Second Called Session, 1987, for Item 7., Construction and Building Repair, and any other funds that have had prior approval of the Texas Youth Commission for expenditure for specific construction projects are reappropriated for the identical purposes for the biennium beginning September 1, 1989.

YOUTH COMMISSION
(Continued)

9. PLACEMENT INFORMATION. It is the intent of the Legislature that the Texas Youth Commission assist in providing other state agencies information concerning available residential placement facilities.
10. FEDERAL FUNDS, TITLE IV-E. One half of all federal funds collected by the Texas Youth Commission under Title IV-E of the Social Security Act for services provided to AFDC eligible juveniles are hereby appropriated to the Texas Youth Commission in addition to the above appropriations. The remaining one half of all such federal funds are hereby appropriated to the Texas Youth Commission and the appropriation out of the General Revenue Fund shall be reduced by the same amount.
11. OTHER AGENCY FUNDS. Any unexpended balances remaining in Independent School District Funds, the Student Benefit Fund, the Canteen Revolving Funds and the Conference Account as of August 31, 1989 and August 31, 1990 and any revenues accruing to those funds are appropriated to those funds for the succeeding fiscal years. Funds collected by vocational training shops at Texas Youth Commission institutions, including unexpended balances as of August 31, 1989 are hereby appropriated for the purpose of purchasing and maintaining parts, tools, and other supplies necessary for the operation of those shops.
12. EDUCATION IN PUBLIC SCHOOL SYSTEM. Any of the money appropriated by this Article to the Texas Youth Commission may be expended to pay another Independent School District for the education of students of Texas Youth Commission institutions.
13. REVOLVING FUNDS. The Texas Youth Commission may establish out of any funds appropriated herein a revolving fund not to exceed Ten Thousand Dollars (\$10,000) in the Central Office, and Ten Thousand Dollars (\$10,000) in each institution, regional office, or facility under its direction. Payments from these revolving funds may be made as directed by the commission. Reimbursement to such revolving funds shall be made out of appropriations provided for in this Article.
14. STUDENT EMPLOYMENT. Subject to the approval of the Texas Youth Commission, students residing in any Texas Youth Commission facility may be assigned necessary duties in the operations of the facility and be paid on a limited basis out of any funds available to the respective institutions or facility not to exceed Twenty-five Thousand Dollars (\$25,000) a year for each institution and Ten Thousand Dollars (\$10,000) a year for any other facility.
15. EMOLUMENTS.
 - a. The Superintendents, Assistant Superintendents and Business Managers of all institutions under the Texas Youth Commission shall each be furnished a house, utilities and laundry. The Texas Youth Commission may authorize expenditures from general operating expenses not to exceed \$175 per month in lieu of housing and utilities when quarters are not available on the grounds of the respective institutions for personnel authorized to receive same under the provisions of this Act. No other employees of these institutions shall be granted emoluments. Commissary privileges shall not be available to any employee of the Texas Youth Commission.

YOUTH COMMISSION
(Continued)

- b. As compensation for services rendered, any institution or facility under the jurisdiction of the Texas Youth Commission may provide free meals for food service personnel, and volunteer workers, and may furnish housing facilities, meals and laundry service in exchange for services rendered by interns. Free meals may also be provided to Youth Activity Supervisors in all programs.
 - c. The Texas Youth Commission may require other personnel, as it deems necessary, to live on the grounds and purchase services of the institution. Services furnished by the institution shall be calculated at not less than the amounts stipulated in Section 2.2.b. of this Article.
16. **LIMITATION, CLASSIFIED POSITIONS.** It is hereby declared to be legislative intent that the Texas Youth Commission should be limited in Article V to the work titles and group of Youth Activity Supervisor I 5190, Youth Activity Supervisor II 5191, Youth Activity Supervisor III 5192, and Youth Activity Supervisor IV 5193 in lieu of titles Correctional Officer I 4501, Correctional Officer II 4502, Correctional Officer III 4503, and Sergeant of Correctional Officers 4530, respectively.
17. **GRANT FUNDS, INDIRECT COSTS.** The Texas Youth Commission may transfer from grant funds accepted, all amounts approved for indirect costs and other administrative fees allowed by agreement with the agency administering the grant or the grantor, into the regular appropriations to the commission. Any such amounts shall be appropriated for the cost of salaries, supplies, and the operating costs of the activities funded by the regular appropriations.
18. **SALARIES, EDUCATION PROFESSIONALS.**
- a. Each principal, supervisor, and classroom teacher employed in an institution operated by the Texas Youth Commission shall receive a monthly salary to be computed as follows: The applicable monthly salary rate plus increments specified in Section 16.056, Texas Education Code, as amended, shall be multiplied by twelve to arrive at an annual salary rate. Such rate shall be divided by the number of days required in Section 16.055, Texas Education Code, for pay grades 1-11 twelve-month employees, and the resulting daily rate shall be multiplied by the number of on-duty days required of Texas Youth Commission educators, resulting in the adjusted annual salary. The adjusted annual salary is to be divided by twelve to arrive at the monthly rate. Salary rates for educational aides shall be calculated in the same manner, using 60% of the salary rate plus increments specified in Section 16.056, Texas Education Code.
 - b. The Texas Youth Commission may authorize salary rates at amounts above the adjusted annual salary determined in the preceding formula, but such rates, including longevity for persons commencing employment on September 1, 1983, or thereafter, shall never exceed the rates of pay for like positions paid in the public schools of the city in which the Texas Youth Commission institution is located. Any authorized local increments will be in addition to adjusted annual salaries.

YOUTH COMMISSION
(Continued).

19. REIMBURSEMENT AUTHORITY. When the Texas Youth Commission determines that such expenditures will result in greater economy to the state, funds allocated to any institution or facility under the control of the Texas Youth Commission (including the Central Office) may be expended to reimburse any other such institution or facility for the cost of non-routine maintenance and repair services, warehouse and supply services, printing services, micrographic services, student transportation, training services and vehicle maintenance furnished to the reimbursing institution or facility.
20. SUPPORT PAYMENT COLLECTIONS. Out of the funds appropriated above in Line Item 2., Administrative Support, \$30,000 in each year of the biennium is appropriated specifically to provide for the administrative activities necessary to maximize the collection of court ordered support payments pursuant to V.T.C.A., Family Code Section 54.06(a). The Texas Youth Commission shall annually report to the Governor's Office of Budget and Planning and to the Legislative Budget Board the number of active accounts, including the amounts owed to the state pursuant to Section 54.06(a) court orders, and the total amount of funds collected.
21. UNEXPENDED BALANCES, POSITION REALLOCATION. Any unearned contingency appropriations and any unexpended balances remaining in the various appropriations to the Texas Youth Commission as of August 31, 1989 and as of August 31, 1990, not to exceed \$1,000,000 each year, are appropriated for expenditure in fiscal years 1990 and 1991, respectively, for salary increases necessary to reallocate Youth Activity Supervisor positions to higher pay groups. Such reallocations are to be made only after obtaining approval from the Legislative Budget Board and the State Classification Officer, and are limited to the following positions: Youth Activity Supervisor II, class 5191; Youth Activity Supervisor III, class 5192; and Youth Activity Supervisor IV, class 5193. For the purpose of this provision, unexpended balances shall exclude any construction funds previously approved for specific projects.
22. NURSES SALARIES. In order to acquire and retain the employment of registered nurses, institutions of the Texas Youth Commission, upon written authorization of the Executive Director or his/her designee, may hire or pay registered nurses at any step within the appropriate pay group established in Article V of this Act. This is to be used only in those localities where it is necessary to meet prevailing salaries encountered by the Texas Youth Commission in its recruitment and retention of registered nurses.

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Sec. 2. SPECIAL PROVISIONS. The following special provisions, unless otherwise specified, shall apply only to the institutions, agencies, or offices under the jurisdiction of the Board of Health, Board of Mental Health and Mental Retardation and the Texas Youth Commission.

1. SALARY PROVISIONS.

- a. EXEMPT POSITIONS. Positions employed by the Department of Health or the Department of Mental Health and Mental Retardation, which are exempt from the Position Classification Plan, shall be paid at annual salary rates not to exceed those specified in this section, except as authorized below for specialty certification, recruitment and retention and augmentation of the salaries of physicians and dentists.

The Department of Mental Health and Mental Retardation and Texas Youth Commission shall pay less than the maximum salaries when qualified individuals may be obtained at such lower salaries and when consistent with the best interest of the department.

For the Years Ending	
August 31, 1990	August 31, 1991

Department of Health and Department of Mental Health and Mental Retardation (UL):

Psychiatrist III	\$ 63,561	\$ 63,561
Psychiatrist II	60,304	60,304
Psychiatrist I	57,993	57,993
Medical Specialist, M.D. III	64,000	64,000
Medical Specialist, M.D. II	61,000	61,000
Medical Specialist, M.D. I	58,000	58,000
General Physician III	64,000	64,000
General Physician II	61,000	61,000
General Physician I	58,000	58,000
Other Medical Specialist, M.D.	60,304	60,304
Clinical Dentist III	50,849	50,849
Clinical Dentist II	47,487	47,487
Clinical Dentist I	45,176	45,176
Clinical Psychologist I	34,670	34,670
Clinical Psychologist II	37,086	37,086
Clinical Psychologist III	39,713	39,713
Clinical Psychologist IV	42,234	42,234
Clinical Psychologist V	46,647	46,647
Clinical Psychologist VI	51,900	51,900
Research Specialist II	60,304	60,304
Research Specialist I	55,472	55,472

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Clinical Pharmacologist I	47,382	47,382
Clinical Pharmacologist II	52,740	52,740
Director of Nursing, NTE		
1 per facility	48,000	48,000
Registered Therapist	48,000	48,000
Principals, Supervisors, Teachers and Coaches		

(As provided in the
Foundation School
Program Act, as amended)

b. SALARY SUPPLEMENTATION.

- 1) BOARD CERTIFIED PHYSICIANS. In addition to the salary rates specified for exempt positions for the Department of Health, Department of Mental Health and Mental Retardation and the Texas Youth Commission, physicians who are certified by a U.S. Medical Specialty Board may be paid not to exceed Four Thousand Dollars (\$4,000) per year out of the appropriations to the employing institution or agency if he is working full-time for the institution or agency in the field of his specialty certification.
- 2) EMPLOYMENT OF PHYSICIANS AND DENTISTS. In order to acquire and retain the employment of physicians and dentists, the Department of Health and Department of Mental Health and Mental Retardation and institutions under their control and management may, upon written authorization of the director and/or commissioner of the departments, pay from funds appropriated by this Act to the departments and institutions under their control and management an amount not to exceed Six Thousand Dollars (\$6,000) per annum in addition to the salary rates specified in this Act. It is the intent of the Legislature, that this authorization be used to prevent critical vacancies with the departments and institutions. In addition, the Texas Department of Mental Health and Mental Retardation is authorized to use funds to augment the salaries paid to those physicians and dentists employed by the department who meet professional standards established in rules promulgated by the Commissioner to administer the augmentation program. The department shall file with the Governor, the Legislative Budget Board, the Comptroller of Public Accounts and State Auditor each quarter, a report on the distribution of all such funds.

c. CLASSIFIED POSITIONS.

- 1) Any state special school, or state mental hospital is hereby authorized to pay an additional night shift salary differential not to exceed four percent of the monthly pay rate to registered nurses, licensed vocational nurses, and personnel employed in the subprofessional nursing classifications of the Attendant Series, MHMR Manpower Series and MHMR Psychiatric Security Technician Series who work the 3 p.m. to 11 p.m. or the 11 p.m. to the 7 a.m. shift or its equivalent.

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- 2) It is further provided that appropriations for salaries of classified positions may be used to pay the wages of hourly workers when the utilization of such personnel is in the best interest of an economical and efficient program.
- 3) Any hospital operated by the Department of Health is hereby authorized to pay an additional night shift differential not to exceed ten percent of the monthly pay rate to registered nurses, licensed vocational nurses, and other licensed or certified classified personnel who work the evening or night shifts.

d. TEACHERS.

- 1) Each principal, supervisor or classroom teacher of children or residents of each state school or home, or patients in an adult education program operated by a state hospital, which are specified in this article, shall receive as a minimum salary the classroom or exceptional teachers monthly salary rate, plus increments specified in Sections 16.056 and 30.83, V.T.C.A., Education Code. Those principals, supervisors or classroom teachers in an adult education program operated by a state hospital to be eligible for these salary rates shall be required to have a provisional or professional certificate issued under Subchapter B, Section 13.001-13.046, V.T.C.A., Education Code.
- 2) Salary rates in excess of the minimum amounts specified in Sections 16.056 and 30.38, V.T.C.A., Education Code, and the salaries of coaches and teachers of exceptional children, may be paid; but such approved rates shall never exceed the rates of pay for like positions paid in the public schools of the city in which the state school or home is located. Salary rates for principals, supervisors or classroom teachers in an adult education program operated by a state hospital, in excess of the minimum amounts may be paid; but such rates shall never exceed the rates of pay in the public schools of the city or county in which the state hospital is located. These qualified principals, supervisors or classroom teachers in an adult education program operated by a state hospital shall receive the monthly salary rate plus increments multiplied by the number of months of service authorized by the hospital. In determining the rate of pay for comparison with like positions in the public schools, the agencies covered by this provision shall include in the comparison longevity paid to persons commencing employment under this section on September 1, 1983, or thereafter.

2. CHARGES TO EMPLOYEES AND GUESTS. In order to reimburse equitably the appropriation items in those agencies covered by this section from which expenditures are made for services to employees and guests, the following rules shall apply:

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- a. Meals served to employees and guests shall be valued at the projected cost including cost of preparation and indirect cost.
 - b. Charges to employees for lodging and laundry shall be based on a schedule developed by the respective governing boards, and copies of such schedules shall be filed with the Legislative Budget Board.
 - c. Collections for services rendered employees and guests shall be made by a deduction from the recipient's salary or by cash payment in advance. Such deductions and other receipts for these services from employees and guests are hereby reappropriated to the institution. Refunds of excess collections shall be made from the appropriation to which the collection was deposited.
 - d. As compensation for services rendered, any institution under the jurisdiction of the respective governing boards may provide free meals for food service personnel and volunteer workers, and may furnish housing facilities, meals and laundry service in exchange for services rendered by interns, chaplains in training, and student nurses.
3. INDEPENDENT SCHOOL DISTRICT FUNDS. Any unexpended balances remaining in Independent School District Funds of facilities of the Department of Mental Health and Mental Retardation as of August 31, 1989, and any receipts of such funds are appropriated for the 1990-91 biennium.
4. GIFTS, DONATIONS, AND FEDERAL GRANTS.
- a. The state agencies covered by this section for which funds are appropriated by this Article are authorized to accept gifts, donations, and federal grants for the programs and projects intended to improve the care and treatment of patients or students for which the agencies are responsible. Such gifts, donations, and grants are appropriated for the purposes for which they are made available; provided, however, that in taking advantage or accepting such funds, the respective agencies shall not incur any indebtedness which would necessitate a supplemental or additional appropriation out of any funds of this state nor deplete any of the funds herein appropriated to an amount which would necessitate a supplemental or additional appropriation out of any funds of this state to replenish said fund or funds.
 - b. It is further provided that such gifts, grants or donations may not be expended for establishing institutions at new sites unless such sites or their selection have been authorized by the Legislature through the provisions of this or other Acts.
 - c. In carrying out the wishes of the donor within the meaning of this subsection, the state agencies are authorized to enter into such contracts with any person, firm, corporation or governmental agency as may be necessary.

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- d. Any gifts, grants, or donations received pursuant to this subsection shall be expended only in accordance with the applicable provisions of this Act, and subject to the restrictions stated herein.
5. ADMISSION AND DEPORTATION OF NONRESIDENTS AND ALIENS.
- a. None of the moneys appropriated to the Department of Health and Department of Mental Health and Mental Retardation may be expended for the training or medical treatment, except in emergencies of any student or patient who is not a domiciliary of this state.
 - b. The cost of deporting any nonresident or alien may be paid by any of the institutions covered by this section from appropriated funds available to such institutions. Expenditures for the purposes of deporting nonresident or alien patients or of returning Texas patients or students from other states, shall be governed by the following additional rules and procedures:
 - 1) In order to conserve the use of personnel and reduce the costs of deporting patients, the superintendent of a hospital or institution named in Article II which is deporting patients may also include in his scheduled deportation trip patients approved for deportation from other state hospitals and institutions and be reimbursed by such other hospitals and institutions for their pro rata shares of the costs incurred. All such reimbursements are hereby appropriated to such hospital or institution.
 - 2) To simplify the disbursement of funds for deportation purposes, the Department of Mental Health and Mental Retardation and Department of Health and hospitals or institutions under their jurisdiction may request commercial transportation companies to furnish the required transportation of patients and of attendants designated to accompany such patients. The cost of such transportation services is to be paid upon submission of purchase vouchers to the governing agency or to the hospital or institution under its jurisdiction requesting such transportation services.
 - 3) The mental health agency of any other state or any institution operated thereunder which is deporting patients to Texas state hospitals, may be paid a pro rata share of any expenses incurred when patients from Texas state hospitals are taken back to their state of residency by personnel of the aforementioned agency upon their return trip.
6. BIOMETRICS REPORTING. The appropriations in this Article to the respective hospitals, schools, and institutions covered by this section are made contingent upon the condition that these agencies shall transmit to the Governor's Office of Budget and Planning, and Legislative Budget Office periodic biometrics reports for mental hospitals, schools for mentally retarded, chest hospitals, centers for human development, outpatient clinics, and other facilities under their jurisdiction. The frequency and content of the biometrics reports shall be jointly determined by the two budget offices.

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7. SERVICES TO EMPLOYEES.
- a. Barbers and cosmetologists paid from appropriations made to those agencies covered by this section may perform services for the employees of the institutions and charge for them, provided the work is done after their assigned working hours and at no cost to the state.
 - b. Out of the appropriations authorized in this Article, the respective governing boards covered by this section may under rules and regulations promulgated by them expend money for the treatment and hospitalization, at the institutions under their direction, of employees injured in the performance of their duties and may reimburse employees in an amount not to exceed \$150 per incident per employee for damage to eyeglasses, hearing aids, false teeth and other prosthetic devices caused by agency clients.
8. EXPENDITURE OF FUNDS FOR STUDENT RAISED LIVESTOCK. Students at any school or home covered by this section for which appropriations are made in this Article may raise livestock for the purpose of entering said livestock in livestock exhibitions; provided, however, that the institution shall be reimbursed to the appropriation item for which like costs are ordinarily paid, for the expense of raising said livestock.
9. NEW OR ADDITIONAL INSTITUTIONS. No money appropriated by this Article may be spent for constructing new or additional institutions or for the purchase of sites therefor, without specific authorization of the Legislature. All institutions shall be kept where they are located by the Legislature, and all new buildings to be constructed shall be on these sites unless otherwise specifically authorized by the Legislature. For the purpose of this subsection, specific authorization may be granted either by basic statute or special authorization in this Act.
10. IMPROVEMENT OF EDUCATION. Out of moneys appropriated to it by this Act, the Texas Central Education Agency may assist the special schools named in this Article by extending to them the same consultative supervision, technical help, inspections, and standards of performance as are provided elementary and secondary public schools of this state. The governing boards covered by this section are authorized to expend from appropriations to them such amounts as it deems necessary for effective vocational rehabilitation programs in the institutions under their direction.
11. FIRE PREVENTION AND SAFETY. In instances where regular employees of the institutions are assigned extra duties in fire prevention programs, the following payments are authorized in addition to the salary rates stipulated by the provisions of Article V of this Act relating to the position classifications and assigned salary ranges:

For Fire Chief	\$75 per month
For Assistant Fire Chief	\$65 per month
For Fire Brigade Members	\$50 per month

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12. TRANSFER OF ASYLUM FUND BALANCES. For the purpose of partially financing the appropriations specified in this Article for the Austin State Hospital, Corsicana State Home, and specified in Article III of this Act for the special schools for the blind and the deaf, any interest, payments on principal, or balances remaining as of August 31, 1989, in the Available Lunatic Asylum Fund, Available Orphans Home Fund, Available Blind Institute Fund, and Available Deaf and Dumb Institute Fund, are to be transferred by the State Comptroller of Public Accounts and the State Treasurer to the General Revenue Fund either annually or semiannually.
13. INDIVIDUAL INSTITUTION DATA REQUIRED. Notwithstanding the consolidated appropriations patterns for state institutions of the Texas Department of Mental Health and Mental Retardation and the Texas Youth Commission included in this Act, it is the intent of the Legislature that all reporting of financial information and biennial budget requests for the 1992-93 biennium shall reflect individual institution data as required by the Legislative Budget Office and Governor's Budget and Planning Office.

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Sec. 3. SPECIAL PROVISIONS. The following special provisions, unless otherwise specified, shall apply only to the institutions, agencies, or offices under the jurisdiction of the Board of Health and Board of Mental Health and Mental Retardation.

1. EMOLUMENTS.

- a. Unless otherwise specifically provided, no officer or employee of the institutions under the Board of Health and Department of Mental Health and Mental Retardation shall receive emoluments without charge; provided, however, that in addition to those emoluments authorized elsewhere in this Act, a house and utilities shall be furnished each assistant superintendent, business manager, and plant maintenance manager.
- b. In the event housing facilities are not available for institutional personnel specified in this subsection, cash allowances not to exceed One Hundred Seventy-five Dollars (\$175) per month may be paid to any such personnel in lieu of such house and utilities. Such payments shall not be paid in advance, but only for the period during which the said institutional personnel have been employed in the position for which payment is authorized. Notice of such payment shall be included in the quarterly reports filed by the respective governing boards with the Governor's Budget and Planning Office and the Legislative Budget Board. Commissary privileges shall not be available to any employee of the hospital system.

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(Continued)

2. PATIENT OR STUDENT ASSISTANCE. Subject to the approval and rules and regulations of the governing boards covered by this section, patients or students in any state hospital or special school under the jurisdiction of the boards, who are assisting in the operation of the institutions as part of their therapy, may receive compensation out of any funds available to the respective institutions.

3. REVOLVING PETTY CASH FUNDS.
 - a. Each institution under the state agencies named in this section may establish a petty cash fund not to exceed \$10,000, or increase the existing fund up to \$10,000, out of the moneys appropriated herein. These funds shall be maintained in cash or at a local bank and shall be used only for making emergency payments and small purchases and payments which will increase the efficiency of the operation; payments to client workers on a regular pay-day basis; for use as change funds in the cashier's office, canteen, and other specific locations where financial activities of the agency require a change fund; and for use by case managers of the Department of Mental Health and Mental Retardation only for the purpose of making emergency purchases of medication or other necessities, i.e., basic life support resources or services without which a client would be at risk of being placed in a more restrictive environment for mentally ill and mentally retarded persons assigned to said case managers.
 - b. Each institution under the state agencies named in this section may establish a petty cash fund not to exceed \$14,000 out of the moneys appropriated herein. These funds shall be maintained in cash or at a local bank and shall be used only for making payments to client workers on a regular payday basis and for supplies and equipment purchases for sheltered workshops.

4. REVOLVING FUND SERVICES.
 - a. Central Services. The Texas Department of Mental Health and Mental Retardation may, under such rules and regulations as deemed necessary, maintain and operate on a reimbursable basis a motor pool, a central supply service, a central multilith service, a central laboratory service, and such other central services, excluding data processing services, as shall contribute to the efficiency and economy of institutions under its control and management. The central laboratory service and such other central services, excluding data processing services, as shall contribute to the efficiency and economy of institutions under its control and management may be established and operated from funds appropriated to the department in such amounts as shall be necessary. All receipts deposited to the Central Laboratory Service Fund and such other central service funds as may be established are appropriated for the purchase of necessary materials, operating supplies and equipment, for the payment of salaries and wages, and for all other costs necessary for the operation of these services for the biennium ending August 31, 1991. Any balances remaining in the Motor Pool Fund, Central Supply Revolving Fund, and the Revolving Fund for Central Multilith Service at the end of the fiscal year ending August 31, 1989, together with receipts deposited to their credit, are

SPECIAL PROVISIONS RELATING ONLY TO INSTITUTIONS UNDER
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appropriated for the payment of salaries and wages, travel expense, purchase and repair of equipment, including trucks and buses, and other expenses necessary to the operation of these services for the biennium ending August 31, 1991. To reimburse the funds from which expenditures are made, the department may make fund transfers from the appropriations of the institutions and agencies which receive the services and supplies, or may submit purchase vouchers through the Office of the State Comptroller.

- b. Canteen Services. Each of the institutions under control and management of the Texas Department of Mental Health and Mental Retardation may establish, maintain and operate a canteen for the convenience of its patients. Any balances remaining in each canteen operation fund at the end of the fiscal years ending August 31, 1989 and 1990, plus all receipts deposited to its credit, are appropriated for the purchase of merchandise, operating supplies and equipment, for the payment of salaries and wages, and for all other costs necessary for the operation of a canteen for the fiscal years ending August 31, 1990 and 1991. Each of the institutions under control and management of the Texas Department of Mental Health and Mental Retardation that has contracted or does contract with the Commission for the Blind for the operation of its canteen shall deposit the amount of moneys originally appropriated for its Canteen Operation Fund into the General Revenue Fund. The balance remaining in the institution's Canteen Operation Fund, after the amount originally appropriated is deposited to the General Revenue Fund, shall be deposited to the Benefit Fund created at the institution under the provisions of Article 3183c, V.T.C.S.
- c. Motor Pool Services. The Texas Department of Mental Health and Mental Retardation is hereby authorized to utilize the services of its motor pool to transfer and deliver the household goods and effects of its employees transferred from one place of employment to another within the department when such service to such employee is deemed to be in the best interest of the State of Texas; provided, however, this service shall not be extended to any new employee.
- d. United States Surplus Property and Commodities Services. It is the intent of the Legislature that the funds hereby appropriated for a central supply service are to be used to finance on a reimbursable basis, the obtaining, storing, handling and distribution of the United States surplus property and commodities to various institutions under the jurisdiction of the Department of Mental Health and Mental Retardation and for the operation of the central multilith services as provided for in this Article.
- e. The Department of Health is authorized to provide central multilith services, data processing services, drugs, medical supplies and services to the chest hospitals. The chest hospitals are authorized to provide multilith services, housekeeping services, utilities, general maintenance, laboratory services, x-ray services and physician services to the Department of Health in a coordinated public health region program. The Department of Health and the chest hospitals may be reimbursed for such supplies and services by the submission of purchase vouchers through the Office of the State Comptroller.

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(Continued)

- f. Supply Revolving Fund. From funds herein appropriated, the Texas Department of Mental Health and Mental Retardation may authorize each of the institutions under its control and management to establish, maintain, and operate on a reimbursable basis a Supply Revolving Fund which will contribute to the efficiency and economy of such institutions.

The department shall approve the amount necessary to implement the revolving fund procedure and shall establish rules to avoid depletion of the revolving funds. To reimburse the revolving funds, the institutions may transfer from the funds of the programs and activities for which supplies are provided.

- g. Sheltered Workshops. Any balances remaining in the sheltered workshop funds at the end of the fiscal year ending August 31, 1989, together with receipts deposited to their credit are appropriated for use in the operation of sheltered workshops for the biennium ending August 31, 1991.

5. SURPLUS PROPERTY. In order to conserve the funds appropriated to the agencies and institutions covered by Sections 2 and 3, surplus personal property may be transferred from one institution or agency to another with or without reimbursement. The Texas Department of Mental Health and Mental Retardation may transfer surplus personal property to community MHMR centers with or without reimbursement. Surplus personal property belonging to any institution or agency may be sold; provided, however, that such transfers or sales shall be made under the same procedure as provided by Article 666, Vernon's Annotated Civil Statutes. In making such transfers or sales, the agencies may do so without the necessity of contracts as required by Article 4413(32), V.A.C.S., known as the Interagency Cooperation Act.

6. OUT-PATIENT CLINICS.

- a. The state agencies named in this section are authorized to charge for treatment and medication to patients treated on an out-patient basis at rates not to exceed the actual cost. An additional charge may be made for medication dispensed to patients at a rate not to exceed the cost to the state.
- b. Proceeds from the sale of medications and from treatment are hereby reappropriated to the respective out-patient clinics or institutions.
- c. As an exception to the General Provisions of this Act relating to reimbursements and payments, it is expressly provided that the moneys received by the Department of Mental Health and Mental Retardation and the Department of Health, from interagency contracts with the Department of Human Services under Title XIX of the Social Security Act, are to be considered pay-patient collections and deposited in the General Revenue Fund.

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d. Reimbursement under the Home and Community-Based Services Waiver, as authorized by Special Provisions Relating Only to the Department of Mental Health and Mental Retardation and the Department of Human Services, is excluded from this rider.

7. MANAGEMENT AND SUPPORT. It is the intent of the Legislature that services provided by appropriations to the Management and Support Item of the various institutions of the Department of Mental Health and Mental Retardation shall not be supplemented by expenditures from other items of appropriation.

8. UNEXPENDED BALANCES. Except as otherwise provided by this paragraph, all unexpended and unobligated balances remaining from appropriations for fiscal year 1990 to the Department of Mental Health and Mental Retardation as of August 31, 1990, are reappropriated to the department to be placed in one or more special accounts in the Central Office of the department which may be allocated or expended only for the purpose of complying with the provisions of existing settlement agreements in litigation dealing with residential, non-residential, and community based residential mental health and mental retardation services. This paragraph does not apply to those unexpended and unobligated balances remaining from appropriations for fiscal year 1990 that the department is authorized by this Act to retain for specific purposes in fiscal year 1991.

SPECIAL PROVISIONS RELATING ONLY TO THE DEPARTMENT OF
MENTAL HEALTH AND MENTAL RETARDATION AND THE
DEPARTMENT OF HUMAN SERVICES

Sec. 4. MEDICAL ASSISTANCE PROGRAMS.

1. It is the intent of the Legislature that the Department of Mental Health and Mental Retardation, through agreements with the Department of Human Services, shall maximize the amount of medical assistance paid on behalf of patients in state hospitals, state schools for the mentally retarded, and state centers. Furthermore, the Department of Mental Health and Mental Retardation shall furnish a quarterly report to the Governor's Budget and Planning Office and the Legislative Budget Office detailing the progress of this program, problems encountered in implementation, and the payments received pursuant to this program.
2. It is the intent of the Legislature that the Department of Mental Health and Mental Retardation, through agreements with the Department of Human Services, shall utilize, to the maximum extent allowable, federal funds for all programs and services to the mentally ill and mentally retarded available under the provisions of Title XX of the Social Security Act of 1975 (P.L. 93-647). Such federal funds shall not be used to increase the amounts hereby appropriated to the Department of Mental Health and Mental Retardation, but, shall be used to reduce the amount of General Revenue expended.

3.

SPECIAL PROVISIONS RELATING ONLY TO THE DEPARTMENT OF
MENTAL HEALTH AND MENTAL RETARDATION AND THE
DEPARTMENT OF HUMAN SERVICES
(Continued)

- a. It is the intent of the Legislature that the provisions of 1915(c) of the Social Security Act be utilized in order to maximize funds available for the home and community-based services for persons with developmental disabilities (as defined in the ICF-MR Level of Care Criteria). The Texas Department of Mental Health and Mental Retardation shall certify and/or transfer appropriated state funds to the Texas Department of Human Services so that it can claim federal financial participation through the provisions of 1915(c), Social Security Act.
 - b. Any federal reimbursement resulting from this waiver exclusive of administrative overhead costs shall be directly applied to the programs authorized by this rider to further expand non-institutional home and community-based services.
 - c. The Texas Department of Mental Health and Mental Retardation shall develop these home and community-based services through private, public, and non-profit providers. No funds shall be expended for services under this waiver where the average state cost per client per day exceeds the maximum client per day rate in the ICF-MR community-based program, except for cases individually exempted by the Board of Human Services. The opportunity to be considered for these services shall be afforded to persons residing in TDMHMR state school ICF-MR facilities and to persons who meet the requirements for an ICF-MR level of care, but who are not residing in a TDMHMR state school ICF-MR facility.
4. It is the intent of the Legislature to comply with the provisions of existing settlement agreements in class action litigation against the Texas Department of Mental Health and Mental Retardation dealing with community-based residential mental health and mental retardation services by placing appropriate state school residents into public or private community facilities. Notwithstanding the provisions of Rider 31, in the Department of Human Services portion of this Act, the Texas Department of Human Services shall contract with public or private providers for the provision of community-based services to certain persons who meet the requirements for an ICF-MR level of care. It is the intent of the Legislature that the Department of Human Services adjust its rules restricting location and size of new facilities for community-based services to conform with available revenues. The Texas Department of Mental Health and Mental Retardation may provide funds to the Texas Department of Human Services for contracts executed under this subsection. It is the intent of the Legislature to use Title XIX federal funds whenever possible in complying with the settlement agreement. This section does not restrict the use of funds for the development of community programs that are not covered by Title XIX of the Social Security Act.
 5. The Texas Department of Mental Health and Mental Retardation and the Texas Department of Human Services are authorized to extend Medicaid coverage for inpatient psychiatric, skilled nursing and intermediate care facility services to individuals age 65 and over in institutions for mental diseases. The Texas Department of Mental Health and Mental Retardation may certify or transfer funds appropriated for mental health services to the Department of Human Services to implement Medicaid mental health services.

SPECIAL PROVISIONS RELATING ONLY TO THE DEPARTMENT OF
MENTAL HEALTH AND MENTAL RETARDATION AND THE
DEPARTMENT OF HUMAN SERVICES
(Continued)

The Department of Mental Health and Mental Retardation may also certify or transfer funds appropriated for contract community services, and for community services of state hospitals and state centers to the Department of Human Services in order to provide Medicaid mental health clinic services and to claim federal financial participation through the provisions of the Social Security Act. Designated providers receiving contract community services may also certify or transfer funds they receive to the Department of Human Services for the same purpose. The amount of funds to be certified or transferred for clinic services shall not exceed \$3.0 million for fiscal year 1990 and \$3.0 million for fiscal year 1991, except upon a finding of fact by the Governor that transfer of additional funds are necessary to provide essential services to the state's priority populations and will not result in additional expenditures of state funds.

Notwithstanding other provisions of this Act, reimbursement for Medicaid mental health services up to, but not in excess of amounts required to provide the state's match for Medicaid mental health services delivered by community-based providers, shall be directly applied to the programs authorized by this section.

Prior to the transfer of any funds or any expenditure of funds to implement Medicaid mental health services, there must be a finding of fact by the Governor, with the advice of the Legislative Budget Board that the services will meet the needs of the state in an economic and efficient manner.

6. **PSYCHIATRIC HOSPITAL SERVICES STUDY REQUIRED.** The Texas Department of Human Services shall collaborate with the Texas Department of Mental Health and Mental Retardation to evaluate Medicaid coverage of psychiatric hospital services for persons under 22 and psychiatric hospital services and nursing services for persons aged 65 and over in "institutions for mental disease." A joint study shall be undertaken by these agencies and a final report made to the respective State Boards, the Legislative Budget Office, and the Governor's Office of Budget and Planning no later than September 1, 1990.
7. **MAXIMIZING FEDERAL COLLECTIONS.** The Department of Mental Health and Mental Retardation and the Department of Human Services shall cooperate in maximizing the use of federal Medicaid funds for persons with mental illness, chemical dependency, mental retardation, or developmental disabilities and in expanding the availability of community-based services by developing and pursuing waivers and optional services, such as case management, rehabilitation, and screening and diagnostic services. The departments shall consult with advocates and community MHMR centers in the development of new Medicaid coverage for these populations and services.

No later than December 15, 1989, the Department of Human Services shall submit to the Health Care Financing Administration proposed amendments to the State Medicaid Plan to include case management, rehabilitation, and screening and diagnostic services. The state matching funds for such services shall be identified by and budgeted by the Department of Mental Health and Mental Retardation. Federal funds received under this rider are to be retained by the agents providing the services.

SPECIAL PROVISIONS RELATING ONLY TO THE DEPARTMENT OF

HEALTH, DEPARTMENT OF MENTAL HEALTH AND
MENTAL RETARDATION AND THE DEPARTMENT OF HUMAN SERVICES

Sec. 5. SPECIAL PROVISIONS.

1. IMPLEMENTATION OF NURSING HOME REFORM REQUIREMENTS OF THE OMNIBUS BUDGET RECONCILIATION ACT OF 1987. Funds appropriated to the Department of Human Services in Item 21., Implementation of Omnibus Budget Reconciliation Act of 1987, may be expended only for purposes of nursing home reform provisions mandated by the Act and may be expended only after approval of an implementation plan by the Legislative Budget Board and the Governor. Once the plan is approved, the Department of Human Services may contract with or transfer to the Department of Health, the Department of Mental Health and Mental Retardation, the Department on Aging, and the relevant Department of Human Services programs, the sums approved by the Governor and Legislative Budget Board for implementation of each agency's respective responsibilities. Each agency receiving funds from this item of appropriation shall report quarterly to the Governor's Office of Budget and Planning and the Legislative Budget Office regarding the expenditure of these funds, in the format prescribed by the Legislative Budget Office. Each agency shall make maximum use of existing resources and facilities to implement nursing home reform requirements of the Omnibus Budget Reconciliation Act of 1987.
2. TRAINING AND TESTING OF NURSES AIDES. The Texas Department of Health shall establish a cost-effective system for training and testing nurses aides in compliance with OBRA. In establishing this system, TDH shall investigate all viable options including instruction by videodisc or cassette, testing by computer, and training by the individual nursing homes. A progress report on the program shall be made to the Governor's Office of Budget and Planning and the Legislative Budget Office by September 15, 1989. An additional report shall be presented to the Legislature by January 1, 1991 detailing the system Texas has put in place, the cost-effectiveness of the available regulations, a comparison of our state OBRA regulations to the federal OBRA regulations, and a comparison with the systems put in place by other states.
3. FOSTER CARE FOR PERSONS WITH MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES. From funds appropriated to the Department of Human Services, DHS shall provide an enhanced program of foster care for persons with mental retardation, persons with mental illnesses and persons with developmental disabilities who are not mentally ill or mentally retarded, who require an alternative placement from nursing homes as a result of the nursing home reform provision of the Omnibus Budget Reconciliation Act of 1987 (OBRA).
4. NURSING HOME REFORM CONTRACTS. From funds appropriated to the Department of Human Services for implementation of federal nursing home reform legislation, the Department of Human Services shall allocate \$250,000 per annum to contract with the Texas Department on Aging in order to provide training and support for volunteers to assist residents with mental illness, mental retardation, or related conditions in understanding their options and exercising their rights under the Nursing Home Reform provisions of the Omnibus Budget and Reconciliation Act of 1987 (OBRA). The Texas Department on Aging in cooperation with the Texas Department of Human Services, the Texas Department of Health, the Texas Department of Mental Health and Mental Retardation, and the Texas Protection and Advocacy System shall by Joint Agreement use the funds provided herein to ensure the fullest possible implementation of their responsibilities to assist residents as provided in Section 1919c of OBRA.

SPECIAL PROVISIONS RELATING ONLY TO THE DEPARTMENT OF
HEALTH, DEPARTMENT OF MENTAL HEALTH
AND MENTAL RETARDATION AND THE
DEPARTMENT OF HUMAN SERVICES
(Continued)

5. COORDINATION FOR MAXIMIZATION OF FEDERAL FUNDS. The Texas Department of Health shall coordinate with the state agency administering the Job Training Partnership Act, the Texas Employment Commission and the Texas Department of Human Services to maximize available federal funds in complying with the OBRA mandates for nurse aide training.

SPECIAL PROVISIONS RELATING ONLY TO THE DEPARTMENT OF
MENTAL HEALTH AND MENTAL RETARDATION, TEXAS REHABILITATION
COMMISSION AND TEXAS COMMISSION FOR THE DEAF

Sec. 6. SPECIAL PROVISIONS.

1. PILOT PROGRAM. The Texas Department of Mental Health and Mental Retardation shall plan, develop, and operate a pilot community-based program to provide transitional residential and vocational services for adult deaf persons who have mental illness and who have a history of aggressive behavior. The department is responsible for operation of the residential portion of the program through a Mental Health Authority, and the Texas Rehabilitation Commission will provide transitional vocational services to the residents of the program. The Texas Department of Mental Health and Mental Retardation and the Texas Rehabilitation Commission will cooperate with the Texas Commission for the Deaf and the Texas School for the Deaf to establish the types of services to be provided by the program and the criteria for eligibility to receive such services.

RECAPITULATION - ARTICLE II
HEALTH, WELFARE AND REHABILITATION AGENCIES

		GENERAL REVENUE	OTHER FUNDS	TOTAL
ALCOHOL and Drug Abuse, Commission on	1990 \$	15,053,953 \$	33,678,521 \$	48,732,474
	1991 \$	16,653,343 \$	33,682,261 \$	50,335,604
BLIND, Commission for the	1990	5,620,401	23,100,919	28,721,320
	1991	5,888,607	23,961,268	29,849,875
CANCER Council	1990	4,076,236		4,076,236
	1991	4,076,236		4,076,236
DEAF, Commission for the	1990	731,414	87,135	818,549
	1991	731,414	87,135	818,549
HEALTH, Department of	1990	164,309,797	210,963,867	375,273,664
	1991	169,526,314	210,967,986	380,494,300
SAN ANTONIO State Chest Hospital	1990	9,231,874	1,434,414	10,666,288
	1991	9,068,674	1,426,606	10,495,280
SOUTH Texas Hospital	1990	6,259,423	640,282	6,899,705
	1991	5,839,908	640,282	6,480,190
EARLY CHILDHOOD INTERVENTION, Interagency Council on	1990	14,177,972	5,087,838	19,265,810
	1991	17,177,972	5,087,838	22,265,810
HEALTH AND HUMAN Services Coordinating Council	1990		1,059,617	1,059,617
	1991		1,182,639	1,182,639
HUMAN SERVICES, Department of	1990	1,424,602,510	2,416,407,189	3,841,009,699
	1991	1,639,305,157	2,795,638,963	4,434,944,120
MENTAL HEALTH and Mental Retardation, Department of	1990	786,328,761	42,123,441	828,452,202
	1991	823,708,584	42,165,587	865,874,171
REHABILITATION Commission	1990	33,261,184	120,503,129	153,764,313
	1991	33,119,237	123,090,784	156,210,021

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RECAPITULATION - ARTICLE II
HEALTH, WELFARE AND REHABILITATION AGENCIES
(Continued)

		<u>GENERAL REVENUE</u>	<u>OTHER FUNDS</u>	<u>TOTAL</u>
YOUTH Commission	1990	59,080,328	3,337,969	62,418,297
	1991	<u>61,771,705</u>	<u>3,357,482</u>	<u>65,129,187</u>
TOTAL, ARTICLE II				
HEALTH, WELFARE AND				
REHABILITATION AGENCIES*	1990	\$ 2,522,733,853	\$ 2,858,424,321	\$ 5,381,158,174
	1991	\$ 2,786,867,151	\$ 3,241,288,831	\$ 6,028,155,982
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*Total does not include rider appropriations.

ARTICLE III

AGENCIES OF PUBLIC EDUCATION

Section 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated state agencies and other institutions.

CENTRAL EDUCATION AGENCY - PROGRAMS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Foundation School Program Allocations to Local Schools		
1. Section 16.254(d), sum certain		
a. Basic Allotment, estimated	\$ 4,506,083,955	\$ 4,563,976,153
b. Special Education Allotment, estimated	620,138,306	627,708,232
c. Compensatory Education Allotment, estimated	378,730,329	383,717,938
d. Bilingual Education Allotment, estimated	35,154,331	35,695,901
e. Vocational Education Allotment, estimated	231,808,465	228,261,486
f. Gifted and Talented Allotment, estimated	10,424,886	27,083,527
g. Transportation, estimated	210,135,876	217,490,632
h. Education Improvement and Career Ladder Allotment, est.		
(1) Career Ladder, estimated	214,242,693	216,952,359
(2) Other Salary Support, estimated	107,121,347	108,476,180
(3) Any Legal Purpose, estimated	<u>107,121,347</u>	<u>108,476,180</u>
Subtotal, Career Ladder Allotment, est.	<u>\$ 428,485,387</u>	<u>\$ 433,904,719</u>
i. Less: Net Local Share, estimated	\$ -2,069,066,234	\$ -2,101,768,366
j. Experienced Teacher Allotment, (net) estimated	35,603,481	35,470,643
k. Enrichment Equalization Aid, (net) estimated	<u>508,330,681</u>	<u>517,540,536</u>
Total, Section 16.254(d), sum certain	<u>\$ 4,895,829,463</u>	<u>\$ 4,969,081,401</u>

CENTRAL EDUCATION AGENCY - PROGRAMS
(Continued)

2. Other FSP Program's

a. Statewide Programs for Visually Handicapped	\$ 6,005,267	\$ 6,005,267
b. Regional Day Schools, Deaf	27,633,200	27,633,200
c. Education Service Centers:		
(1) Formula Funding	7,102,753	7,192,763
(2) Regional Media Centers, estimated	3,022,448	3,060,750
(3) Computer Services, estimated	3,022,448	3,060,750
(4) Accreditation, Training and Curriculum	1,500,000	1,500,000
(5) Public Education Information Management System (PEIMS)	2,500,000	2,500,000
		U.B.

Subtotal, Education Service Centers

\$ 17,147,649 \$ 17,314,263

d. Incentive Aid, estimated	\$ 1,600,000	\$ 1,600,000
e. State Schools, Section 30.83, estimated	898,227	898,227
f. Pre-Kindergarten		
(1) Allotment, Section 21.136	50,000,000	50,000,000
(2) Pilot Program	1,000,000	1,000,000

Subtotal, Pre-Kindergarten

\$ 51,000,000 \$ 51,000,000

g. Summer School LEP	\$ 5,180,000	\$ 5,180,000
h. Department of Corrections (Windham Schools), estimated	21,972,698	26,322,698
i. Prior-Year Adjustments	-3,000,000	-3,000,000
j. Early Childhood Pilot Projects	1,000,000	1,000,000

Total, Other FSP Program's

\$ 129,437,041 \$ 133,953,655

Total, Foundation School Program

\$ 5,025,266,504 \$ 5,103,035,056

3. Adult and Adult Vocational Education	\$ 8,500,000	\$ 8,500,000
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4. State Textbook Fund:

a. For textbooks and for bilingual and kindergarten systems and materials	118,552,558	119,535,525
b. For Freight, estimated	1,427,251	1,498,614
c. For Braille and Large Type Textbooks	1,200,000	1,200,000

Total, State Textbook Fund

\$ 121,179,809 \$ 122,234,139

5. School Lunch Program, estimated	\$ 14,000,000	\$ 14,000,000
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CENTRAL EDUCATION AGENCY - PROGRAMS
(Continued)

6. Federal Funds Allocations to Public Schools, estimated	864,219,690	890,679,720
7. Vocational/Technical Education:		
a. Federal Funds Allocations:		
(1) Formula, estimated	43,697,587	43,697,587
(2) Discretionary, estimated	<u>10,340,950</u>	<u>10,340,950</u>
Subtotal, Federal Funds Allocations	<u>\$ 54,038,537</u>	<u>\$ 54,038,537</u>
b. Apprenticeship Training	<u>\$ 700,000</u>	<u>\$ 1,000,000</u>
Total, Vocational/Technical Education Programs, Sums Certain and Estimated	<u>\$ 54,738,537</u>	<u>\$ 55,038,537</u>
8. School-Community Guidance Centers	\$ 1,500,000	\$ 1,500,000
9. Testing and Appraisal	1,350,000	600,000
10. Teacher Certification Assessment	275,000	275,000
11. Research, Development and Evaluation	438,035	438,035
12. School Health Project	726,316	1,011,439
13. Art Curriculum Program	60,000	95,000
14. Engineering/Science Recruitment Fund	400,000	400,000
15. Governor's School	100,000	100,000
16. Geography Teacher Improvement	50,000	50,000
17. Communities in Schools	<u>500,000</u>	<u>500,000</u>
GRAND TOTAL, CENTRAL EDUCATION AGENCY - PROGRAMS	<u>\$ 6,093,303,891</u>	<u>\$ 6,198,456,926</u>

Method of Financing:

Out of General Revenue Fund No. 001:

Adult Education	\$ 8,500,000	\$ 8,500,000
School Lunch Program, estimated	14,000,000	14,000,000
Vocational/Technical Education:		
Apprenticeship Training	700,000	1,000,000
School-Community Guidance Centers	1,500,000	1,500,000
Testing and Appraisal	1,350,000	600,000
Teacher Certification Assessment	275,000	275,000
Research, Development and Evaluation	438,035	438,035
Engineering/Science Recruitment Fund	400,000	400,000
Governor's School	100,000	100,000
Geography Teacher Improvement	50,000	50,000

CENTRAL EDUCATION AGENCY - PROGRAMS
(Continued)

Communities in Schools	<u>500,000</u>	<u>500,000</u>
Total, General Revenue Fund exclusive of Foundation School Program	\$ <u>27,813,035</u>	\$ <u>27,363,035</u>
Out of General Revenue Fund to assure financing of the Foundation School Program, estimated including any transfers to the Foundation School Fund No. 193 for allocation to:		
a. State Schools, Sec. 30.83(c)	\$ 461,227	\$ 461,227
b. Local Schools	<u>4,167,180,144</u>	<u>4,213,523,581</u>
Total, General Revenue Fund for Foundation School Program	\$ <u>4,167,641,371</u>	\$ <u>4,213,984,808</u>
Total, General Revenue Fund, Sums Certain and Estimated	\$ <u>4,195,454,406</u>	\$ <u>4,241,347,843</u>
Out of Available School Fund No. 002:		
Allocations to State Schools, estimated	\$ 437,000	\$ 437,000
Allocations to Local Schools, estimated	<u>857,188,133</u>	<u>888,613,248</u>
Total, Available School Fund No. 002, estimated	\$ <u>857,625,133</u>	\$ <u>889,050,248</u>
Out of the State Textbook Fund No. 003:		
Transfer from the Available School Fund to the State Textbook Fund, only the amount which together with other revenues of the State Textbook Fund is necessary to finance the following:		
a. For textbooks and for kindergarten systems and materials	\$ 118,552,558	\$ 119,535,525
b. For Freight, estimated	1,427,251	1,498,614
c. For Braille and Large Type Textbooks	<u>1,200,000</u>	<u>1,200,000</u>
Total, State Textbook Fund	\$ <u>121,179,809</u>	\$ <u>122,234,139</u>
Total, State Funds, Programs, Sums Certain and Estimated	\$ <u>5,174,259,348</u>	\$ <u>5,252,632,230</u>

CENTRAL EDUCATION AGENCY - PROGRAMS
(Continued)

Federal Funds

Out of Federal Health, Education
and Welfare Fund No. 148:

Vocational/Technical Education

a. Federal Funds Allocation - Formula, estimated	\$ 43,697,587	\$ 43,697,587
b. Federal Funds Allocation - Discretionary, estimated	<u>10,340,950</u>	<u>10,340,950</u>
Total, Vocational/Technical Education, Programs, estimated	<u>\$ 54,038,537</u>	<u>\$ 54,038,537</u>

Allocations to Local Schools, estimated	<u>\$ 505,619,690</u>	<u>\$ 508,079,720</u>
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Total, Programs, Fund No. 148	<u>\$ 559,658,227</u>	<u>\$ 562,118,257</u>
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Federal School Lunch Fund No. 171

Allocations to Local Schools, estimated	<u>\$ 357,100,000</u>	<u>\$ 381,100,000</u>
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Total, Programs, Fund No. 171	<u>\$ 357,100,000</u>	<u>\$ 381,100,000</u>
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Other Federal Funds

Allocations to Local Schools, estimated	<u>\$ 1,500,000</u>	<u>\$ 1,500,000</u>
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Total, Programs, Other Federal Funds	<u>\$ 1,500,000</u>	<u>\$ 1,500,000</u>
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Total, Federal Funds, Estimated	<u>\$ 918,258,227</u>	<u>\$ 944,718,257</u>
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Interagency Contracts

a. School Health Project	\$ 726,316	\$ 1,011,439
b. Art Curriculum Program	<u>60,000</u>	<u>95,000</u>

Total, Programs, Interagency Contracts	<u>\$ 786,316</u>	<u>\$ 1,106,439</u>
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Total, Method of Financing	<u>\$ 6,093,303,891</u>	<u>\$ 6,198,456,926</u>
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1. SUBTOTAL, SECTION 16.254(d). The amount appropriated for the "Subtotal, Section 16.254(d)" is a sum-certain amount. The Foundation School Fund Budget Committee is authorized to adjust the amounts of the basic and special allotments based on the latest information on student counts and other factors, but the total may not exceed the amount appropriated in this Act for Subtotal 16.254(d). Adjustments can be made as necessary in the method of finance by the Foundation School Fund Budget Committee but the

CENTRAL EDUCATION AGENCY - PROGRAMS
(Continued)

total cannot exceed the amount appropriated, except in those instances where the increases result from an increase in the per capita apportionment from the Available School Fund.

2. **TRANSPORTATION COST ALLOTMENT.** Pursuant to Section 16.156 of the Texas Education Code, the appropriation for funding regular transportation programs for the 1989-90 and 1990-91 school years shall be calculated on the following basis:

Linear Density Grouping	Allocation Per Mile of Approved Route
2.40 and above	\$1.43
1.65 to 2.40	1.25
1.15 to 1.65	1.11
.90 to 1.15	.97
.65 to .90	.88
.40 to .65	.79
up to .40	.68

Pursuant to Section 16.156 of the Texas Education Code, the maximum mileage rate for special education transportation shall be \$1.08 per mile. Private transportation rates shall be \$0.25 per mile or a maximum of \$816 per pupil for both special education and isolated areas as defined in Subsections 16.156(g) and 16.156(e).

3. **TRANSPORTING INELIGIBLE STUDENTS.** None of the funds appropriated to the Texas Central Education Agency may be used to prohibit the practice of transporting eligible and ineligible pupils on the same buses by those districts which choose to transport ineligible pupils at local expense.
4. **EDUCATION SERVICE CENTERS.** The Central Education Agency shall continue and improve as necessary a standardized reporting system for Regional Education Service Center budgets and personnel rosters including salaries, consultant services, and fringe benefits. In order to expend state funds, Regional Education Service Centers must comply with this reporting requirement and provide the necessary information to the Commissioner of Education. The Commissioner shall furnish these reports to the State Board of Education for transmittal, along with recommendations for change, modification, or improvement, to the Legislative Budget Board and the Governor's Budget and Planning Office.
5. **UNOBLIGATED BALANCES OF EDUCATION SERVICE CENTERS.** It is the intent of the Legislature that the reference to "funds available" in Section 11.32(f), Texas Education Code, includes funds maintained by regional education service centers as unobligated balances. In allocating the money appropriated in Item 2.c.(1), the State Board of Education shall take into account to the extent possible under law the ability of each regional education service center to fund its programs using unobligated state funds. The Board may adopt reasonable rules to govern the system of allocation.

CENTRAL EDUCATION AGENCY - PROGRAMS
(Continued)

6. REGIONAL MEDIA CENTERS. Expenditures authorized in Item No. 2.c.(2), Regional Media Centers, estimated, shall not exceed an amount equal to \$1.00 for each school year per student in average daily attendance during the preceding school year.
7. COMPUTER SERVICES. Expenditures authorized in Item No. 2.c.(3), Computer Services, estimated, shall not exceed an amount equal to \$1.00 for each school year per student in average daily attendance during the preceding school year. These funds are to be used to the fullest extent possible to implement the Public Education Information Management System (PEIMS), based on guidelines developed by the State Board of Education.
8. PUBLIC EDUCATION INFORMATION MANAGEMENT SYSTEM (PEIMS). The Central Education Agency is authorized to use funds in Item 2.c.(5) Public Education Information Management System (PEIMS), for any of the purposes in Agency Administration in order to implement PEIMS. Notice of any transfers shall be shown in the minutes of the State Board of Education. Copies of these minutes shall be filed with the Governor's Budget and Planning Office, Legislative Budget Board, State Auditor, and Legislative Reference Library.
9. WINDHAM SCHOOLS. State funds appropriated to the Windham Schools in Item 2.h. are to be expended only for academic and vocational education programs approved by the Texas Education Agency. The amount due to the Windham Schools is to be calculated using formulas developed by the Central Education Agency and approved by the State Board of Education. The State Board of Education is directed then to reduce the amount paid to the district by \$4,350,000 for the fiscal year ending August 31, 1990. By not later than November 1, 1989, Windham School shall enter into an interagency contract with the Central Education Agency for a study and report on the mission, goals, objectives, implementation and funding of its education program. The study shall be funded by Windham School in an amount not to exceed \$50,000 in fiscal year 1990. The Agency shall complete its study and make its report and recommendations available to the Legislative Education Board by not later than June 1, 1990. The Agency may contract for services within the funds available for the purposes of this rider.
10. AUDIT ADJUSTMENTS. When reviews and audits of allocations to school districts reveal the allocations previously made were greater or less than the amounts found to be due, the Central Education Agency is authorized to recover or pay the sums necessary to adjust to the correct amounts. All such amounts recovered shall become a part of the Foundation School Fund or General Revenue Fund, and the amount necessary to make such additional payments to the School Districts are hereby appropriated from the Foundation School Fund or General Revenue Fund.
11. STATE TEXTBOOK FUND. Any amount expended for Textbook Administration, including new textbooks, rebinding, and other related expenses, including any of the purposes in "Agency Administration," shall be paid out of the State Textbook Fund. A transfer of funds from the Available School Fund to the State Textbook Fund is authorized in an amount which, together with other revenues of the State Textbook Fund, is sufficient to finance the sum-certain appropriation from the State Textbook Fund for each fiscal year.

CENTRAL EDUCATION AGENCY - PROGRAMS
(Continued)

12. APPRENTICESHIP TRAINING. The State Board of Education is authorized to increase the amount appropriated in Item 7.b., Apprenticeship Training, by the use of federal funds. Any unexpended balances remaining from appropriations made to Apprenticeship Training for fiscal year 1989 not to exceed \$300,000 are hereby reappropriated for fiscal year 1990 for the same purposes.
13. SCHOOL-COMMUNITY GUIDANCE CENTERS. The Central Education Agency is hereby authorized to place any funds appropriated for the operation of the School-Community Guidance Centers in areas reflecting high concentrations of adjudicated persons. Such funds shall be used by public schools to identify and serve student populations in order to decrease the incidence of disruptive behavior and decrease contacts with the Criminal Justice System. Each governmental agency concerned with children shall cooperate with the School-Community Guidance Centers on the request of the superintendent of schools. The Central Education Agency shall evaluate all programs and make recommendations to the Legislature concerning the operation of these programs.
14. COMPENSATORY EDUCATION ALLOTMENT. It is the intent of the Legislature that school districts be authorized to use a portion of compensatory education allotments for the education of students in school-community guidance centers and alternative education programs.
15. DAY-CARE EXPENDITURES. It is expressly provided that the pre-school day-care programs, such as the Early Childhood Program for Educationally Disadvantaged Children and Special Education and Training for Pre-School Handicapped Children administered by the Texas Education Agency, are day-care programs. The funds expended in those programs on behalf of children meeting eligibility requirements in accordance with interagency contracts with the Texas Education Agency under the day care program of the Social Security Act shall be considered as expenditures for day care.
16. EXIT-LEVEL TESTS. State funds appropriated under this Act shall not be used in the development and administration of an exit-level assessment instrument under Sections 21.551, et seq., Texas Education Code, which tests objectives in which eleventh graders would not have reasonably been expected to receive instructions in previous courses.

The Legislature reaffirms its intent that the exit-level test in mathematics and English language arts required for a high school diploma shall be designed to test minimum basic skills and competencies and not to emulate college entrance examinations.
17. TIMELY REPORTING OF STUDENT COUNTS. Prior to the beginning of each school year, the State Board of Education shall establish reporting deadlines for the counts of students in average daily attendance. If a school district has not filed its report by the deadline, payments from the Foundation School Fund are to be withheld from the district until an acceptable report is filed.
18. EDUCATION OF STUDENTS IN STATE SCHOOLS AND CARE AND TREATMENT FACILITIES. Of the funds appropriated in Item 1.b. Special Education Allotment, estimated amounts of \$6,894,092 in fiscal year 1990 and \$6,000,548 in fiscal year 1991 are for education of students in state schools and for students in

CENTRAL EDUCATION AGENCY - PROGRAMS
(Continued)

other care and treatment facilities but whose parents do not reside in the district. For the purpose of calculating state aid under Section 16.151, Education Code, these students shall be classified as a hospital class instructional arrangement only.

19. TRANSFERS TO AGENCY ADMINISTRATION. The State Board of Education is authorized to transfer to Agency Administration an amount not to exceed fifty percent of the appropriations for Testing and Appraisal, Teacher Certification Assessment, and Research, Development and Evaluation, provided these transfers increase the efficiency and effectiveness of the use of state funds. Notice of any transfers shall be shown in the minutes of the State Board of Education. Copies of these minutes shall be filed with the Governor's Budget and Planning Office, Legislative Budget Board, State Auditor, and Legislative Reference Library.
20. ADULT EDUCATION. Priority shall be given to adult literacy programs in the expenditure of adult education funds appropriated above. It is the intent of the Legislature that, in providing educational programs, the Central Education Agency and the Adult Education Cooperatives shall make every effort to provide appropriate training to recipients of Aid to Families with Dependent Children in accordance with the Family Support Act of 1988. Out of the general revenue funds appropriated above for Adult Education, an amount not less than \$1,000,000 each year shall be used to expand education and training services to AFDC recipients by entering into contracts or arrangements with the Department of Human Services pursuant to Section 485(a) of the Family Support Act of 1988.
21. PEIMS AND DROPOUT PREVENTION. From the funds appropriated in Item 2.c.(5), Public Education Information Management System (PEIMS), the Texas Education Agency shall insure the implementation of a program to reduce the rate of students leaving the public school system before completing high school. The program must include standardized statewide recordkeeping, documentation of school transfers by students and follow-up procedures for students who drop out of school.
22. PROHIBITION ON MANDATED COMPUTER PURCHASES FOR INFORMATION GATHERING. The Texas Education Agency may not require local school districts to purchase computers solely for the purposes of gathering and reporting school district information to the agency.
23. TESTING AND APPRAISAL. It is the intent of the Legislature that the funds appropriated under Item 9., Testing and Appraisal, be used to provide for continued training and development of the teacher appraisal system, the development of an examination and appraisal process for master teachers, and the development of an appraisal system for administrators.
24. LOSS TO SECTION 16.252(e). The Commissioner of Education is authorized to distribute no more than \$26,000,000 in fiscal year 1990 and \$26,000,000 in fiscal year 1991 under Section 16.252(e) of the Texas Education Code, to the extent that excess funds are available under the Foundation School Program. It is the intent of the Legislature that, in expending these funds by making adjustments in the local share, the Commissioner shall consider only the amount of a decline in each district in excess of eight percent in taxable

CENTRAL EDUCATION AGENCY - PROGRAMS
(Continued)

values and, within that group, give the highest priority to school districts with property wealth per student in average daily attendance that is below the statewide average.

25. **STANDARDIZED REPORTING.** It is the intent of the Legislature that the State Board of Education promulgate rules and standards of accounting and reporting for elements of cost for instructional services and administration offered by local school districts. Such elements of cost shall be defined in terms of detail and uniformity adequate to allow valid comparisons with statewide average costs and those of other districts of comparable size and wealth. Such elements shall include, but not be limited to, all major components of both instructional and administrative services, costs by program, and all salary bonuses paid. Such data shall be provided to the agency. Implementation of this reporting shall be accomplished in a manner that requires no additional personnel at the local level.
26. **CONTINGENCY APPROPRIATION.** Contingent upon the passage of legislation modifying Chapter 16 of the Education Code, the estimated cost of which is in excess of \$400,000,000 for the 1990-91 biennium, in addition to the amounts shown above, there is hereby appropriated \$450,000,000 to the Foundation School Program for the 1990-91 biennium.
27. **PILOT PRE-KINDERGARTEN PROGRAM.** Funds appropriated for Item 2.f.(2) are contingent upon the passage of legislation authorizing the Central Education Agency to establish a pilot pre-kindergarten program for three-year-olds.
28. **ENGINEERING AND SCIENCE RECRUITMENT FUND.** Funds appropriated above in Line-Item 14., Engineering/Science Recruitment Fund, shall not exceed the amount of donations from private sources made during the biennium ending August 31, 1989, unless Section 51.603 of the Texas Education Code is amended by the Seventy-first Legislature. Donations and grants to the engineering and science recruitment fund during the fiscal biennium ending August 31, 1991, along with any previous unexpended and unobligated balance, are appropriated for the fiscal biennium ending August 31, 1991, to the Central Education Agency for the purposes of allocations under Subchapter M, Chapter 51, Education Code.
29. **GOVERNOR'S SCHOOL.** The funds appropriated for Item 15 are contingent upon the receipt of contributions or donations in the amount of \$100,000 which are deposited in the State Treasury by December 31, 1989, and the amount of \$100,000 which are deposited in the State Treasury by December 31, 1990. These funds are to be used to support the Governor's School which is a residential program designed to meet the needs of gifted secondary students in the state. In the event that contributions or donations deposited in the State Treasury by December 31, 1989, for fiscal year 1990, total less than \$100,000 and contributions or donations deposited in the State Treasury by December 31, 1990, for fiscal year 1991, total less than \$100,000, the appropriation is reduced to an amount which equals the total contributions or donations received.
30. **LONG-RANGE PLAN FOR TECHNOLOGY.** Contingent on the passage of Senate Bill 650, \$6,000,000 is appropriated from the General Revenue Fund for fiscal year 1990, and the unexpended balance thereof is appropriated for fiscal year 1991. The Central Education Agency is authorized to utilize these funds for the implementation of Senate Bill 650 and the Long-Range Plan for

CENTRAL EDUCATION AGENCY - PROGRAMS
(Continued)

Technology adopted by the State Board of Education. The Central Education Agency is authorized to use up to \$500,000 per year of this amount for the purposes of Agency Administration in order to implement the technology plan. Notice of any transfers shall be shown in the minutes of the State Board of Education. Copies of these minutes shall be filed with the Governor's Budget and Planning Office, Legislative Budget Board, State Auditor, and Legislative Reference Library.

31. EARLY CHILDHOOD PILOT PROJECTS. The funds appropriated for Item 2.j. are contingent upon enactment of Senate Bill 524 or similar legislation authorizing the implementation of Early Childhood pilot projects.
32. REGIONAL DAY SCHOOLS FOR THE DEAF. In addition to the amounts shown in Item 2.b., Regional Day Schools, Deaf, there is hereby appropriated an amount sufficient to fund required increases in transportation costs of out-of-district students, not to exceed \$1,000,000 in fiscal year 1990 and \$1,000,000 in fiscal year 1991.
33. COMPENSATORY EDUCATION, REPORTING REQUIREMENTS. Prior to the distribution of funds appropriated above in fiscal year 1991 for Compensatory Education, each school district shall file with the Central Education Agency the accounting required by law or regulation of the uses of funds, by program and by campus, appropriated in fiscal year 1990 for Compensatory Education. The Agency shall maximize the use of data provided through the Public Education Information Management System (PEIMS) in order to minimize the amount of additional paper work required of the school districts to meet the requirements of this rider.
34. CONTINGENCY APPROPRIATION. Contingent upon the enactment of S.B. 1175, there is hereby appropriated to the Central Education Agency an amount sufficient for the purpose of establishing and maintaining a school-based counseling program for abused children, not to exceed the revenues collected by the Comptroller of Public Accounts and deposited in the Abused Children's Counseling Account, together with any balances from prior years. An amount not to exceed \$36,880 in fiscal year 1990 and \$35,496 in fiscal year 1991 may be transferred to Agency Administration for administration of the program.
35. APPROPRIATION TRANSFER - COMMUNITIES IN SCHOOLS. The General Revenue amounts appropriated above in Line Item 17. Communities in Schools, shall be allocated by contract to the Texas Employment Commission for expansion of the Communities in Schools program as required by Senate Bill 367 of the Seventy-first Legislature.

CENTRAL EDUCATION AGENCY - ADMINISTRATION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. General Management	\$ 2,225,051	\$ 1,800,051
2. Educational Quality	3,842,274	3,842,274
3. Curriculum and Program Development	8,772,475	8,761,526

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CENTRAL EDUCATION AGENCY - ADMINISTRATION
(Continued)

4. Finance and Compliance	12,424,998	12,444,289
5. Internal Management	3,659,274	3,687,974
6. Research and Information	<u>7,232,937</u>	<u>7,214,328</u>
Total, Agency Administration, estimated	<u>\$ 38,157,009</u>	<u>\$ 37,750,442</u>
7. Advisory Council for Technical/Vocational Education, estimated	<u>\$ 244,348</u>	<u>\$ 245,848</u>
GRAND TOTAL, CENTRAL EDUCATION AGENCY - ADMINISTRATION	<u>\$ 38,401,357</u>	<u>\$ 37,996,290</u>

Method of Financing:

Agency Administration

General Revenue Fund No. 001	\$ 16,264,369	\$ 16,294,346
Available School Fund No. 002	959,997	634,997
State Textbook Fund No. 003	1,957,761	1,897,616
Foundation School Fund No. 193	788,960	787,797
Certification and Proprietary School Fees, Fund No. 001, estimated	1,934,728	1,922,471
GED Fees, Fund No. 001, estimated	161,304	160,971
Miscellaneous Fees, Fund No. 001, estimated	163,604	166,124
Guaranteed Bond Program Fund (Sec. 20.905), estimated	6,791	6,812
Statewide Book Fund, estimated	<u>20,941</u>	<u>21,345</u>

Total, State Funds for Agency Administration, Sums Certain and Estimated	<u>\$ 22,258,455</u>	<u>\$ 21,892,479</u>
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Federal Health, Education and Welfare Fund No. 148, estimated	\$ 10,228,998	\$ 10,184,509
Federal Veterans Educational Fund No. 169, estimated	717,505	717,505
Federal School Lunch Fund No. 171, estimated	490,450	490,474
Earned Federal Funds	<u>4,299,761</u>	<u>4,303,635</u>

Total, Federal Funds for Agency Administration, estimated	<u>\$ 15,736,714</u>	<u>\$ 15,696,123</u>
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Interagency Contracts, estimated	<u>\$ 161,840</u>	<u>\$ 161,840</u>
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Total, Agency Administration, Method of Financing	<u>\$ 38,157,009</u>	<u>\$ 37,750,442</u>
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Advisory Council for

CENTRAL EDUCATION AGENCY - ADMINISTRATION
(Continued)

Technical/Vocational Education

General Revenue Fund No. 001	\$	19,348	\$	20,848
Federal Health, Education and Welfare Fund No. 148, estimated		225,000		225,000
Total, Advisory Council for Technical/Vocational Education, Method of Financing	\$	244,348	\$	245,848
 Total, Method of Financing	 \$	 38,401,357	 \$	 37,996,290

Schedule of Exempt Positions

Commissioner of Education (plus supplement from earned federal funds)	\$	68,709	\$	68,709
Deputy Commissioners	2	68,000	2	68,000
Deputy Commissioners	3	63,000	3	63,000
General Counsel		63,000		63,000
Chief Investment Officer		63,000		63,000
Assistant Investment Officer		58,000		58,000
Assistant Commissioners	10	54,000	10	54,000
Executive Director, Advisory Council for Technical/Vocational Education		54,000		54,000

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Central Education Agency - Administration. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Acquisition of Computer Equipment and Software	\$	3,323,777	\$	876,077
Total, Capital Outlay	\$	3,323,777	\$	876,077

Method of Financing:

General Revenue Fund No. 001	\$	2,986,167	\$	534,865
State Textbook Fund No. 003		8,300		-0-
Certification and Proprietary School Fees Fund No. 001		15,000		-0-
Subtotal, State Funds	\$	3,009,467	\$	534,865
Federal Health, Education and Welfare Fund No. 148	\$	230,548	\$	232,915
Earned Federal Funds		83,762		108,297

CENTRAL EDUCATION AGENCY - ADMINISTRATION
(Continued)

Subtotal, Federal Funds	\$ 314,310	\$ 341,212
Total, Method of Financing	\$ 3,323,777	\$ 876,077
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In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. USE OF FEDERAL FUNDS. In the event of expansion of Federal programs or inauguration of new State-Federal programs to be administered by the Texas Education Agency, the agency shall not be limited in use of federal funds by the appropriations above for Agency Administration.
3. STATE TEXTBOOK FUND. A transfer of funds from the Available School Fund to the State Textbook Fund is authorized in an amount which together with other revenues of the State Textbook Fund is sufficient to finance the sum-certain appropriation from the State Textbook Fund for each fiscal year.
4. CERTIFICATION FEES. All balances now on hand and all current fees collected from applicants for teachers' certificates are hereby appropriated to the Texas Education Agency for teachers certification administration, including any of the purposes named in Agency Administration. The cost of certification administration shall be financed entirely from revenues and balances from certification fees.
5. PROPRIETARY SCHOOL FEES AND PENALTIES.
 - a. All balances now on hand and all current fees collected from applications for certification of proprietary schools and registration fees for representatives of proprietary schools are hereby appropriated to the Texas Education Agency for proprietary schools administration, including any of the purposes named in Agency Administration. Except as provided by b., the cost of proprietary school administration shall be financed entirely from revenues and balances from proprietary school fees and federal funds. All fees collected for name and address changes, courses and teacher approvals, applications for degree granting authority, other fees, and penalties, are hereby appropriated to the Texas Education Agency for proprietary schools administration. Earned federal funds are to be expended to cover costs of administration in excess of fees collected.
 - b. If Senate Bill No. 77, Seventy-first Legislature, Regular Session, is enacted, becomes law, and contains a provision establishing the proprietary school penalty fund in the State Treasury, the amounts deposited in that fund during the biennium are appropriated to the Texas Education Agency for that period, for the purposes for which proprietary school certification application fees and proprietary school representative registration fees are appropriated. If Senate Bill No. 77 does not become law or does not contain a provision establishing the proprietary school penalty fund in the State Treasury, this provision has no effect. For purposes of this provision, a bill becomes law on signature by the Governor or on becoming law under Article IV, Section 14, of the Texas Constitution without the Governor's signature.

CENTRAL EDUCATION AGENCY - ADMINISTRATION
(Continued)

6. ADVISORY COUNCIL FOR TECHNICAL/VOCATIONAL EDUCATION. The above amounts for the operation and maintenance of the Advisory Council for Technical/Vocational Education are hereby appropriated out of the General Revenue Fund for each fiscal year. This appropriation shall be in addition to federal funds for the operation and maintenance of the Advisory Council. The availability of federal funds for the next federal fiscal year shall not supplant the expenditure of General Revenue Funds for the previous fiscal year. The Advisory Council is hereby authorized to spend all available federal funds. The Advisory Council may employ an Executive Director at a salary not to exceed the salary authorized for an Assistant Commissioner in the Texas Education Agency, employ personnel from the schedule of classified positions authorized for the agency, and pay other necessary operating expenses.
7. FEDERAL FUNDS FOR VOCATIONAL EDUCATION. The State Board of Education, through its Executive Officer, the Commissioner, is authorized to receive and disburse in accordance with plans acceptable to the responsible federal agency all federal moneys that are made available to the State of Texas for such purposes and such other activities as come under the authority of the State Board for Vocational Education, and such moneys are appropriated to the specific purpose for which they are granted.
8. USE OF VOCATIONAL EDUCATION FEDERAL FUNDS. The State Board of Education is authorized to use such portions of funds appropriated for vocational education from state and federal sources to pay costs of administration and supervision, including any of the purposes named in Agency Administration.
9. CENTRAL EDUCATION AGENCY OPERATING FUND. The State Board of Education is hereby authorized to place any funds appropriated for the operation of the Central Education Agency into a special fund in the State Treasury to be known as the "Central Education Agency Operating Fund," which shall be used for the purposes named in Agency Administration.
10. WARRANTS PAYABLE TO THE CENTRAL EDUCATION AGENCY OPERATING FUND. Warrants for any of the purposes in Agency Administration may be payable to the "Central Education Agency Operating Fund" as reimbursements and are appropriated to the Central Education Agency for any of the purposes named in Agency Administration.
11. SALARY SUPPLEMENTS PROHIBITED. None of the funds appropriated in this Act to the Texas Central Education Agency shall be expended for payment of the salary or wage of any position other than the Commissioner in which such salary or wage is supplemented from any other source in excess of the amount provided herein.
12. RECEIPT OF FEDERAL FUNDS. The proper officer or officers of the Central Education Agency are hereby authorized to make application for and accept any other gifts, grants or allotments from the United States Government, earned federal funds or other sources to be used on cooperative and other projects and programs in Texas. Any such federal and other funds (excluding earned federal funds) as may be deposited in the State Treasury are hereby appropriated to the specific purposes authorized by the Federal Government

CENTRAL EDUCATION AGENCY - ADMINISTRATION
(Continued)

and other contracting organizations, and the State Board of Education is authorized to expend these funds in accordance with the terms of the contract with the contracting agency.

13. EARNED FEDERAL FUND APPROPRIATIONS. Pursuant to Article 16, Section 69 of the Texas Constitution, Earned Federal Funds in excess of the amounts shown in the Method of Finance are hereby appropriated to the Central Education Agency in amounts not to exceed \$700,000 in fiscal year 1990 and \$800,000 in fiscal year 1991. The additional amounts specified by this provision can be exceeded only with the prior approval of the Director of the Legislative Budget Board in consultation with the Legislative Education Board. The Director shall notify the Governor that the Agency is requesting additional earned federal funds pursuant to this section.
14. TRANSFERABILITY. The State Board of Education is authorized to transfer between Items 1. through 6., Agency Administration, consistent with economical operations and when it is in the best interest of the state to make such transfers. In each year of the biennium, transfers between line items shall not exceed twenty-five percent of the total amount appropriated by the line item from which the transfer is made. Notice of any transfers shall be shown in the minutes of the State Board of Education. Copies of these minutes shall be filed with the Governor's Budget and Planning Office, Legislative Budget Board, State Auditor, and Legislative Reference Library.
15. PROGRAM FOR TEACHERS OF AUTISTIC CHILDREN. It is the intent of the Legislature that the Texas Education Agency, through funds allocated to Item 3., Curriculum and Program Development, continue to implement a program of staff development for teachers working with autistic children. A sum not to exceed \$50,000 in each fiscal year shall be expended for this purpose.
16. COMMISSIONER'S SALARY SUPPLEMENT. In addition to the amount shown in the Schedule of Exempt Positions for the Commissioner's salary, there is hereby appropriated \$42,330 in each fiscal year from earned federal funds to supplement the salary of the Commissioner.
17. GUARANTEED PROGRAM FOR SCHOOL BONDS. All balances now on hand and current application fees collected from the Guaranteed Program for School District Bonds are hereby appropriated to the Texas Education Agency for administration, including any of the purposes named in Agency Administration.
18. STATEWIDE PROJECT BOOK FUND. All balances from the Statewide Project Book Fund from the previous biennium and all receipts collected from the sale of curriculum materials for the deaf deposited in the Statewide Project Book Fund are hereby appropriated for the current biennium to the Texas Education Agency for administration, including any of the purposes named in Agency Administration.

CENTRAL EDUCATION AGENCY - ADMINISTRATION
(Continued)

19. REGISTRATION FEES. The Texas Education Agency is authorized to deposit and expend registration fees collected for educational program conferences. Any unexpended balance will be transferred to the General Revenue Fund.

20. STUDENT TESTING PROGRAM. In accordance with the provisions of sections 16.152(c) and 21.558 of the Education Code, the funds appropriated from the Foundation School Fund No. 193 are to be used to cover the cost of preparing, administering and grading assessment instruments in the student testing program.

21. PROPRIETARY SCHOOL FEES. All balances on hand and all current fees collected from applications for certification of proprietary schools and registration fees for representatives of proprietary schools are hereby appropriated to the Texas Education Agency for proprietary school administration, including any of the purposes named in Agency Administration. The cost of proprietary school administration shall be financed entirely from revenues and balances from proprietary school fees and federal funds. The following schedule of fees is in effect during the fiscal years covered by this Act.

- (a) the initial fee for a school is \$1,700;
- (b) the annual renewal fee for a school is based on the gross amount of annual student tuition and fees as follows:

<u>Gross Amount, Student Tuition and Fees</u>			<u>Fee</u>
	not more than	\$ 50,000	\$ 550
more than	\$ 50,000 but not more than	100,000	650
more than	100,000 but not more than	250,000	750
more than	250,000 but not more than	500,000	850
more than	500,000 but not more than	750,000	950
more than	750,000 but not more than	1,000,000	1,050
more than	1,000,000		1,150

- (c) the initial registration fee for a representative is \$60;
- (d) the annual renewal fee for a representative is \$30;
- (e) the fee for a change of a name of a school or owner is \$165;
- (f) the fee for a change of an address of a school is \$280;
- (g) the fee for a change in the name or address of a representative or a change in the name or address of a school that causes the reissuance of a representative permit is \$11;
- (h) the application fee for an additional course is \$235, except for seminar and workshop courses, for which the fee is \$116;
- (i) the application fee for a director, administrative staff member, or instructor is \$36;
- (j) the application fee for the authority to grant associate of applied arts and associate of applied science degrees is \$3,361; and
- (k) the application fee for an additional degree course is \$786.

CENTRAL EDUCATION AGENCY - ADMINISTRATION
(Continued)

22. **MATCHING FEDERAL FUNDS FOR VOCATIONAL EDUCATION PROGRAM DEVELOPMENT.** It is the intent of the Legislature that the Central Education Agency, at a minimum, maintain the number of positions in the agency assigned to duties directly related to vocational education program development established by the Legislature. To the extent consistent with federal law, those positions not funded in part by general revenue shall be funded with federal matching funds, provided that any such funding does not result in a reduction in the number of positions assigned to duties directly related to academic curriculum program development. For this purpose, public institutions of higher education shall report expenditures from state and local funds expended for vocational teacher education to the Central Education Agency.
23. **PUBLIC EDUCATION INFORMATION MANAGEMENT SYSTEM (PEIMS).** The Texas Education Agency is hereby authorized to use any of the funds appropriated above, including earned federal funds, for the purposes of implementing PEIMS.
24. **BANK CUSTODIAL AND SECURITIES CLEARANCE FEES.** Out of the money appropriated in item 1. General Management an amount not to exceed \$325,000 in fiscal year 1990 and the unexpended balance in fiscal year 1991 may be expended out of the Available School Fund for the payment of conversion and transaction costs and any other necessary expenses incurred for the utilization of the services of a custodial bank by the Permanent School Fund, but this amount from that appropriation may not be spent for any other purpose.
25. **STATEWIDE DROPOUT INFORMATION CLEARINGHOUSE.** It is the intent of the Legislature that the Texas Education Agency, through funds appropriated to Item 3., Curriculum and Program Development, expend \$150,000 in each year of the biennium for the development of a statewide dropout information clearinghouse.
26. **REVENUES AND ROYALTY INCOME FROM THE SALE OF ITEMS.** The Texas Education Agency is hereby authorized to expend and there are hereby appropriated any revenues or royalties, and any unexpended balances, from the sale of items in which the agency has a proprietary right, for the purposes of implementing the provisions of Senate Bill 994, 70th Legislature, Regular Session. Any funds in excess of amounts needed for this purpose may be expended for other purposes within the agency related to teacher education. Notice of any revenues or royalties received shall be shown in the minutes of the State Board of Education. Copies of these minutes shall be filed with the Governor's Budget and Planning Office, Legislative Budget Board, State Auditor, and Legislative Reference Library.
27. **USE OF ADMINISTRATIVE FUNDS FOR SCHOOL NUTRITION PROGRAMS.** In fiscal year 1990 and fiscal year 1991, the Central Education Agency shall release, upon approval by the United States Department of Agriculture, federal administrative funds allocated to Texas for the administration of child nutrition programs to the Department of Human Services, after it has deducted the amount budgeted for its administration of the school nutrition program. Federal administrative funds released to the Department of Human Services shall first be used to eliminate fees currently paid by school districts to the Department of Human Services for the administration of the commodity food distribution program. Any additional funds remaining shall be used by the Department of Human Services for any other purpose approved by the United States Department of Agriculture.

CENTRAL EDUCATION AGENCY - ADMINISTRATION
(Continued)

28. **PERFORMANCE AUDIT OF EDUCATION SERVICE CENTERS.** The Texas Education Agency shall conduct a performance audit of the education service centers. The State Board of Education shall submit a written report to the Seventy-second Legislature by no later than January 31, 1991.
29. **PERMANENT SCHOOL FUND.** The Texas Education Agency shall conduct a study of investments within the Permanent School Fund. The study shall include an analysis of the structure of the investment portfolio before and after implementation of the prudent person rule. The State Board of Education shall submit a written report to the Seventy-second Legislature by no later than January 31, 1991.
30. **DIVISION DIRECTORS.** A total of 19 exempt positions of Division Director is hereby authorized for the Central Education Agency, and from the monies appropriated for Agency Administration, the Commissioner is authorized to pay these positions not to exceed \$48,500 per year each, plus the amount or percentage of any general salary increase for professional level classified positions authorized by this Act.
31. **LIMITED HIRING AUTHORITY.** The Texas Education Agency is hereby authorized to hire above Step 01 but not to exceed step 04 for the following classified positions:

<u>Class No.</u>	<u>Classification Title</u>
1556	Assistant Chief of Special Programs
1557	Director of Programs
1559	Director, Special Programs
5512	Program Specialist I
7005	Educational Program Director
7016	Administrative Program Specialist II
7018	Education Guidance Specialist II
7020	Education Research Specialist II
7022	Education Specialist II
7024	Fiscal Program Specialist II
7026	Occupational Education Specialist II
7028	Special Education Specialist II
7040	Program Officer II

32. **CONTINGENCY APPROPRIATION.** Contingent upon enactment of S.B. 77, and in addition to the amounts above for Line Item 4. Finance and Compliance, there is hereby appropriated \$19,843 in fiscal year 1990 and \$19,843 in fiscal year 1991 to carry out the provisions of the bill. These costs shall be financed entirely from revenues and balances from proprietary school fees and federal funds.
33. **CONTINGENCY APPROPRIATION.** Contingent upon enactment of S.B. 417, and in addition to the amounts above for Line Item 4. Finance and Compliance, there is hereby appropriated \$401,205 in fiscal year 1990 and \$380,233 in fiscal year 1991 to carry out the provisions of the bill. These costs shall be financed entirely from revenues and balances from proprietary school fees and federal funds.

SCHOOL FOR THE BLIND

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administrative and Support Services Program	1,772,065	1,771,345
2. Educational Program	3,857,397	3,857,397
3. Residential Program	2,281,295	2,283,317
4. Severely Handicapped Program	599,489	599,489
5. Utilities Program (non-transferable)	479,046	479,046
6. Outreach Services	164,000	164,000
7. Teacher Salary Increase		141,723
8. Asbestos Abatement	95,000	
GRAND TOTAL, SCHOOL FOR THE BLIND	\$ 9,248,292	\$ 9,296,317

Method of Financing:

General Revenue Fund	\$ 8,186,489	\$ 8,187,791
Independent School District Funds, estimated	150,000	150,000
Federal Funds, estimated	622,803	622,803
Reappropriated Receipts	30,000	30,000
Sec. 21.507 School District Funds	259,000	305,723
Total, Method of Financing	\$ 9,248,292	\$ 9,296,317

Schedule of Exempt Positions

Executive Director	\$ 54,000	\$ 54,000
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1. TRANSFER AUTHORITY.

- a. Out of the funds appropriated above, the Board of Trustees of the Texas School for the Blind may transfer an amount not to exceed ten (10) percent of each program item per year between program items 1., Administrative and Support Services Program, 2., Educational Program, 3., Residential Program, and 4., Severely Handicapped Program, whenever it deems such transfers are necessary for the effective and efficient operation of the school.

SCHOOL FOR THE BLIND
(Continued)

- b. The Texas School for the Blind Board of Trustees is authorized to transfer funds into Item 5., Utilities Program, from any other item of appropriation as it deems necessary.
2. PROPERTY PURCHASED WITH LEGACY FUNDS. None of the funds appropriated herein above may be expended for the operation and maintenance of any real property the purchase of which is made with legacy funds subsequent to September 1, 1985.
3. APPROPRIATION SOURCE, LOCAL DISTRICT FUNDS. Pursuant to House Bill 1593, Sixty-ninth Legislature, providing for the transfer of local school tax dollars for education services provided by the Texas School for the Blind, any such funds received by the school are hereby appropriated for each year of the biennium. It is the intent of the Legislature that these funds be expended in a manner consistent with the most efficient operation of the agency.

SCHOOL FOR THE DEAF

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administrative and Support Services Program	3,399,437	3,399,437
2. Educational Program	4,672,913	4,672,913
3. Residential Services Program	3,177,415	3,177,415
4. Utilities (non-transferable)	526,497	526,497 & U.B.
5. Asbestos Abatement	1,600,000	
6. Teacher Salary Increases		189,861
GRAND TOTAL, SCHOOL FOR THE DEAF	\$ 13,376,262 =====	\$ 11,966,123 =====

Method of Financing:

General Revenue Fund	\$ 12,282,462	\$ 11,228,462
Independent School District Funds, estimated	158,820	158,820
Federal Funds, estimated	234,980	234,980
Sec. 21.507 School District Funds	700,000	343,861
Total, Method of Financing	\$ 13,376,262 =====	\$ 11,966,123 =====

Schedule of Exempt Positions

Executive Director	\$ 54,000	\$ 54,000
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SCHOOL FOR THE DEAF
(Continued)

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the School for the Deaf. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

1. Construction, Repair and Renovation

a. Roof Repairs	\$ 120,000	\$ U.B.
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Total, Capital Outlay	\$ 120,000	\$ U.B.
	=====	=====

Method of Financing:

General Revenue Fund	\$ 120,000	\$ U.B.
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Total, Method of Financing	\$ 120,000	\$ U.B.
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFER AUTHORITY.

a. Out of the funds appropriated above, the Board of Trustees of the Texas School for the Deaf may transfer an amount not to exceed ten (10) percent of each program item per year between program items 1., Administrative and Support Services Program, 2., Educational Program, and 3., Residential Program, whenever it deems such transfers are necessary for the effective and efficient operation of the school.

b. The Texas School for the Deaf Board of Trustees is authorized to transfer funds into item 4., Utilities, from any other item of appropriation as it deems necessary.

3. USE OF FEDERAL FUNDS TO REDUCE GENERAL REVENUE. Any Federal Funds received by the Texas School for the Deaf in excess of \$370,000 each year of the biennium shall be used to reduce an equal amount from the General Revenue Funds appropriated above and shall cause that amount of General Revenue to revert to the General Revenue Fund at the end of each fiscal year.

4. APPROPRIATION SOURCE, LOCAL DISTRICT FUNDS. Pursuant to House Bill 1593, Sixty-ninth Legislature, providing for the transfer of local school tax dollars for education services provided by the Texas School for the Deaf, any such funds received by the school are hereby appropriated for each year of the biennium. It is the intent of the Legislature that these funds be expended in a manner consistent with the most efficient operation of the agency.

SCHOOL FOR THE DEAF
(Continued)

5. CONTINGENCY FOR SENATE BILL 1235. Contingent upon enactment of Senate Bill 1235, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, the above appropriation for Item 5., Asbestos Abatement is hereby reduced \$1,054,000 in general revenue funds.

SPECIAL PROVISIONS FOR THE TEXAS SCHOOL FOR THE BLIND
AND TEXAS SCHOOL FOR THE DEAF

1. CLASSIFIED POSITIONS. Funds appropriated to the Texas School for the Blind and Texas School for the Deaf may be expended to employ personnel in only those classified position titles listed in Article V of this Act or in such other positions established and approved by the State Classification Officer for use by the Texas School for the Blind and Texas School for the Deaf. Rates of pay of classified positions shall be governed by Article V of this Act.
2. INSTRUCTIONAL SALARIES.
 - a. Classroom teachers, coaches, instructional coordinators, counselors, instructional aides, and principals employed by the Texas School for the Blind and Texas School for the Deaf shall receive minimum salary rates as specified in Chapter 16, Texas Education Code, as amended. The State Board of Education may authorize salary rates at amounts above those minimums specified in Chapter 16, Texas Education Code, as amended, but such rates shall never exceed salaries paid for like positions by the Austin Independent School District. In determining the rate of pay for comparison with like positions in the public schools, the agencies covered by this provision shall include in the comparison longevity paid to persons commencing employment under this section on September 1, 1983, or thereafter. Instructional employees at the Texas School for the Blind and the Texas School for the Deaf shall not be eligible for paid holidays in excess of holidays paid for like positions daily by the Austin Independent School District.
 - b. The basic classroom teacher shall be contracted to receive as annual compensation, not to exceed 185 days of service during each year, the daily rate multiplied by the number of contract days authorized by the local boards of the Texas School for the Blind and the Texas School for the Deaf.
 - c. Other instructional employees shall receive the daily rate multiplied by the number of days of service authorized by the local boards of the Texas School for the Blind and Texas School for the Deaf.
3. EMOLUMENTS.
 - a. A house and utilities may be furnished to the Executive Director of the Texas School for the Blind and Texas School for the Deaf.
 - b. Unless otherwise specifically provided, no employee of the Texas School for the Blind and Texas School for the Deaf shall receive emoluments without charge; however, living quarters and utilities may be furnished to the Maintenance Foreman, Director of Education, and the Director of Residential Services of each school.
4. CHARGES TO EMPLOYEES AND GUESTS. In order to reimburse equitably the appropriation items of the Texas School for the Blind and Texas School for the Deaf from which expenditures are made for services to employees and guests, the following reimbursement rates and rules shall apply:

SPECIAL PROVISIONS FOR THE TEXAS SCHOOL FOR THE BLIND
AND TEXAS SCHOOL FOR THE DEAF
(Continued)

- a. Meals served to employees for supervision of students shall be valued at the projected raw food cost, and meals served to guests shall be valued at the projected cost including cost of preparation and indirect cost.
 - b. Charges to employees for lodging and laundry shall be based on a schedule developed by the respective governing boards, and copies of such schedules shall be filed with the Legislative Budget Board.
 - c. Collections for services rendered employees and guests shall be made by a deduction from the recipient's salary or by cash payment in advance. Such deductions and other receipts for these services from employees and guests are hereby reappropriated to the respective school. Refunds of excess collections shall be made from the appropriation to which the collection was deposited.
 - d. Employees residing away from the grounds of the Schools in which they are employed shall pay cash for only such meals at the Schools for the Blind and Deaf as they may actually take, and there shall be no deductions from the regular salary payment due employees of the respective Schools for school services or emoluments not actually received by said employees.
 - e. As compensation for services rendered, the schools may provide free meals for volunteer workers.
5. SERVICES TO EMPLOYEES.
- a. The governing boards covered by this Section may authorize transportation in state-owned vehicles to and from employment for School employees where public transportation is not available.
 - b. Out of the appropriations authorized, the respective governing boards covered by this Section may, under rules and regulations promulgated by it, expend money for the treatment and hospitalization, at the schools under its jurisdiction, of employees injured in the performance of their official duties.
6. MEALS ALLOWED. Employees at the Texas School for the Blind and Texas School for the Deaf may be allowed to receive a meal without charge in return for supervision of students during a specified mealtime.
7. APPROPRIATION OF LOCAL FUNDS. Balances held in local accounts at the close of the fiscal year ending August 31, 1989 and the income to said funds received during the biennium beginning September 1, 1989 for the student trust fund, student activity fund, student aid fund and the expendable trust fund (legacy fund) for the Texas School for the Blind and the Texas School for the Deaf are appropriated to the respective schools and are subject to the approval of the respective governing board.

Any balances remaining at the close of the fiscal year ending August 31, 1989 and the income received during the biennium beginning September 1, 1989 to the credit of the Schools' Independent School District, State and County Available, and other funds which were brought into the State Treasury under

SPECIAL PROVISIONS FOR THE TEXAS SCHOOL FOR THE BLIND
AND TEXAS SCHOOL FOR THE DEAF
(Continued)

House Bill 1623, Sixty-seventh Legislature, are hereby appropriated for the biennium to the respective schools and are subject to the approval of the respective governing board.

Receipts from sale of food, garbage or sewage are appropriated to the use of the selling school for other operating expenses during the fiscal year in which they are received.

8. FIRE PREVENTION AND SAFETY. From any amounts appropriated to the Texas School for the Blind and Texas School for the Deaf, the respective governing boards are authorized to employ, regardless of the limitations imposed by the schedules of classified positions provided in this Article, sufficient personnel to provide and to maintain fire prevention programs, drills, and evacuation plans for the safety of students and employees.
9. UNITED STATES AID. The Texas School for the Blind and Texas School for the Deaf may take advantage of and accept any aid extended by the federal government to the Schools for research, construction of new buildings, improvements and repairs, but only at the present sites of the Texas School for the Blind and the Texas School for the Deaf; provided, however, that in taking advantage of or accepting any aid extended by the federal government, the respective governing board not incur any indebtedness which would necessitate a supplemental or additional appropriation out of any funds of this state nor deplete any of the funds herein appropriated to each of the Schools to an amount which would necessitate a supplemental or additional appropriation out of any funds of this state to replenish said fund or funds. Any funds received by the Schools from the United States Government are hereby appropriated to the purpose for which the grant was made, subject to the preceding restrictions.
10. NEW OR ADDITIONAL SCHOOLS FOR THE BLIND AND DEAF. None of the funds appropriated to the State Board of Education, to the Central Education Agency, the schools under the jurisdiction of the Board, Texas School for the Blind and Texas School for the Deaf may be expended for constructing new or additional schools, or for purchasing sites therefor, without specific authorization of the Legislature. The schools shall be kept where they are located by the Legislature, and all new buildings to be constructed shall be on these sites unless otherwise specifically authorized by the Legislature.
11. QUALITY OF EDUCATION. Out of the funds appropriated to by this Act, the Central Education Agency shall assist the schools by extending to them the same consultative supervision, technical help, inspections, and standards of performance as are provided elementary and secondary public schools of this state.
12. USE OF FACILITIES. The respective governing boards of the Texas School for the Blind and Texas School for the Deaf may allow organizations related to the schools the use of the facilities of the physical plant; provided that said sessions do not interfere with the regular operations of the schools.
13. PETTY CASH FUND. The Texas School for the Blind and Texas School for the Deaf may establish a petty cash fund not to exceed \$5,000 for each school out of the moneys appropriated herein. These funds shall be maintained in cash or at a local bank and shall be used only for making emergency payments and small purchases and payments which will increase the efficiency of the

SPECIAL PROVISIONS FOR THE TEXAS SCHOOL FOR THE BLIND
AND TEXAS SCHOOL FOR THE DEAF
(Continued)

operation, payments to client workers on a regular pay-day basis, and for use as a change funds in the cashier's office, canteen, and other specific locations where financial activities of the Schools require a change fund. Purchases and payments from this fund are limited to \$200 per item.

14. ASSESSMENTS FOR LEA's. For any assessments on students from Local Education Agencies, the Texas School for the Blind and Texas School for the Deaf shall make a reasonable charge for these services to the Local Education Agencies. A reasonable effort to collect for the assessments will be made by the schools.
15. VOCATIONAL PROGRAMS; APPROPRIATION OF OPERATING FUNDS. The Texas School for the Blind and Texas School for the Deaf may establish, maintain and operate various vocational programs including a canteen for the benefit and training of their students and a braille writer repair service. Any balances remaining in each vocational, canteen and braille writer repair operation fund at the end of the fiscal years ending August 31, 1989 and 1990, plus all receipts deposited to its credit, are appropriated for the purchase of merchandise, operating supplies and equipment, for the payment of salaries and wages, and for all other costs necessary for the operation of the vocational, canteen and braille writer repair programs for the fiscal years ending August 31, 1990 and 1991.

TEACHER RETIREMENT SYSTEM AND OPTIONAL RETIREMENT PROGRAM

	For the Years Ending	
	August 31,	August 31,
	1990	1991

Out of the General Revenue Fund:

1. Teacher Retirement System

a. Teacher Retirement System, the state contribution at 8.0% of payroll necessary to match members' contributions, estimated	<u>769,763,000</u>	<u>797,013,000</u>
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2. Texas Public School Retired Employees Group Insurance Program

a. State contribution at .50% of payroll necessary to match members' contributions, estimated	\$ <u>42,245,000</u>	\$ <u>43,775,000</u>
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3. Optional Retirement Program

a. State contribution at 8.5% necessary to match members' contributions, estimated	\$ <u>118,675,000</u>	\$ <u>122,235,000</u>
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GRAND TOTAL, TEACHER RETIREMENT SYSTEM AND OPTIONAL RETIREMENT PROGRAM

\$ <u>930,683,000</u>	\$ <u>963,023,000</u>
=====	=====

1. CERTIFICATION OF FEDERAL AND SPECIAL FUNDS REQUIRED. Institutions of Higher Education and the Texas Education Agency shall certify to the Teachers Retirement System the amount of federal or special funds received for employee retirement. The Teachers Retirement System and the Comptroller of Public Accounts shall develop procedures to transfer into the General Revenue Fund sufficient amounts from funds so certified to pay proportionally the costs of matching retirement contributions and the state's share of Old Age and Survivors Insurance.
2. OUTSIDE LEGAL COUNSEL. Notwithstanding the Article V provision relating to outside legal counsel, the Teacher Retirement System may retain such legal counsel as it deems necessary or proper to comply with its fiduciary duties or to protect the assets held in trust by the system.

TEACHER RETIREMENT SYSTEM AND OPTIONAL RETIREMENT PROGRAM
(Continued)

3. **UPDATED ACTUARIAL VALUATION.** The Teacher Retirement System shall contract with an actuary to perform a limited actuarial valuation of the assets and liabilities of the Teacher Retirement System as of February 28 in those years when the Legislature meets in regular session. The purpose of the valuation shall be to determine the effect of investment, salary, and payroll experience on the unfunded liability, the amortization period, and the state contribution rate which results in a 30-year amortization period of the retirement system.
4. **MANAGEMENT AUDIT.** The Legislative Audit Committee shall issue a contract for a management audit on the Teacher Retirement System during the biennium. The cost of the audit shall be paid by the State Auditor and reimbursed by the Teacher Retirement System with 30 days of payment by the State Auditor. A copy of the audit shall be filed with the Governor, the Legislative Budget Board, the Legislative Audit Committee, and the Pension Review Board within 30 days of completion of the audit. The State Auditor shall conduct a review on the implementation of the audit and report the findings on an annual basis to the Legislative Audit Committee.
5. **CONTINGENCY APPROPRIATION, HOUSE BILL NO. 85.** Contingent upon the enactment of House Bill No. 85, Seventy-first Legislature, Regular Session (setting the State's contribution rate to the Teacher Retirement System of Texas at 7.65%) amounts appropriated above in Item 1. shall be \$736,086,000 for fiscal year 1990 and \$762,144,000 for fiscal year 1991.

TEXAS HIGHER EDUCATION COORDINATING BOARD

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Agency Administration	\$ 2,472,972	\$ 2,469,972
2. Coordination of Higher Education	1,860,928	1,860,928
3. Hinson-Hazlewood College Student Loan Program	2,323,082	2,323,082
4. Agency Space Rental	863,280	863,280
5. Equal Educational Opportunity Planning	340,012	340,012
6. Technical-Vocational Education Administration	964,368	963,220
7. Administration of Research Programs	725,000	U.B.
Total, Administration and Other Programs	\$ 9,549,642	\$ 8,820,494
<u>Trusteed Funds</u>		
8. Southern Regional Education Compact	\$ 100,000	\$ 100,000
9. Funding for Baylor College of Medicine in accordance with House Bill No. 586, Sixty-first Legislature, Regular Session, 1969	31,809,414	31,809,414

TEXAS HIGHER EDUCATION COORDINATING BOARD
(Continued)

10. Funding for Baylor College of Dentistry in accordance with House Bill No. 586, Sixty-first Legislature, Regular Session, 1969	13,407,596	13,407,596
11. For allocation in accordance with House Bill No. 282, Sixty-fifth Legislature (Family Practice Residency Training)	7,820,141	7,820,141
12. Resident Physician Compensation	4,198,768	4,198,768
13. Physicians Loan Repayment Program	462,000	462,000
14. Tuition Equalization Grants in accordance with Senate Bill No. 56, Sixty-second Legislature, Regular Session, 1971	21,278,590	21,278,590
15. Scholarship Fund for Educationally Disadvantaged Students and for Recruitment of Minority Staff and Faculty	282,000	282,000
16. Special Studies	100,000	U.B.
17. Advanced Research Program	20,761,000	U.B.
18. Advanced Technology Program	40,514,000	U.B.
19. Student Incentive Grants Program Opportunities	1,500,000	1,500,000
20. Facilities Inventory Verification and Audit	155,000	U.B.
21. Texas Academic Skills Program	337,500	450,000
22. Remedial Education Program	15,000,000	4,562,734 & U.B.
23. Utility Contingency Fund	1,000,000	U.B.
Total, Trusteed Funds	<u>\$ 158,726,009</u>	<u>\$ 85,871,243</u>
<u>Federal Grant Programs</u>		
24. State Student Incentive Grants	\$ 4,000,000	\$ 4,000,000
25. Technical-Vocational Education Grants	30,000,000	30,000,000
26. EESA, Title II Grants	2,260,000	2,260,000
27. Paul Douglas Scholarships	1,200,000	1,200,000
28. Robert Byrd Scholarships	550,000	550,000
29. Improvement of Postsecondary Education	105,000	105,000
Total, Federal Grant Programs	<u>\$ 38,115,000</u>	<u>\$ 38,115,000</u>
GRAND TOTAL, TEXAS HIGHER EDUCATION COORDINATING BOARD	<u>\$ 206,390,651</u> =====	<u>\$ 132,806,737</u> =====

Method of Financing:

Administration and Other Programs

General Revenue Fund	\$ 8,561,381	\$ 7,838,233
Earned Federal Funds	150,000	150,000
Interagency Contracts	215,000	215,000
Federal Funds, estimated	613,261	607,261

TEXAS HIGHER EDUCATION COORDINATING BOARD
(Continued)

Other Funds	10,000	10,000
Subtotal, Administration and Other Programs	\$ 9,549,642	\$ 8,820,494
<u>Trusted Programs</u>		
General Revenue Fund	\$ 157,982,009	\$ 85,127,243
Earned Federal Funds	282,000	282,000
Medical School Tuition Set-Aside Fund	462,000	462,000
Subtotal, Trusted Funds	\$ 158,726,009	\$ 85,871,243
<u>Federal Grant Programs</u>		
Federal Funds, estimated	\$ 38,115,000	\$ 38,115,000
Total, Method of Financing	\$ 206,390,651	\$ 132,806,737
	=====	=====

Schedule of Exempt Positions

Commissioner of Higher Education	\$ 112,308	\$ 112,308
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Funds appropriated above are contingent upon adherence to the following stipulations:

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Coordinating Board. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ 903,986	\$ 896,186
Total, Capital Outlay	\$ 903,986	\$ 896,186
	=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFER AUTHORITY. The Texas Higher Education Coordinating Board may transfer amounts up to 15 percent in fiscal year 1990 and up to 10 percent in fiscal year 1991 from one program to another program with the following exceptions: no funds may be transferred into item 1, Agency Administration and no funds may be transferred within the Trusted Funds and Programs.

TEXAS HIGHER EDUCATION COORDINATING BOARD
(Continued)

3. COMMISSIONER'S SALARY. The Coordinating Board is hereby authorized to utilize \$67,200 per year from general revenue funds appropriated to Item 1 in 1990 and 1991 and any earned funds including federal funds received under 20 USC 1087-1 as a lender of Hinson-Hazlewood Student Loans, for the purpose of funding the salary of the Commissioner of Higher Education at a rate NTE \$112,300 per year in 1990 and 1991.
4. INSURANCE PROGRAM OPERATION. Funds are included in Item 1, Agency Administration, to administer the Retirement Annuity Insurance and Group Life, Accident, and Health Insurance program for employees of public junior/community colleges and other institutions of higher education.
5. STUDENT LOAN PROGRAM. All moneys in the Texas Opportunity Plan Fund and the Texas College Student Loan Bonds Interest and Sinking Fund are hereby appropriated to the Texas Higher Education Coordinating Board, for the purposes specified in Article III, Sections 50b and 50b-1 of the Texas Constitution and V.T.C.A., Education Code 52.01-52.56.
6. FEDERAL LENDERS ALLOWANCE. In accordance with the provisions of V.T.C.A., Education Code, Sec. 52.17(e) it is the intent of the Legislature that the Coordinating Board shall expend to the maximum extent possible, Federal Lenders Special Allowance revenue (Earned Federal Funds) for the support of programs authorized to use this funding source in Section 52.17(e).
7. DISPOSITION OF EXCESS FEDERAL LENDERS ALLOWANCE. Any federal funds received by the Coordinating Board under 20 USC 1087-1 (Earned Federal Funds) as a lender of Hinson-Hazlewood Student Loans in excess of the amount required to reimburse the State Auditor for the cost of auditing the Hinson-Hazlewood Student Loan Program and amounts otherwise specifically appropriated in this Act shall be deposited to the General Revenue Fund.
8. BAYLOR COLLEGES OF MEDICINE AND DENTISTRY. From funds appropriated by this Act for funding the Baylor College of Medicine and the Baylor College of Dentistry, the Coordinating Board shall allocate to these institutions an amount per student enrolled in these colleges equal to the cost of medical and dental education in the established public medical and dental schools cited in Subchapter D, Chapter 61, Education Code. The amount shall be determined by the Coordinating Board.
9. RECRUITMENT AND RETENTION AT BAYLOR DENTISTRY. Out of appropriated funds to the Baylor College of Dentistry, except for those appropriated for outpatient clinic services, a reasonable amount each year is to be utilized for recruitment and education of and scholarships for minority dental students and dental students who commit to serve in rural areas of Texas. An annual report shall be made to the Legislative Budget Board each year detailing the amounts, utilization and results of such expenditures.
10. DISADVANTAGED STUDENT SCHOLARSHIPS AND MINORITY STAFF RECRUITMENT. From federal funds received by the Coordinating Board under 20 USC 1087-1 as a lender of Hinson-Hazlewood Student Loans, \$282,000 is allocated for the provisions of Item 15. Out of the funds appropriated above in Item 15., Scholarship Fund for Educationally Disadvantaged Students and for Recruitment of Minority Staff and Faculty, \$235,000 is to be used to match local funds committed by the general academic teaching institutions for scholarships and recruitment. No one institution may receive more than 15 percent of the total funds distributed for the above scholarship and

TEXAS HIGHER EDUCATION COORDINATING BOARD
(Continued)

recruitment Program. None of the funds may be used to administer the allocation or disbursement of the student scholarship and recruitment funds. The remaining \$47,000 is to be used to match local funds committed by the general academic teaching institutions for recruitment of minority faculty and administrative staff. No one institution may receive more than 15 percent of the total funds distributed for the minority faculty and administrative staff recruitment program. Not more than 10 percent of the funds distributed to any institution may be expended for administration of the program and not more than \$50,000 per year may be expended from monies appropriated to this program for staff recruitment. It is legislative intent that funds appropriated in this item be used as an incentive for eligible institutions to establish minority programs with local funds and support as required in the goals and objectives of the Texas Equal Opportunity Plan for Higher Education and its successor.

The Coordinating Board shall file with the Legislative Budget Board and the Governor's Office a report showing the allocation of the scholarships and faculty recruitment funds. The report shall be submitted within 90 days of the close of the fiscal year.

11. PHYSICIAN LOAN REPAYMENT PROGRAM. The funds provided in Item 13 are appropriated in accordance with V.T.C.A., Education Code, Section 61.531 - 61.537 for repayment of eligible student loans received by a physician who meets the stipulated requirements. All balances on hand in the fund established under Section 52.41 of the Education Code as of August 31, 1989, are hereby appropriated to the Coordinating Board for the purpose of repaying eligible loans through the Physician Loan Repayment Program.
12. RESEARCH PROGRAMS. The appropriations made by this Act for the Advanced Research Program and the Advanced Technology Program shall be distributed in accordance with the provisions of House Bill 2181, Seventieth Legislature, Regular Session. However, no more than 70 percent of the funds allocated for each program shall be designated for The University of Texas and the Texas A&M University Systems in the 1990-91 biennium. Institutions receiving transfers of funds under these programs shall report to the Coordinating Board prior to September 1 of each year of the biennium on the progress of the funded projects. Similarly, the Coordinating Board shall report to the Governor and the Legislative Budget Board. Funds appropriated to the Advanced Research Program and the Advanced Technology Program in Senate Bill 1, Seventieth Legislature, Second Called Session, for the 1988-89 biennium are hereby reappropriated for the same purposes for the 1990-91 biennium. Funds allocated for both research programs are exempt from State Purchasing and General Services Commission rules and regulations.
13. TEXAS PUBLIC EDUCATIONAL GRANTS FULL USE OF FUNDS. Funds received by the Coordinating Board under the full use of funds provisions of V.T.C.A., Education Code, Section 56.039 are hereby appropriated and may be expended for scholarships as provided by that statute.

TEXAS HIGHER EDUCATION COORDINATING BOARD
(Continued)

14. TEXAS ACADEMIC SKILLS PROGRAM.

- a. REMEDIAL EDUCATION PROGRAMS. Funds appropriated for remedial programs under Section 51.306, Texas Education Code, shall be expended only for those costs associated with the operation of the remedial education program including instruction, tutorial, peer counseling, evaluation, retraining of faculty, and related costs for administration of the program. The funds shall not be used for the recruitment of students.
 - b. ALLOCATION PROCEDURE FOR REMEDIAL EDUCATION PROGRAMS CONTINGENCY FUND. The amount appropriated in line 22 shall be allocated by the Coordinating Board to each institution of higher education providing remedial programs to students as a result of different levels of performance on the Texas Academic Skills Program test. The initial allocation for the first year of the biennium shall be made according to the number of students at each institution who are projected to need remedial assistance in mathematics, reading, and writing on the basis of the TASP test results. A second allocation may be made during the first year of the biennium on the basis of actual TASP test results. The allocation for the second year of the biennium shall be made according to different levels of performance by students at each institution found to need remedial assistance in mathematics, reading, and writing on the basis of the TASP test result. The allocated funds are to be used to support the costs of remedial programs. The amounts allocated by the Coordinating Board can only be used for purposes stated in rider number 14.a. The Coordinating Board will provide the Legislative Budget Board and the Governor's Office with a report on the allocation and use of the Remedial Education Programs Contingency Fund. The Coordinating Board shall also establish a clearinghouse of information on program development to be shared with other institutions on what programs work best. The Coordinating Board shall also establish a reporting system to be used by the institutions to provide information that will be used in accountability reports to the Legislature.
 - c. TASP TEST FEE WAIVERS. Funds appropriated for the Texas Academic Skills Program in item 21 above shall be expended by the Coordinating Board for providing test fee waivers for needy students.
 - d. INTENT CONCERNING REMEDIAL NEEDS. It is the intent of the Legislature that all affected institutions of public higher education fully address remedial needs identified by the Texas Academic Skills Program with appropriations made in this Act for the Remedial Education Program and other institutional funds available.
15. COURSE TRANSFERABILITY. From funds appropriated for the Educational Data Center, the Coordinating Board shall collect data on degree requirements at the public junior community and senior colleges in Texas so that all courses shall be fully transferable between institutions and will count toward the same degree at any public college or university in Texas.

TEXAS HIGHER EDUCATION COORDINATING BOARD
(Continued)

16. **TEG REPORTING REQUIREMENTS.** Every institution receiving tuition equalization grants shall be required to furnish to the Coordinating Board annual operating budgets and any other fiscal information required by the board.
17. **RESIDENCY ELIGIBILITY.** It is legislative intent that any student who is eligible for Texas resident tuition at a tax-supported institution is eligible for the Tuition Equalization Grants Program, provided all other requirements established by the Coordinating Board have been met by that student. None of the funds appropriated in this Act to the Coordinating Board for Tuition Equalization Grants may be expended for grants to non-resident students attending independent colleges or universities in Texas except for grants to National Merit Finalists.
18. **ORGANIZED SMALL CLASSES FORMULA COMPUTATIONS.** In computing the number of semester credit hours to be used in the formula base period for the general academic institutions, the Coordinating Board shall eliminate all semester credit hours generated by organized small classes. For the purpose of complying with this provision, organized small classes are defined as undergraduate level courses with less than ten registrations and graduate level courses with less than five registrations.
19. **TEXAS PUBLIC EDUCATIONAL GRANTS PROGRAM.** Unless a different percentage is set by passage of legislation amending the Texas Education Code, it is the intent of the Legislature that the amount of tuition to be set aside for the Texas Public Educational Grants Program shall be 15 percent in fiscal years 1990 and 1991.
20. **INCENTIVE FUNDING PROGRAM.** Pursuant to H.B. 2181, Seventieth Legislature, Regular Session, the Coordinating Board shall recommend a system of measures and goals to be used as a basis of providing incentive funding to institutions of higher education, particularly in the areas of management efficiency, minority recruitment and retention, and faculty enrichment. Factors for administrative incentives shall include improvements in energy conservation, the development of articulation agreements, and the development of land acquisition, construction, and renovation plans.
21. **FACILITIES INVENTORY VERIFICATION AND AUDIT.** Funds appropriated for a Facilities Inventory Verification and Audit are to be expended for a comprehensive audit of all educational and general facilities of the general academic teaching institutions, the health and medically related institutions, the Lamar University Centers at Orange and Port Arthur, and Texas State Technical Institute.
22. **SUNSET CONTINGENCY.** Funds appropriated above for fiscal 1991 for the Texas Higher Education Coordinating Board are made contingent on the continuation of the Texas Higher Education Coordinating Board by the Legislature. In the event the agency is not continued, the funds appropriated for fiscal year 1990 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

TEXAS HIGHER EDUCATION COORDINATING BOARD
(Continued)

23. STUDENT FINANCIAL ASSISTANCE GRANTS. Available balances on hand and funds received by the Comptroller through the reimbursement to taxpayer provision under Section 151.423 of the Tax Code are appropriated to the Coordinating Board for use as student financial assistance grants offered under Chapter 56, V.T.C.A., Education Code.
24. UTILITY CONTINGENCY FUND. Authorization for the expenditure of funds appropriated above for utilities is contingent upon certification by the Comptroller of Public Accounts that a general academic institution, medical college, health science center, or technical institute has expended all funds appropriated for utilities in that fiscal year. No institution of higher education which has transferred funds from the line item for utilities may request or receive funds during the same fiscal year from the Utility Contingency Fund. In addition, no institution of higher education may receive funds from the Utility Contingency Fund unless it has adopted and submitted an energy conservation program pursuant to Article V of this Act. Any institution receiving funds from the Utility Contingency Fund shall expend said funds only for utilities and any unexpended balances shall revert to the Utility Contingency Fund. Such funds shall not be used to support auxiliary enterprises. The funds appropriated for the Utility Contingency Fund shall be administered and dispensed pursuant to the above qualifications and in the amounts indicated by the Texas Higher Education Coordinating Board.
25. NURSING EDUCATION COST STUDY. The Texas Higher Education Coordinating Board is directed to conduct a comparative cost study of nursing education programs provided by community colleges, general academic institutions, and health science centers, which clearly delineates and explains differences in costs and which results in a recommendation for a formula to allocate all general revenue funds appropriated for nursing education programs. A report of the cost study and the recommended formula are to be presented to the Legislative Budget Board by September 30, 1991.
26. TEG NEED SURVEY. The Coordinating Board shall present the result of its most recent annual need survey for Tuition Equalization Grant (TEG) funds as part of its biennial appropriations request to the Legislative Budget Board and the Governor's Budget Office. The request shall include the number of eligible students and an estimate of the amount needed to fund fully the TEG program in the coming biennium. The Coordinating Board shall update this projection to include the most recent fall semester data prior to the convening of each regular session of the Legislature and shall provide this information to the Legislative Budget Board staff prior to Legislative Budget Board deliberations on the TEG appropriation.
27. FORMULA RATE INCENTIVES FOR UNDERGRADUATE INSTRUCTION. The Coordinating Board is hereby instructed to review the current role and scope of institutions of higher education in relation to the formulas used for appropriating funds for faculty salaries. It is the intent of the Legislature that the Coordinating Board develop formula rate incentives for teaching at the baccalaureate level rather than rate incentives for instruction at the doctoral level. The Coordinating Board is to report to the Seventy-second Legislature its findings and recommendations.

TEXAS HIGHER EDUCATION COORDINATING BOARD
(Continued)

28. FAMILY PRACTICE RESIDENCY AND RESIDENT PHYSICIANS COMPENSATION PROGRAMS. It is the intent of the Legislature that the Coordinating Board administer the trustee funds appropriated for Family Practice Residency and Resident Physician Compensation in strict compliance with their authorizing statutes.
29. LICENSE PLATE SCHOLARSHIP PROGRAM. If H.B. No. 121, 71st Legislature, Regular Session, is enacted and become law, in addition to other amounts appropriated by this Act, the portion of fees deposited in the state treasury, during the biennium ending August 31, 1991, to the credit of the Texas Higher Education Coordinating Board as provided by Section 5j, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-1 et seq., Vernon's Texas Civil Statutes), as added by H.B. No. 121, is appropriated for that period to the board, for the purpose of providing scholarships for students who demonstrate a need for financial assistance. The board shall allocate the appropriation made by this provision to students at a particular college or university in proportion to the ratio that the amount deposited to the credit of the Texas Higher Education Coordinating Board during the biennium ending August 31, 1991, from fees for license plates bearing the name and insignia of the particular college or university bears to the total amount deposited to the credit of the board during that period from fees for license plates bearing the name and insignia of a private college or university or public institution of higher education. If H.B. No. 121 does not become law, this provision has no effect. For purposes of this provision, a bill becomes law on signature by the governor or on becoming law under Article IV, Section 14, of the Texas Constitution without the governor's signature.
30. TAMU SERVICES RESEARCH REVIEW. The Texas Higher Education Coordinating Board is directed to include the state funded research activities of the Texas A&M University Services in the 1990-91 biennial research assessment program review pursuant to Chapter 144, Texas Education Code.
31. HARLINGEN FAMILY PRACTICE RESIDENCY. Out of the funds appropriated in item 11, the Coordinating Board shall utilize up to \$150,000 per year for the family practice residency program in Harlingen operated by The University of Texas Health Science Center at Houston.
32. CONTINGENCY FOR HOUSE BILL NO. 3. Contingent upon enactment of House Bill No. 3, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$2,000,000 for fiscal year 1990 and \$2,000,000 for fiscal year 1991, from the General Revenue Fund is hereby appropriated for the College Work Study Program.
33. CONTINGENCY FOR HOUSE BILL NO. 18. Contingent upon enactment of House Bill No. 18, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$250,000 for fiscal year 1990 and \$375,000 for fiscal year 1991, from the General Revenue Fund is hereby appropriated for the purpose of implementing the provisions of the Act.

TEXAS HIGHER EDUCATION COORDINATING BOARD
(Continued)

34. CONTINGENCY FOR SENATE BILL NO. 1351. Contingent upon enactment of Senate Bill No. 1351, Acts of the Seventy-first Legislature, Regular Session, or other similar legislation, \$150,300 for fiscal year 1990 and U.B. for fiscal year 1991, from the General Revenue Fund is hereby appropriated to the Coordinating Board for administration of the Outstanding Rural Scholar Recognition Program and \$75,000 from the General Revenue Fund in 1991 is appropriated to the Outstanding Rural Scholar Fund for forgiveness loans.
35. CONTINGENCY FOR SENATE BILL NO. 798. Contingent upon the enactment of Senate Bill No. 798 or other similar legislation all funds, including monies from fees, private matching funds and other sources, collected by the Board of Nurse Examiners, the Board of Vocational Nurse Examiners, and the Texas Higher Education Coordinating Board in accordance with that Act are hereby appropriated to the Board of Nurse Examiners, the Board of Vocational Nurse Examiners, and the Texas Higher Education Coordinating Board for the purposes of funding education financial aid programs for nurses and special pilot projects as authorized by that Act.

HIGHER EDUCATION FUND

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. The Constitutional appropriation for acquiring land with or without permanent improvements, constructing and equipping buildings or other permanent improvements, major repair or rehabilitation of buildings or other permanent improvements, and acquisition of capital equipment, library books and library materials at the eligible institutions and agencies of higher education pursuant to the provisions of Article VII, Section 17(a) of the Texas Constitution	100,000,000	100,000,000
GRAND TOTAL, HIGHER EDUCATION FUND	\$ 100,000,000 =====	\$ 100,000,000 =====

1. UNEXPENDED BALANCES. Any unexpended balances as of August 31, 1989 in the General Revenue Fund pursuant to the provision of Article VII, Section 17(a) of the Texas Constitution, are hereby reappropriated to the respective institutions for the biennium beginning September 1, 1989 for the same purposes.

HIGHER EDUCATION FUND
(Continued)

2. PROJECT APPROVAL. It is the intent of the Legislature that none of the funds appropriated above be expended for major repair and rehabilitation in excess of \$300,000 or for any land acquisition, new construction, or permanent improvements without prior approval of the Texas Higher Education Coordinating Board.

PUBLIC JUNIOR/COMMUNITY COLLEGES

		For the Years Ending	
		August 31, 1990	August 31, 1991
Out of the General Revenue Fund:			
1. Alamo Community College	\$	41,441,806	\$ 41,391,806
2. Alvin Community College		8,276,551	8,226,551
3. Amarillo College		10,007,068	9,957,068
4. American Educational Complex College		11,731,352	11,681,352
5. Angelina College		4,287,711	4,262,711
6. Austin Community College		26,205,298	26,155,298
7. Bee County College		5,691,942	5,666,942
8. Blinn College		9,207,561	9,232,561
9. Brazosport College		4,730,280	4,705,280
10. Cisco Junior College		3,157,917	3,132,917
11. Clarendon College		1,862,269	1,852,467
12. College of the Mainland		5,506,759	5,481,759
13. Collin County Community College		7,429,099	7,379,099
14. Cooke County College		3,810,619	3,785,619
15. Dallas County Community College		63,622,107	63,572,107
16. Del Mar College		15,460,311	15,410,311
17. El Paso Community College		21,988,179	21,938,179
18. Frank Phillips College		2,120,250	2,108,911
19. Galveston College		3,496,293	3,477,791
20. Grayson County College		5,493,381	5,468,381
21. Hill College		2,914,215	2,889,215
22. Houston Community College		39,772,421	39,722,421
23. Howard College		4,886,279	4,858,163
24. Kilgore College		8,345,114	8,295,114
25. Laredo Junior College		8,780,169	8,730,169
26. Lee College		8,100,930	8,050,930
27. McLennan Community College		9,870,230	9,820,230
28. Midland College		5,479,373	5,429,373
29. Navarro College		4,796,571	4,771,571
30. North Harris County College		16,476,226	16,426,226
31. Northeast Texas Community College		2,408,816	2,385,185
32. Odessa College		8,064,834	8,014,834
33. Panola Junior College		2,892,593	2,867,593
34. Paris Junior College		5,544,871	5,528,014

PUBLIC JUNIOR/COMMUNITY COLLEGES
(Continued)

35. Ranger Junior College	1,842,493	1,825,898
36. San Jacinto College	24,377,998	24,327,998
37. South Plains College	8,031,386	7,981,386
38. Southwest Texas Junior College	3,935,907	3,910,907
39. Tarrant County Junior College	30,381,321	30,331,321
40. Temple Junior College	3,749,758	3,724,758
41. Texarkana College	7,467,363	7,442,363
42. Texas Southmost College	8,304,538	8,285,235
43. Trinity Valley Community College	8,174,085	8,124,085
44. Tyler Junior College	12,944,448	12,894,448
45. Vernon Regional Junior College	3,238,838	3,213,838
46. Victoria College	4,970,560	4,945,560
47. Weatherford College	3,152,444	3,127,444
48. Western Texas College	2,217,471	2,197,721
49. Wharton County Junior College	<u>5,415,739</u>	<u>5,365,739</u>
GRAND TOTAL, PUBLIC JUNIOR/COMMUNITY COLLEGES	\$ 512,063,744 =====	\$ 510,374,849 =====

1. APPROPRIATION COMPONENTS IDENTIFIED. The appropriations made above to public community/junior colleges for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Alamo Community College		
Academic Education	\$ 24,474,547	\$ 24,474,547
Vocational/Technical Education	14,643,019	14,643,019
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>2,274,240</u>	<u>2,274,240</u>
Total	<u>\$ 41,441,806</u>	<u>\$ 41,391,806</u>
2. Alvin Community College		
Academic Education	\$ 3,650,895	\$ 3,650,895
Vocational/Technical Education	4,214,096	4,214,096
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>361,560</u>	<u>361,560</u>
Total	<u>\$ 8,276,551</u>	<u>\$ 8,226,551</u>
3. Amarillo College		
Academic Education	\$ 3,808,522	\$ 3,808,522
Vocational/Technical Education	5,476,486	5,476,486
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>672,060</u>	<u>672,060</u>

PUBLIC JUNIOR/COMMUNITY COLLEGES
(Continued)

Total	\$ 10,007,068	\$ 9,957,068
4. American Educational Complex College		
Academic Education	\$ 4,580,490	\$ 4,580,490
Vocational/Technical Education	6,771,042	6,771,042
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>329,820</u>	<u>329,820</u>
Total	\$ 11,731,352	\$ 11,681,352
5. Angelina College		
Academic Education	\$ 2,199,639	\$ 2,199,639
Vocational/Technical Education	1,875,392	1,875,392
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	<u>187,680</u>	<u>187,680</u>
Total	\$ 4,287,711	\$ 4,262,711
6. Austin Community College		
Academic Education	\$ 13,955,331	\$ 13,955,331
Vocational/Technical Education	8,556,657	8,556,657
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>938,424</u>	<u>938,424</u>
Total	\$ 23,500,412	\$ 23,450,412
Northridge Campus Start-up		
Academic Education	\$ 1,929,208	\$ 1,929,208
Vocational/Technical Education	<u>775,678</u>	<u>775,678</u>
Total	\$ 2,704,886	\$ 2,704,886
7. Bee County College		
Academic Education	\$ 1,780,686	\$ 1,780,686
Vocational/Technical Education	3,593,696	3,593,696
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	<u>292,560</u>	<u>292,560</u>
Total	\$ 5,691,942	\$ 5,666,942
8. Blinn College		
Academic Education	\$ 6,961,214	\$ 6,961,214
Vocational/Technical Education	1,586,899	1,586,899
Nursing Program	100,000	150,000
Remedial Education	25,000	U.B.
Old Washington State Park	193,588	193,588
Staff Group Insurance Premiums	<u>340,860</u>	<u>340,860</u>
Total	\$ 9,207,561	\$ 9,232,561
9. Brazosport College		
Academic Education	\$ 1,940,089	\$ 1,940,089
Vocational/Technical Education	2,547,151	2,547,151
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	<u>218,040</u>	<u>218,040</u>

PUBLIC JUNIOR/COMMUNITY COLLEGES
(Continued)

Total	\$ 4,730,280	\$ 4,705,280
10. Cisco Junior College		
Academic Education	\$ 1,664,418	\$ 1,664,418
Vocational/Technical Education	1,308,419	1,308,419
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	160,080	160,080
Total	\$ 3,157,917	\$ 3,132,917
11. Clarendon College		
Academic Education	\$ 1,076,527	\$ 1,076,527
Vocational/Technical Education	686,240	686,240
Remedial Education	9,802	U.B.
Staff Group Insurance Premiums	89,700	89,700
Total	\$ 1,862,269	\$ 1,852,467
12. College of the Mainland		
Academic Education	\$ 2,722,031	\$ 2,722,031
Vocational/Technical Education	2,382,988	2,382,988
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	376,740	376,740
Total	\$ 5,506,759	\$ 5,481,759
13. Collin County Community College		
Academic Education	\$ 5,615,269	\$ 5,615,269
Vocational/Technical Education	1,374,670	1,374,670
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	389,160	389,160
Total	\$ 7,429,099	\$ 7,379,099
14. Cooke County College		
Academic Education	\$ 2,004,079	\$ 2,004,079
Vocational/Technical Education	1,602,140	1,602,140
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	179,400	179,400
Total	\$ 3,810,619	\$ 3,785,619
15. Dallas County Community College		
Academic Education	\$ 36,448,797	\$ 36,448,797
Vocational/Technical Education	23,793,470	23,793,470
Remedial Education	50,000	U.B.
Small Business Development Center	200,000	200,000
Staff Group Insurance Premiums	3,129,840	3,129,840
Total	\$ 63,622,107	\$ 63,572,107
16. Del Mar College		
Academic Education	\$ 8,046,873	\$ 8,046,873
Vocational/Technical Education	6,458,158	6,458,158

PUBLIC JUNIOR/COMMUNITY COLLEGES
(Continued)

Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>905,280</u>	<u>905,280</u>
Total	<u>\$ 15,460,311</u>	<u>\$ 15,410,311</u>
17. El Paso Community College		
Academic Education	\$ 13,015,879	\$ 13,015,879
Vocational/Technical Education	7,814,160	7,814,160
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>1,108,140</u>	<u>1,108,140</u>
Total	<u>\$ 21,988,179</u>	<u>\$ 21,938,179</u>
18. Frank Phillips College		
Academic Education	\$ 848,438	\$ 848,438
Vocational/Technical Education	1,145,933	1,145,933
Remedial Education	11,339	U.B.
Staff Group Insurance Premiums	<u>114,540</u>	<u>114,540</u>
Total	<u>\$ 2,120,250</u>	<u>\$ 2,108,911</u>
19. Galveston College		
Academic Education	\$ 2,025,374	\$ 2,025,374
Vocational/Technical Education	1,220,577	1,220,577
Remedial Education	18,502	U.B.
Staff Group Insurance Premiums	<u>231,840</u>	<u>231,840</u>
Total	<u>\$ 3,496,293</u>	<u>\$ 3,477,791</u>
20. Grayson County College		
Academic Education	\$ 2,366,412	\$ 2,366,412
Vocational/Technical Education	2,747,309	2,747,309
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	<u>354,660</u>	<u>354,660</u>
Total	<u>\$ 5,493,381</u>	<u>\$ 5,468,381</u>
21. Hill College		
Academic Education	\$ 1,530,523	\$ 1,530,523
Vocational/Technical Education	1,255,192	1,255,192
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	<u>103,500</u>	<u>103,500</u>
Total	<u>\$ 2,914,215</u>	<u>\$ 2,889,215</u>
22. Houston Community College		
Academic Education	\$ 14,673,790	\$ 14,673,790
Vocational/Technical Education	23,565,131	23,565,131
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>1,483,500</u>	<u>1,483,500</u>
Total	<u>\$ 39,772,421</u>	<u>\$ 39,722,421</u>
23. Howard College		
Academic Education	\$ 1,143,373	\$ 1,143,373
Vocational/Technical Education	1,927,985	1,927,985

PUBLIC JUNIOR/COMMUNITY COLLEGES
(Continued)

Remedial Education	25,000	U.B.
Southwest Collegiate Inst./Deaf	1,519,085	1,519,085
Remedial Education	3,116	U.B.
Staff Group Insurance Premiums	267,720	267,720
Total	<u>\$ 4,886,279</u>	<u>\$ 4,858,163</u>
24. Kilgore College		
Academic Education	\$ 4,180,724	\$ 4,180,724
Vocational/Technical Education	3,606,550	3,606,550
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	507,840	507,840
Total	<u>\$ 8,345,114</u>	<u>\$ 8,295,114</u>
25. Laredo Junior College		
Academic Education	\$ 4,161,372	\$ 4,161,372
Vocational/Technical Education	4,001,617	4,001,617
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	567,180	567,180
Total	<u>\$ 8,780,169</u>	<u>\$ 8,730,169</u>
26. Lee College		
Academic Education	\$ 3,471,385	\$ 3,471,385
Vocational/Technical Education	4,176,585	4,176,585
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	402,960	402,960
Total	<u>\$ 8,100,930</u>	<u>\$ 8,050,930</u>
27. McLennan Community College		
Academic Education	\$ 4,802,651	\$ 4,802,651
Vocational/Technical Education	4,480,759	4,480,759
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	536,820	536,820
Total	<u>\$ 9,870,230</u>	<u>\$ 9,820,230</u>
28. Midland Junior College		
Academic Education	\$ 2,729,488	\$ 2,729,488
Vocational/Technical Education	2,408,705	2,408,705
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	291,180	291,180
Total	<u>\$ 5,479,373</u>	<u>\$ 5,429,373</u>
29. Navarro College		
Academic Education	\$ 2,648,562	\$ 2,648,562
Vocational/Technical Education	1,904,969	1,904,969
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	218,040	218,040
Total	<u>\$ 4,796,571</u>	<u>\$ 4,771,571</u>
30. North Harris County College		

PUBLIC JUNIOR/COMMUNITY COLLEGES
(Continued)

Academic Education	\$ 10,179,573	\$ 10,179,573
Vocational/Technical Education	5,609,093	5,609,093
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>637,560</u>	<u>637,560</u>
Total	<u>\$ 16,476,226</u>	<u>\$ 16,426,226</u>
31. Northeast Texas Community College		
Academic Education	\$ 1,346,078	\$ 1,346,078
Vocational/Technical Education	894,207	894,207
Remedial Education	23,631	U.B.
Staff Group Insurance Premiums	<u>144,900</u>	<u>144,900</u>
Total	<u>\$ 2,408,816</u>	<u>\$ 2,385,185</u>
32. Odessa College		
Academic Education	\$ 3,656,111	\$ 3,656,111
Vocational/Technical Education	3,788,783	3,788,783
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>569,940</u>	<u>569,940</u>
Total	<u>\$ 8,064,834</u>	<u>\$ 8,014,834</u>
33. Panola Junior College		
Academic Education	\$ 1,509,998	\$ 1,509,998
Vocational/Technical Education	1,193,375	1,193,375
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	<u>164,220</u>	<u>164,220</u>
Total	<u>\$ 2,892,593</u>	<u>\$ 2,867,593</u>
34. Paris Junior College		
Academic Education	\$ 2,767,476	\$ 2,767,476
Vocational/Technical Education	2,459,698	2,459,698
Remedial Education	16,857	U.B.
Staff Group Insurance Premiums	<u>300,840</u>	<u>300,840</u>
Total	<u>\$ 5,544,871</u>	<u>\$ 5,528,014</u>
35. Ranger Junior College		
Academic Education	\$ 1,068,776	\$ 1,068,776
Vocational/Technical Education	674,322	674,322
Remedial Education	16,595	U.B.
Staff Group Insurance Premiums	<u>82,800</u>	<u>82,800</u>
Total	<u>\$ 1,842,493</u>	<u>\$ 1,825,898</u>
36. San Jacinto College		
Academic Education	\$ 12,607,164	\$ 12,607,164
Vocational/Technical Education	10,517,474	10,517,474
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>1,203,360</u>	<u>1,203,360</u>
Total	<u>\$ 24,377,998</u>	<u>\$ 24,327,998</u>
37. South Plains College		

PUBLIC JUNIOR/COMMUNITY COLLEGES
(Continued)

Academic Education	\$ 3,506,835	\$ 3,506,835
Vocational/Technical Education	4,017,771	4,017,771
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>456,780</u>	<u>456,780</u>
Total	<u>\$ 8,031,386</u>	<u>\$ 7,981,386</u>
38. Southwest Texas Junior College		
Academic Education	\$ 2,211,947	\$ 2,211,947
Vocational/Technical Education	1,482,300	1,482,300
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	<u>216,660</u>	<u>216,660</u>
Total	<u>\$ 3,935,907</u>	<u>\$ 3,910,907</u>
39. Tarrant County Junior College		
Academic Education	\$ 19,311,332	\$ 19,311,332
Vocational/Technical Education	9,282,569	9,282,569
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>1,737,420</u>	<u>1,737,420</u>
Total	<u>\$ 30,381,321</u>	<u>\$ 30,331,321</u>
40. Temple Junior College		
Academic Education	\$ 1,967,618	\$ 1,967,618
Vocational/Technical Education	1,534,960	1,534,960
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	<u>222,180</u>	<u>222,180</u>
Total	<u>\$ 3,749,758</u>	<u>\$ 3,724,758</u>
41. Texarkana College		
Academic Education	\$ 3,301,500	\$ 3,301,500
Vocational/Technical Education	3,782,063	3,782,063
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	<u>358,800</u>	<u>358,800</u>
Total	<u>\$ 7,467,363</u>	<u>\$ 7,442,363</u>
42. Texas Southmost College		
Academic Education	\$ 5,249,552	\$ 5,249,552
Vocational/Technical Education	2,522,323	2,522,323
Remedial Education	19,303	U.B.
Staff Group Insurance Premiums	<u>513,360</u>	<u>513,360</u>
Total	<u>\$ 8,304,538</u>	<u>\$ 8,285,235</u>
43. Trinity Valley Community College		
Academic Education	\$ 3,446,220	\$ 3,446,220
Vocational/Technical Education	4,324,585	4,324,585
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>353,280</u>	<u>353,280</u>
Total	<u>\$ 8,174,085</u>	<u>\$ 8,124,085</u>
44. Tyler Junior College		

PUBLIC JUNIOR/COMMUNITY COLLEGES
(Continued)

Academic Education	\$ 6,861,031	\$ 6,861,031
Vocational/Technical Education	5,456,577	5,456,577
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>576,840</u>	<u>576,840</u>
Total	<u>\$ 12,944,448</u>	<u>\$ 12,894,448</u>
45. Vernon Regional Junior College		
Academic Education	\$ 1,182,336	\$ 1,182,336
Vocational/Technical Education	1,836,922	1,836,922
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	<u>194,580</u>	<u>194,580</u>
Total	<u>\$ 3,238,838</u>	<u>\$ 3,213,838</u>
46. Victoria College		
Academic Education	\$ 2,857,717	\$ 2,857,717
Vocational/Technical Education	1,799,423	1,799,423
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	<u>288,420</u>	<u>288,420</u>
Total	<u>\$ 4,970,560</u>	<u>\$ 4,945,560</u>
47. Weatherford College		
Academic Education	\$ 1,745,517	\$ 1,745,517
Vocational/Technical Education	1,237,027	1,237,027
Remedial Education	25,000	U.B.
Staff Group Insurance Premiums	<u>144,900</u>	<u>144,900</u>
Total	<u>\$ 3,152,444</u>	<u>\$ 3,127,444</u>
48. Western Texas College		
Academic Education	\$ 1,434,655	\$ 1,434,655
Vocational/Technical Education	597,466	597,466
Remedial Education	19,750	U.B.
Staff Group Insurance Premiums	<u>165,600</u>	<u>165,600</u>
Total	<u>\$ 2,217,471</u>	<u>\$ 2,197,721</u>
49. Wharton County Junior College		
Academic Education	\$ 2,761,138	\$ 2,761,138
Vocational/Technical Education	2,287,201	2,287,201
Remedial Education	50,000	U.B.
Staff Group Insurance Premiums	<u>317,400</u>	<u>317,400</u>
Total	<u>\$ 5,415,739</u>	<u>\$ 5,365,739</u>
GRAND TOTAL, PUBLIC JUNIOR/COMMUNITY COLLEGES	<u>\$ 512,063,744</u>	<u>\$ 510,374,849</u>

PUBLIC JUNIOR/COMMUNITY COLLEGES
(Continued)

2. QUALIFICATIONS FOR APPROPRIATED FUNDS. The sums appropriated herein shall be paid to the above public junior/community colleges provided each has qualified under the rules and regulations of the Texas Higher Education Coordinating Board, and the provisions of this Act.
3. ADMINISTRATION OF APPROPRIATED FUNDS. Funds appropriated above shall be administered by the Texas Higher Education Coordinating Board.
4. MAXIMUM APPROPRIATED FUNDS. The funds appropriated to public junior/community colleges shall be maximum amounts notwithstanding the fact that actual contact hour increases and employees eligible for group insurance contributions may exceed these amounts.
5. APPROPRIATION ELIGIBILITY. To be eligible for and to receive an appropriation a public junior/community college must be certified as required by V.T.C.A., Education Code section 61.001 et seq. and comply with the following provisions.
 - a. The Texas Higher Education Coordinating Board, shall determine whether each eligible public junior/community college has complied with all the provisions of this section; shall determine each college's list of approved courses; and shall certify its findings and such lists to the State Auditor not later than October 1 of each fiscal year. Each public junior/community college shall make such reports to the Texas Higher Education Coordinating Board as may be required, classified in accordance with the rules and regulations issued by the Board.
 - b. On or before the dates for reporting official enrollments each semester to the Texas Higher Education Coordinating Board, the college will collect in full from each student that is to be counted for state aid purposes the amounts set as tuition by the respective governing boards. Valid contracts with the United States government for instruction of eligible military personnel, and valid contracts with private business and public service-type organizations or institutions such as hospitals, may be considered as collections thereunder, but subject to adjustments after final payment thereof.
 - c. Use a registration and financial reporting system which has been approved by the State Auditor, and furnish him with such reports and information as he may require.
 - d. File by December 1, of the fiscal year, with the Texas Higher Education Coordinating Board, Legislative Budget Board and the Legislative Reference Library a copy of an annual operating budget, and subsequent amendments thereto, approved by the junior/community college governing board. Said operating budget shall be in such form and manner as may be prescribed by said board and/or agency with the advice of the State Auditor providing, however, that each report include departmental operating budgets by function and salaries and emoluments for faculty and staff listed by position.
6. APPROVED ELEMENTS OF EXPENDITURE. The expenditures by a public junior/community college of any funds received by it under these provisions headed "Public Junior/Community Colleges" shall be limited to the payment of the following elements of cost: instructional administration, general administration and student services, faculty salaries, departmental

PUBLIC JUNIOR/COMMUNITY COLLEGES
(Continued)

operating expense, library, staff benefits, general institutional expense and organized activities. It is specifically provided, however, that in addition to the purposes enumerated herein, the funds appropriated above for "Old Washington State Park" may be expended for salaries, wages, travel, capital outlay and other necessary operating expenses.

7. **AUDIT OF COMPLIANCE.** The compliance of each public junior/community college with the requirements set forth in the paragraphs above shall be ascertained by the State Auditor who shall also audit the pertinent books and records of each college as necessary.
8. **VOUCHERS FOR DISBURSEMENT OF APPROPRIATED FUNDS.** Vouchers for disbursement of the sums appropriated hereinabove shall be prepared by the Texas Higher Education Coordinating Board, on the basis of the provisions in the paragraphs above, and the warrants issued in payment thereof shall be issued in compliance with Chapter 130.0031, Texas Education Code.

In submitting vouchers for disbursement of the funds herein appropriated, the Texas Higher Education Coordinating Board, shall certify to the State Comptroller of Public Accounts that each school listed has qualified and is entitled to receive such funds under the provisions set forth in this Act under the heading "Public Junior/Community Colleges".

9. **DISBURSEMENT OF STAFF GROUP INSURANCE PREMIUMS.** The amount shown in the item Staff Group Insurance Premiums is hereby appropriated based on a survey of employees eligible for insurance contribution conducted by the Texas Higher Education Coordinating Board and the Legislative Budget Board. The State Auditor shall review employment records to verify eligibility for group insurance benefits. The audit shall be conducted at the same time as the audit of contract hours. Institutions shall apply for and use federal funds for group insurance premiums for salaries paid from federal funds.
10. **FALSIFICATION OF RECORDS.** Any deliberate falsification by any official or employee of any public junior/community college of the student enrollment records or the records of tuition payments and receipts whereby that college's share of public junior/community college state aid has been or would be illegally increased, may cause the withdrawal of all further financial aid provided herein. The State Auditor is hereby directed to report any instances which, in his opinion, constitute such falsification of records to the Legislative Audit Committee, and whenever the committee finds after giving the college adequate notice and fair hearing that a deliberate and intentional falsification of records has occurred, the committee may certify its findings to the State Comptroller who may deny payment of any further funds herein appropriated to such public junior/community college.
11. **UNOBLIGATED BALANCES.** At the close of each fiscal year, each junior/community college shall report to the Coordinating Board the amount of state allocations which have not been obligated within each line item and shall return that amount to the State Treasury for deposit in the General Revenue Fund.

PUBLIC JUNIOR/COMMUNITY COLLEGES
(Continued)

12. ADJUSTMENT OF CONTACT HOURS. The hours used in the contact hours base period shall subsequently be audited for accuracy by the State Auditor and the dollar amounts adjusted accordingly by the Texas Higher Education Coordinating Board. However, no college shall have dollar amounts adjusted below \$1,500,000.
13. ELIGIBILITY FOR FUNDING - SOUTHWEST COLLEGIATE INSTITUTE FOR THE DEAF. In order to receive appropriations under this Act, the Southwest Collegiate Institute for the Deaf shall be subject to rules and regulations related to institutions of higher education contained in this Act and in the Texas Education Code.
14. AUDIT OF THE HOWARD COLLEGE - SOUTHWEST COLLEGIATE INSTITUTE FOR THE DEAF. The State Auditor shall perform an annual audit of funds appropriated to the Howard College--Southwest Collegiate Institute for the Deaf. Funds appropriated to Howard College District--Southwest Collegiate Institute for the Deaf and tuition fees generated by Southwest Collegiate Institute for the Deaf shall be expended only for the purpose of the institute, including the maintenance and operation of student housing and food service.
15. ESTABLISHMENT OF CONTACT HOUR BASE PERIODS. Contact hour base periods for academic and vocational technical programs:

The contact hour base period used for reporting and computing academic contact hours and semester length vocational technical contact hours for the 1990-91 appropriations are the school terms, Summer 1988, Fall 1988 and Spring 1989.

The contact hour base period used for reporting and computing clock hour/block time vocational technical contact hours are based on quarterly school terms. The quarters used for the 1990-91 appropriations are March - May, 1988; June - August, 1988; September - November, 1988; December, 1988 - February, 1989. The contact hour audit will be made on the contact hour base used for appropriation purposes.
16. SEPARATION OF FUNDS. The funds appropriated by the State shall be maintained separately by junior/community colleges from other sources of income.
17. SUPPLANTING OF FEDERAL FUNDS PROHIBITED. It is legislative intent that state funds not be used to supplant federal funds for the Job Training Partnership Act programs conducted by junior/community colleges.
18. SUPPLEMENTATION BY AD VALOREM REVENUES. It is the intent of the Legislature that all public junior/community colleges receiving state appropriations shall initiate procedures necessary to secure local ad valorem revenues sufficient to supplement the funding of the district by August 31, 1989.
19. COORDINATING BOARD ADMINISTRATION AND SUPERVISION COSTS. The Texas Higher Education Coordinating Board is authorized to use funds appropriated for postsecondary vocational/technical education from state and federal sources to pay costs of Coordinating Board administration and supervision.

PUBLIC JUNIOR/COMMUNITY COLLEGES
(Continued)

20. RESIDENCY OF TEXAS DEPARTMENT OF CORRECTIONS INMATES. All inmates of the Texas Department of Corrections are, for educational purposes only, residents of the State of Texas.
21. JUNIOR COLLEGE STAFF SALARY INCREASES. It is the intent of the Legislature that at least \$5,000,000 per year in new moneys appropriated in this Act to the public community/junior colleges be used to provide non-faculty staff with salary increases comparable to those provided to equivalent personnel at the public senior universities.
22. REAPPROPRIATION OF 1986-87 BALANCES TO ALAMO COMMUNITY COLLEGE. The balance from appropriations made to Palo Alto College of the Alamo Community College District for the 1986-87 biennium is reappropriated for the 1990-91 biennium to be applied to contact hours earned above the 1988-89 and 1990-91 base periods used for funding. The State Auditor shall determine the actual number of contact hours earned in each fiscal year above the number of hours used in each funding base period. Based upon this determination, the actual contact hours earned in excess of that base period shall be applied to the total reappropriated amount. This computation shall be based on contact hour rates used in the period in which the hours were earned. In no instance shall the total disbursement for the biennium be greater than the amount appropriated to Alamo Community College District.
23. REAPPROPRIATION OF 1986-87 BALANCES TO NORTHEAST COMMUNITY COLLEGE. The balance from appropriations made to the Northeast Texas Community College District for the 1986-87 biennium is reappropriated for the 1990-91 biennium to be applied to contact hours earned above the original base period. The State Auditor shall determine the actual number of contact hours earned in 1988, 1989, 1990 and 1991. Based upon this determination, the actual contact hours earned in excess above the actual 1986-87 base period contact hours shall be applied to the reappropriated amount. This computation is based on current contact hour rates (1988-89 biennium) and on total contact hours earned without regard to whether they constitute academic or vocational technical hours. In no instance shall the total disbursement for the biennium be greater than the amount appropriated to the Northeast Texas Community College District.
24. APPROPRIATIONS FOR NORTHRIDGE CAMPUS START-UP. Appropriations made to Austin Community College for the Northridge Campus Start-up are based on estimated contact hours to be generated during the 1990-91 biennium. The State Auditor shall determine the actual number of contact hours generated in each program. Based upon this determination, the actual disbursement to each program shall be adjusted to reflect actual contact hours. In no instance shall the total disbursements for the biennium be greater than the amount listed for Northridge start-up.
25. SMALL BUSINESS DEVELOPMENT CENTER. The Small Business Development Center at Dallas County Community College shall receive \$200,000 in each year of the biennium, contingent upon certification by the Comptroller of Public Accounts that increased activity by the Small Business Development Center will generate at least \$400,000 for the biennium in additional revenue to the General Revenue Fund. It is the intent of the Legislature that state funds provided to the Small Business Development Center be used by the center to attract federal funds on a dollar-for-dollar basis.

PUBLIC JUNIOR/COMMUNITY COLLEGES
(Continued)

26. APPROPRIATION FOR BLINN COLLEGE NURSING PROGRAM. Included in the funds appropriated above is \$100,000 in fiscal year 1990 and \$150,000 in fiscal year 1991 for the Associate Degree Nursing Program offered by Blinn College. The State Auditor shall determine the actual number of contact hours earned in each fiscal year. Based upon this determination, the actual disbursements shall be based on the same contact hour rate used for other public junior and community college nursing programs.

27. AMERICAN EDUCATIONAL COMPLEX REPORTING AND APPROPRIATIONS. On or before September 1, December 1, March 1 and June 1 of each year of the biennium, the American Educational Complex College District shall file a report with the Office of the Governor, the State Auditor and the Legislative Budget Board detailing progress made by the American Educational Complex College District in meeting management and compliance goals and recommendations. These goals and recommendations shall include those adopted by the District's Board as well as those contained in audits or management studies performed by the District's independent auditor, the State auditor and other management consultants engaged by the District or the State to review the District's operations. The first such report shall be filed on September 1, 1989, and shall include the aforementioned progress report as well as a schedule adopted by the District's Board of anticipated implementation dates and methodology for enacting the various recommendations and goals.

Within 15 days of the receipt of each quarterly report as required herein, the Governor and the State Auditor shall notify the District's administration and the Legislative Budget Board of deficiencies or suggested areas of improvement in satisfactorily meeting the stated goals and recommendations. Efforts to correct or address the areas detailed by the Governor or the State Auditor shall be contained in the next following quarterly report of the District.

If, after December 1, 1989, the Governor or State Auditor shall determine that any areas of compliance or operations covered by the subject of this rider and subsequently detailed as areas of concern by the Governor or State Auditor in its review of the quarterly reports are not being satisfactorily resolved by the District, the Governor and the State Auditor shall report such determination to the other party and to the Legislative Budget Board. The Governor, upon review of such reports, may require that vouchers for the disbursement of state funds receive prior approval of the State Auditor prior to processing for payment by the Comptroller of Public Accounts. Such requirement for prior approval shall continue until the Governor and State Auditor shall find that such areas of deficiency have been satisfactorily addressed or that reasonable progress has been made towards addressing the concerns enumerated.

Following the report made September 1, 1990, reports required for the second year of the biennium may be suspended upon a finding by the Governor and the State Auditor that reasonable progress has been made by the District in addressing findings of such audits and studies.

NATIONAL RESEARCH LABORATORY COMMISSION

		For the Years Ending	
		August 31, 1990	August 31, 1991
Out of the General Revenue Fund:			
1. Administration	\$	1,596,662	\$ 1,605,411
2. Site Development		114,491	114,111
3. Research and Development		218,994	220,062
4. Bond service requirements for bonds authorized under provisions of Subchapter B, Chapter 465, Government Code, estimated		26,000,000	U.S.
GRAND TOTAL, NATIONAL RESEARCH LABORATORY COMMISSION	\$	27,930,147	\$ 1,939,584
		=====	=====

Schedule of Exempt Positions

Executive Director \$ 120,000 \$ 120,000

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the National Research Laboratory Commission. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$	11,275	\$ 8,000
Total, Capital Outlay	\$	11,275	\$ 8,000
		=====	=====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. REAPPROPRIATION OF UNEXPENDED BALANCES. Funds appropriated to the Texas National Research Laboratory Commission in fiscal year 1989 are hereby reappropriated for the same purposes for the biennium beginning September 1, 1989. Furthermore, any unexpended balances from fiscal year 1990 are hereby reappropriated for the same purposes to fiscal year 1991.

NATIONAL RESEARCH LABORATORY COMMISSION
(Continued)

3. BOND REVENUE EXPENDITURE REPORT. The National Research Laboratory Commission shall submit an annual report to the House Committee on Science and Technology, Senate State Affairs Committee and the Legislative Budget Office identifying the income and expenditure of any amount of bond revenue derived by the Commission during the reporting period. Reports shall be submitted within 60 days of the completion of the annual reporting period and in a format determined by the Legislative Budget Office.

THE UNIVERSITY OF TEXAS SYSTEM ADMINISTRATION

1. SYSTEM OFFICE FUNDING. Of the amounts appropriated to the academic components of The University of Texas System, the following amounts are included for the operation of The University of Texas System Administration:

	For the Years Ending	
	August 31, 1990	August 31, 1991
The University of Texas at Arlington	\$ 42,000	\$ 42,000
The University of Texas at Austin	220,000	220,000
The University of Texas at Dallas	18,000	18,000
The University of Texas at El Paso	29,000	29,000
The University of Texas of the Permian Basin	3,000	3,000
The University of Texas at San Antonio	23,000	23,000
The University of Texas at Tyler	5,000	5,000

2. AIRCRAFT AUTHORIZED. The University of Texas System is authorized to acquire, operate and maintain, including replacing, two passenger airplanes. Such airplanes may be acquired by gift only, purchase, or partly by gift and partly by purchase. All costs of acquisition, operation and maintenance, including replacement, may be paid out of the Available University Fund allocable to The University of Texas System. The University of Texas System is also authorized to lease on a short-term basis additional aircraft as may be needed from time to time.
3. TRANSFER FROM OIL OVERCHARGE FUNDS. Contingent upon qualification by the U.S. Department of Energy or the federal courts and Coordinating Board approval, an amount not to exceed \$250,000 each year is to be transferred from Oil Overcharge Settlement Funds subsection (k) Energy Research in Applications to the Center for Technology Development and Transfer.
4. RENOVATION OF PEASE MANSION. The Board of Regents of The University of Texas System is hereby authorized to accept grants, donations, and gifts and to expend Permanent University Fund bond proceeds and Available University Funds for the purpose of remodeling, renovating, and repairing the Pease Mansion. Such expenditures shall not exceed \$1,000,000.

AVAILABLE UNIVERSITY FUND

For the Years Ending	
August 31, 1990	August 31, 1991

Out of the Available University Fund:

- | | | |
|--|---------------|---------------|
| 1. Expenses of Revenue-Bearing Property:
Office of Investment, Endowments
and Trusts;
Lands and Asset Management, including
Accounting; Oil, Gas, Mineral, and
Surface Interests; Board for Lease of
University Lands; Auditing Oil and
Gas Production; Office of General
Counsel (including attorneys); Staff
Benefits, including O.A.S.I., W.C.I.,
U.C.I., and Employee Insurance
Premium Sharing, estimated at | \$ 16,266,283 | \$ 17,599,240 |
| 2. The Available University Fund
allocable to the Board of Regents of
Texas A&M University is hereby
appropriated for the purpose of
retiring obligations incurred under
the authority of Article VII, Section
18 of the Texas Constitution, and may
be expended for permanent
improvements, new construction,
equipment, repairs, and physical
plant operation and maintenance,
minority student scholarships and
student recruitment, and educational
and general activities of the Texas
A&M University System pursuant to
Article VII, Sections 11(a) and 18 of
the Texas Constitution, estimated at | 72,253,525 | 72,934,511 |
| 3. The Available University Fund
allocable to the Board of Regents of
the Texas A&M University System for
Prairie View A&M is hereby
appropriated to Prairie View A&M
University and may be expended for
construction, equipment, repairs and
physical plant operation and
maintenance, student scholarships and
recruitment, and educational and
general activities pursuant to
Article VII, Section 11(a), 18 and
18(f) of the Texas Constitution | 6,000,000 | 6,000,000 |

AVAILABLE UNIVERSITY FUND
(Continued)

4. The Residue of the Available Fund allocable to The University of Texas System is hereby appropriated for the purpose of retiring obligations incurred under the authority of Article VII, Section 18 of the Texas Constitution and, pursuant to the authorization of Article VII, Section 11(a) and 18 of the Constitution, for permanent improvements, new construction, equipment, repairs and rehabilitation, physical plant operation and maintenance, and educational and general activities of The University of Texas System Administration, and The University of Texas at Austin, estimated at

	<u>139,355,192</u>	<u>140,491,249</u>
GRAND TOTAL, AVAILABLE UNIVERSITY FUND	\$ 233,875,000 =====	\$ 237,025,000 =====

1. TEXAS A&M UNIVERSITY SYSTEM SHARE. There is hereby appropriated to the Texas A&M University System for the biennium ending August 31, 1991, that portion of the Available University Fund apportioned to said University by Article VII, Section 18(e), Texas Constitution, except the part of that portion appropriated by the operation of said Section 18 of Article VII of the Constitution of the State of Texas for the payment of principal and interest on bonds or notes issued thereunder by the Board of Regents of the Texas A&M University System, together with any balance in said Texas A&M University-The University of Texas Available Fund for any previous fiscal year. The Texas A&M University System is authorized to use a portion of its share of the Available University Fund for the matching of private grants for the endowment of scholarships, fellowships, and academic positions at Texas A&M University and Prairie View A&M University. However, not more than \$1.5 million per year may be expended for the matching of private grants for the endowment of scholarships and fellowships.
2. THE UNIVERSITY OF TEXAS AT AUSTIN SHARE. There is hereby appropriated, for new construction, major repair and rehabilitation, equipment, maintenance, support, including the matching of private grants for the endowment of scholarships, fellowships, academic positions, direction, operation and salaries of The University of Texas at Austin, to be used as the Board of Regents may determine, for the biennium ending August 31, 1991, that portion of the Available University Fund apportioned to said University by Article VII, Section 18(e), Texas Constitution, except the part of that portion appropriated by the operation of said Section 18 of Article VII of the Constitution of the State of Texas for the payment of principal and interest on bonds or notes issued thereunder by the Board of Regents of The University of Texas System, together with any balance in said Available University Fund for any previous year. However, not more than \$1.5 million per year may be expended for the matching of private grants for the endowment of scholarships and fellowships.

AVAILABLE UNIVERSITY FUND
(Continued)

3. TRANSFER AUTHORIZATION. The University of Texas System may transfer from the Available University Fund (011) into the Texas A&M University Available Fund (047) and the Prairie View A&M University Available Fund (042) their respective portions.

THE UNIVERSITY OF TEXAS AT ARLINGTON

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 69,611,249	\$ 70,934,543
GRAND TOTAL, THE UNIVERSITY OF TEXAS AT ARLINGTON	\$ 69,611,249 =====	\$ 70,934,543 =====
Method of Financing:		
General Revenue Fund	\$ 58,718,514	\$ 60,017,655
Estimated Other Educational and General Income	10,892,735	10,916,888
Total, Method of Financing	\$ 69,611,249 =====	\$ 70,934,543 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 2,289,550	\$ 2,404,590
2. Faculty Salaries	29,856,957	30,901,945
3. Departmental Operating Expense	6,056,571	6,050,349
4. Library	1,873,861	1,961,698
5. Building Maintenance	1,727,609	1,826,125
6. Utilities	6,280,013	6,280,013
7. Special Items		
a. Institute of Urban Studies	333,822	333,822
b. Scholarships	38,184	61,159
c. Rural Hospital Outreach Program	66,288	66,288
d. Tuition Revenue Bond Retirement (non-transferable)	1,506,500	1,506,500
e. Robotics Engineering Research Program	1,006,250	1,006,250
f. Lower Rio Grande Coop. MSSW Program	98,500	97,300 & U.B.
g. Energy Management Efficiency	58,018	58,018
h. System Office Operation	42,000	42,000
i. Remedial Education	50,000	U.B.

THE UNIVERSITY OF TEXAS AT ARLINGTON
(Continued)

8. Estimated Other Educational and General Income Available	10,892,735	10,916,888
9. Non-faculty Salary Increase	896,831	896,831

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. LOWER RIO GRANDE COOPERATIVE MSSW PROGRAM. Funds appropriated above for Item 7.f., Lower Rio Grande Cooperative MSSW Program, may be expended only for an expense directly attributable to or in support of that program.
3. ROBOTICS ENGINEERING RESEARCH PROGRAM TRANSFERABILITY AUTHORITY. The University of Texas at Arlington is hereby authorized to transfer or utilize from funds appropriated above an amount NTE \$500,000 to the Robotics Engineering Research Program in addition to the amount specified for that item. However, no funds may be transferred from any specified amount for faculty salaries, general scholarships, or minority scholarships and recruitment.

THE UNIVERSITY OF TEXAS AT AUSTIN

	For the Years Ending August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 249,558,061	\$ 255,535,584
GRAND TOTAL, THE UNIVERSITY OF TEXAS AT AUSTIN	\$ 249,558,061 =====	\$ 255,535,584 =====
Method of Financing:		
General Revenue Fund	\$ 193,472,007	\$ 198,449,530
Estimated Other Educational and General Income	56,086,054	57,086,054
Total, Method of Financing	\$ 249,558,061 =====	\$ 255,535,584 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 8,712,388	\$ 9,150,120
2. Faculty Salaries	88,321,103	91,639,843
3. Departmental Operating Expense	19,845,458	19,825,524
4. Library	6,432,156	6,732,330
5. Building Maintenance	8,401,276	8,917,233

THE UNIVERSITY OF TEXAS AT AUSTIN
(Continued)

6. Utilities	26,144,947	26,395,444
7. Special Items		
a. Scholarships	312,520	500,563
b. Marine Science Institute - Port Aransas	848,114	848,114
c. Institute for Geophysics - Galveston	1,469,686	1,469,686
d. Bureau of Economic Geology	971,959	971,959
e. Bureau of Business Research	326,058	326,058
f. McDonald Observatory	2,120,750	2,120,750
g. Texas Memorial Museum	202,998	202,998
h. Lyndon B. Johnson School of Public Affairs	338,000	338,000
i. Center for Energy Studies	478,495	478,495
j. Bureau of Engineering Research	123,249	123,249
k. Tuition Revenue Bond Retirement (non-transferable)	4,302,500	4,302,500
l. University Outreach Center - Corpus Christi	50,000	50,000
m. Repayment of Staff Group Health Insurance Premiums	-612,500	-612,500
n. System Office Operation	220,000	220,000
o. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	56,086,054	57,086,054
9. Non-faculty Salary Increase	3,536,744	3,536,744

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. REPAYMENT OF STAFF GROUP HEALTH INSURANCE PREMIUMS. Funds reduced above in Item 7.m., Repayment of Staff Group Health Insurance Premiums, are to partially repay overages in appropriations to group insurance contributions in previous years.

THE UNIVERSITY OF TEXAS AT DALLAS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 32,275,259	\$ 33,291,782
GRAND TOTAL, THE UNIVERSITY OF TEXAS AT DALLAS	\$ 32,275,259	\$ 33,291,782
Method of Financing:		
General Revenue Fund	\$ 27,788,244	\$ 28,765,694

THE UNIVERSITY OF TEXAS AT DALLAS
(Continued)

Estimated Other Educational and General Income	<u>4,487,015</u>	<u>4,526,088</u>
Total, Method of Financing	\$ 32,275,259 =====	\$ 33,291,782 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 1,236,851	\$ 1,298,980
2. Faculty Salaries	14,573,388	15,107,493
3. Departmental Operating Expense	3,056,436	3,053,488
4. Library	767,597	803,282
5. Building Maintenance	741,711	776,221
6. Utilities	3,398,198	3,703,189
7. Special Items		
a. Scholarships	11,864	14,100
b. Tuition Revenue Bond Retirement (non-transferable)	425,500	425,500
c. Energy Management Efficiency	384,007	384,007
d. System Office Operation	18,000	18,000
8. Estimated Other Educational and General Income Available	4,487,015	4,526,088
9. Non-faculty Salary Increase	492,702	492,702

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

THE UNIVERSITY OF TEXAS AT EL PASO

	For the Years Ending August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 41,356,684	\$ 41,912,035
GRAND TOTAL, THE UNIVERSITY OF TEXAS AT EL PASO	\$ 41,356,684 =====	\$ 41,912,035 =====
Method of Financing:		
General Revenue Fund	\$ 33,955,243	\$ 34,350,746

THE UNIVERSITY OF TEXAS AT EL PASO
(Continued)

Estimated Other Educational and General Income	<u>7,401,441</u>	<u>7,561,289</u>
Total, Method of Financing	\$ 41,356,684 =====	\$ 41,912,035 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 1,474,333	\$ 1,548,406
2. Faculty Salaries	15,342,926	15,907,342
3. Departmental Operating Expense	2,694,384	2,691,316
4. Library	1,071,079	1,121,454
5. Building Maintenance	1,243,066	1,318,815
6. Utilities	4,109,238	4,109,238
7. Special Items		
a. Peer Counseling Program	217,075	217,075
b. Inter-American and Border Studies Institute	91,882	91,882
c. El Paso Centennial Museum	75,646	75,646
d. Scholarships	129,903	208,066
e. Scholarships for Juarez High School Graduates	5,000	5,000
f. Rural Nursing Health Care Services	51,646	51,646
g. Office of Technical Development for the Border Area	100,000	100,000
h. Tuition Revenue Bond Retire- ment (non-transferable)	1,012,000	1,012,000
i. Texas Centers for Economic and Enterprise Development	1,198,521	794,194 & U.B.
j. System Office Operation	29,000	29,000
k. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	7,401,441	7,561,289
9. Non-faculty Salary Increase	519,567	519,567

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. TRANSFER OF CONSORTIUM FUNDS. Funds appropriated for the Texas Centers for Border Economic and Enterprise Development are to be distributed among the member institutions of the consortium by transfers from appropriations to The University of Texas at El Paso to The University of Texas-Pan American and Laredo State University. Such transfers are authorized as follows:

For the Years Ending	
August 31, 1990	August 31, 1991

THE UNIVERSITY OF TEXAS AT EL PASO
(Continued)

Laredo State University
Institute for International Trade \$ 275,761 \$ 182,732

The University of Texas-Pan American
Center for Entrepreneurship and
Economic Development \$ 457,221 \$ 302,975

THE UNIVERSITY OF TEXAS - PAN AMERICAN

	For the Years Ending August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 27,718,574	\$ 28,696,653
 GRAND TOTAL, THE UNIVERSITY OF TEXAS - PAN AMERICAN	 \$ 27,718,574 =====	 \$ 28,696,653 =====
 Method of Financing:		
General Revenue Fund	\$ 22,964,664	\$ 23,942,743
Estimated Other Educational and General Income	 4,753,910	 4,753,910
 Total, Method of Financing	 \$ 27,718,574 =====	 \$ 28,696,653 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 1,107,055	\$ 1,162,670
2. Faculty Salaries	10,698,660	11,085,854
3. Departmental Operating Expense	1,603,196	1,601,164
4. Library	827,450	866,446
5. Building Maintenance	536,260	587,873
6. Utilities	2,322,622	2,399,233
7. Special Items		
a. Tutorial Programs	146,839	146,839
b. Scholarships	265,213	424,790
c. Tuition Revenue Bond Retirement (non-transferable)	923,788	924,725
d. Center for Entrepreneurship and Economic Development	100,000	100,000
e. Nursing Program Enhancement	393,500	374,500
f. Engineering Program	528,000	668,000
g. International Business Doctoral Program Development	69,500	198,000
h. Energy Management Efficiency	337,833	337,833

THE UNIVERSITY OF TEXAS - PAN AMERICAN
(Continued)

i. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	4,753,910	4,753,910
9. Non-faculty Salary Increase	312,684	312,684

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. APPROPRIATION OF SPECIAL MINERAL FUND. Any unexpended balance as of August 31, 1989, and income during the biennium beginning September 1, 1989, in the Pan American University Special Mineral Fund are hereby appropriated at The University of Texas-Pan American to support instruction and research programs of the university.

THE UNIVERSITY OF TEXAS - PAN AMERICAN - BROWNSVILLE

	For the Years Ending August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 3,899,563	\$ 3,971,259
GRAND TOTAL, THE UNIVERSITY OF TEXAS - PAN AMERICAN - BROWNSVILLE	\$ 3,899,563 =====	\$ 3,971,259 =====

Method of Financing:

General Revenue Fund	\$ 3,434,610	\$ 3,506,438
Estimated Other Educational and General Income	464,953	464,821
Total, Method of Financing	\$ 3,899,563 =====	\$ 3,971,259 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 446,590	\$ 446,590
2. Faculty Salaries	1,466,367	1,515,196
3. Departmental Operating Expense	279,831	295,530
4. Library	326,937	326,937
5. Lease of Facilities	483,153	483,153
6. Special Items		
a. Scholarships	4,030	4,030
7. Estimated Other Educational and General Income Available	464,953	464,821
8. Non-faculty Salary Increase	38,752	38,752

THE UNIVERSITY OF TEXAS - PAN AMERICAN - BROWNSVILLE
(Continued)

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 7,358,796	\$ 7,485,164
GRAND TOTAL, THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN	\$ 7,358,796 =====	\$ 7,485,164 =====
Method of Financing:		
General Revenue Fund	\$ 6,711,296	\$ 6,837,664
Estimated Other Educational and General Income	647,500	647,500
Total, Method of Financing	\$ 7,358,796 =====	\$ 7,485,164 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 446,590	\$ 446,590
2. Faculty Salaries	2,220,052	2,292,070
3. Departmental Operating Expense	424,278	448,086
4. Library	326,937	326,937
5. Building Maintenance	240,204	251,379
6. Utilities	1,544,052	1,544,052
7. Special Items		
a. Scholarships	9,750	10,651
b. Center for Energy	87,500	87,500
c. Tuition Revenue Bond Retirement (non-transferable)	81,000	81,000
d. System Office Operation	3,000	3,000
8. Estimated Other Educational and General Income Available	647,500	647,500
9. Non-faculty Salary Increase	109,784	109,784

THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN
(Continued)

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

THE UNIVERSITY OF TEXAS AT SAN ANTONIO

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 34,051,299	\$ 35,027,293
GRAND TOTAL, THE UNIVERSITY OF TEXAS AT SAN ANTONIO	\$ 34,051,299 =====	\$ 35,027,293 =====
Method of Financing:		
General Revenue Fund	\$ 28,252,101	\$ 29,180,931
Estimated Other Educational and General Income	5,799,198	5,846,362
Total, Method of Financing	\$ 34,051,299 =====	\$ 35,027,293 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 1,364,883	\$ 1,433,454
2. Faculty Salaries	12,404,488	12,851,409
3. Departmental Operating Expense	2,100,888	2,098,433
4. Library	927,910	971,575
5. Institute of Texan Cultures	1,816,025	1,816,025
6. Building Maintenance	761,467	796,769
7. Utilities	3,617,461	3,851,622
8. Special Items		
a. Scholarships	13,510	17,721
b. Tuition Revenue Bond Retirement (non-transferable)	725,500	725,500
c. South Texas Initiative	256,000	373,700
d. Texas Pre-Engineering Program	150,000	150,000
e. Small Business Development Center	200,000	200,000
f. System Office Operation	23,000	23,000
g. Remedial Education	50,000	U.B.
9. Estimated Other Educational and General Income Available	5,799,198	5,846,362
10. Non-faculty Salary Increase	453,630	453,630

THE UNIVERSITY OF TEXAS AT SAN ANTONIO
(Continued)

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. REPAIR AND/OR REHABILITATION OF BUILDINGS. The Board of Regents of The University of Texas System is hereby authorized to accept and expend gifts, grants, and matching grant and/or to expend such amounts of its other available monies as may be necessary to fund either in whole or in part the repair and/or rehabilitation of the buildings it owns and uses for educational purposes in the HemisFair Plaza in downtown San Antonio.
3. TEXAS PRE-ENGINEERING PROGRAM. Funds appropriated above for Item 8.d., Texas Pre-Engineering Program, may be expended only for an expense directly attributable to or in support of that program.
4. SMALL BUSINESS DEVELOPMENT CENTER. The Small Business Development Center at The University of Texas at San Antonio shall receive \$200,000 in each year of the biennium, contingent upon certification by the Comptroller of Public Accounts that increased activity by the Small Business Development Center will generate at least \$400,000 for the biennium in additional revenue to the General Revenue Fund. It is the intent of the Legislature that state funds provided to the Small Business Development Center be used by the center to attract federal funds on a dollar-for-dollar basis.

THE UNIVERSITY OF TEXAS AT TYLER

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 10,241,356	\$ 10,545,557
GRAND TOTAL, THE UNIVERSITY OF TEXAS AT TYLER	\$ 10,241,356 =====	\$ 10,545,557 =====
Method of Financing:		
General Revenue Fund	\$ 8,844,215	\$ 9,120,723
Estimated Other Educational and General Income	1,397,141	1,424,834
Total, Method of Financing	\$ 10,241,356 =====	\$ 10,545,557 =====

THE UNIVERSITY OF TEXAS AT TYLER
(Continued)

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 467,092	\$ 490,559
2. Faculty Salaries	4,946,814	5,117,529
3. Departmental Operating Expense	689,735	689,007
4. Library	373,725	390,968
5. Building Maintenance	315,010	334,201
6. Utilities	617,869	637,118
7. Special Items		
a. Scholarships	15,470	22,035
b. System Office Operation	5,000	5,000
8. Estimated Other Educational and General Income Available	1,397,141	1,424,834
9. Non-faculty Salary Increase	139,250	139,250

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational, General, and Patient Purposes	\$ 85,086,715	\$ 86,553,648
GRAND TOTAL, THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS	\$ 85,086,715 =====	\$ 86,553,648 =====
Method of Financing:		
General Revenue Fund	\$ 65,777,765	\$ 66,744,698
Estimated Other Educational, General, and Patient Income	19,308,950	19,808,950
Total, Method of Financing	\$ 85,086,715 =====	\$ 86,553,648 =====

THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS
(Continued)

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational, general and patient purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Utilities	\$ 5,537,330	\$ 5,537,330
2. Special Items:		
a. Regional Burn Center	198,912	198,912
b. Needy Student Scholarships	13,778	13,778
c. Kidney and Pancreatic Transplantation Unit	355,016	355,016
d. Program for the Treatment of Heart Disease and Stroke	594,387	594,387
e. AIDS Research Unit	633,195	633,195
3. Salary Enhancement:		
a. Medical School	1,370,000	1,370,000
b. Graduate School of Biomedical Sciences	280,000	280,000
c. Allied Health School	350,000	350,000
4. Tuition Revenue Bonds (non-transferable)	258,500	258,500
5. Non-faculty Salary Increase	1,213,586	1,213,586

The amounts specified for all items shall be expended as nearly as practicable for the purposes indicated.

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

	For the Years Ending August 31, 1990	August 31, 1991
Educational, General, and Patient Purposes	\$ 263,818,065	\$ 266,056,206
GRAND TOTAL, THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON	\$ 263,818,065 =====	\$ 266,056,206 =====
Method of Financing:		
General Revenue Fund	\$ 177,859,850	\$ 179,097,991
Estimated Other Educational, General, and Patient Income	85,958,215	86,958,215
Total, Method of Financing	\$ 263,818,065 =====	\$ 266,056,206 =====

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON
(Continued)

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational, general and patient purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Utilities	\$ 5,262,340	\$ 5,262,340
2. Scholarships and Fellowships	22,863	22,863
3. Marine Biomedical Institute	2,335,372	2,335,372
4. Medical Branch Hospital, including John Sealy Hospitals, Mary Moody Northern Pavilion, Moody State School, Jennie Sealy Hospital, and R. Waverley Smith Pavilion	52,335,128	52,335,128
5. Chronic Home Dialysis Center	2,004,194	2,004,194
6. Texas Department of Corrections Hospital Operations and Living Quarters	16,254,478	16,254,478
7. Health Care Support	4,000,000	4,000,000
8. Tuition Revenue Bonds (non-transferable)	298,000	298,000
9. Centennial Scholars and Research Endowment Program	250,000	250,000
10. Uranium Mining Health Risk Study	100,000	U.B.
11. Non-faculty Salary Increase	7,026,607	7,026,607
12. Supplement for Undergraduate Nursing Faculty	161,503	161,503

The amounts specified for all items shall be expended as nearly as practicable for the purposes indicated.

2. APPROPRIATION OF CHARGES AND FEES. There is hereby appropriated to The University of Texas Medical Branch at Galveston all charges and fees collected from pay patients for the general expenses of the medical branch hospitals, including maintenance, support, and salaries of employees for the fiscal years ending August 31, 1990 and 1991.
3. RATES, DONATIONS AND GIFTS. The Board of Regents of The University of Texas System shall fix reasonable rates to be charged and collected from pay patients of the hospitals, and may make and enter into contracts for the hospitalization of the indigent sick and accept donations and gifts for the support and maintenance of the hospitals and may utilize up to \$5 million per annum of local income to match any gift made to the John Sealy Memorial Endowment Fund, a permanent endowment for biomedical research at The University of Texas Medical Branch at Galveston, provided, however, such match will not result in any reduction in the level of services for patients or any requirement for general revenue replacement. Any project initiated under this authorization shall not be structured in such a manner that will require future specific appropriation of general revenue. Provided, however, that this provision shall not be construed so as to authorize, without the prior and specific approval of the Legislature, the acceptance of real property which would require an appropriation by the Legislature for maintenance, repair, or construction of buildings.

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON
(Continued)

4. HELICOPTER OPERATION. The University of Texas Medical Branch at Galveston is authorized to lease and operate a helicopter for the purpose of transporting critically ill or emergency patients to the medical branch hospitals. No state funds are to be used for the operation of this helicopter, except where the patient served is indigent or through an interagency contract with another state agency, or unless costs are reimbursed from insurance proceeds.
5. CENTENNIAL SCHOLARS AND RESEARCH ENDOWMENT PROGRAM. It is the intent of the Legislature that the funds appropriated above for the Centennial Scholars and Research Endowment Program are exclusively for the 1990-1991 biennium and are not to be continued beyond the end of fiscal year 1991.
6. URANIUM MINING HEALTH RISK STUDY. Out of the funds appropriated above, \$100,000 in fiscal year 1990 for Uranium Mining Health Risk Study are to be used in cooperation with the Texas Department of Health for a comprehensive study of the health risks of radiation exposure to the general public from uranium mining and from activities related to disposal of radioactive waste. Any unexpended balances in 1990 are hereby reappropriated for fiscal year 1991 for the same purpose. In addition, The University of Texas Medical Branch at Galveston is to avoid duplication with a similar study conducted by the Texas Agriculture Department.

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational, General, and Patient Purposes	\$ 112,911,257	\$ 114,441,136
GRAND TOTAL, THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON	\$ 112,911,257 =====	\$ 114,441,136 =====
Method of Financing:		
General Revenue Fund	\$ 97,642,795	\$ 98,922,674
Estimated Other Educational, General, and Patient Income	15,268,462	15,518,462
Total, Method of Financing	\$ 112,911,257 =====	\$ 114,441,136 =====

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON
(Continued)

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational, general and patient purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Utilities	\$ 9,645,266	\$ 9,645,266
2. Cooperative M/S Nursing Program with The University of Texas - Pan American	663,080	624,840
3. Positron Diagnostic Research Center	206,186	206,186
4. Service Delivery in the Valley Border Region	396,906	396,906
5. UT Mental Sciences Institute	3,138,401	3,138,401
6. Harris County Hospital District	2,567,498	2,567,498
7. Tuition Revenue Bonds (non-transferable)	224,500	224,500
8. Center for Infectious Diseases	360,252	360,252
9. Non-faculty Salary Increase	1,696,862	1,696,862
10. Supplement for Undergraduate Nursing Faculty	212,725	212,725

The amounts specified for all items shall be expended as nearly as practicable for the purposes indicated.

2. RECRUITMENT OF MINORITY DENTAL STUDENTS. Out of appropriated funds, except for those appropriated for outpatient clinic services, a reasonable amount each year is to be utilized for recruitment and education of and scholarships for minority dental students and dental students who commit to serve in rural areas of Texas. An annual report shall be made to the Legislative Budget Board each year detailing the amounts, utilization and results of such expenditures.
3. HARRIS COUNTY HOSPITAL DISTRICT. Funds appropriated above for faculty physicians and support staff who will provide patient care at the Lyndon Baines Johnson (LBJ) Hospital in northeast Harris County are appropriated to the UTHSC at Houston contingent on execution of a contractual agreement between UTHSC at Houston and the Harris County Hospital District which provides for the payment of an amount exceeding \$9,000,000 per year to the UTHSC at Houston for physician services. The UTHSC at Houston shall forward a copy of the contract to the Comptroller of Public Accounts and the Legislative Budget Board, after which the funds will be made available.
4. COOPERATIVE PROGRAMS WITH PAN AMERICAN UNIVERSITY. Funds appropriated above for The University of Texas Health Science Center at Houston/Pan American University cooperative program may be expended only for an expense directly attributable to or in support of that purpose.

Unexpended balances for the Cooperative Program with Pan American University for fiscal year 1990 shall be expended by The University of Texas Health Science Center at Houston to develop additional cooperative programs with Pan American University in the field of allied health professions.

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational, General, and Patient Purposes	\$ 94,377,089	\$ 95,965,025
GRAND TOTAL, THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO	\$ 94,377,089	\$ 95,965,025
<hr/>		
Method of Financing:		
General Revenue Fund	\$ 79,963,577	\$ 81,310,394
Estimated Other Educational, General, and Patient Income	14,413,512	14,654,631
Total, Method of Financing	\$ 94,377,089	\$ 95,965,025
<hr/>		

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational, general and patient purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Utilities	\$ 4,969,085	\$ 4,969,085
2. South Texas Health Research Center	1,000,000	U.S.
3. Institute of Biotechnology	623,774	623,774
4. Research Imaging Center		1,000,000
5. Tuition Revenue Bonds (non-transferable)	338,000	338,000
6. Non-faculty Salary Increase	1,467,647	1,467,647
7. Supplement for Undergraduate Nursing Faculty	142,584	142,584

The amounts specified for all items shall be expended as nearly as practicable for the purposes indicated.

2. RECRUITMENT OF MINORITY DENTAL STUDENTS. Out of appropriated funds, except for those appropriated for outpatient clinic services, a reasonable amount each year is to be utilized for recruitment and education of and scholarships for minority dental students and dental students who commit to serve in rural areas of Texas. An annual report shall be made to the Legislative Budget Board each year detailing the amounts, utilization and results of such expenditures.

THE UNIVERSITY OF TEXAS SYSTEM CANCER CENTER

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational, General, and Patient Purposes	\$ 267,046,256	\$ 272,572,712
GRAND TOTAL, THE UNIVERSITY OF TEXAS SYSTEM CANCER CENTER	\$ 267,046,256	\$ 272,572,712

Method of Financing:

General Revenue Fund	\$ 102,801,256	\$ 101,827,712
Estimated Other Educational, General, and Patient Income	164,245,000	170,745,000
Total, Method of Financing	\$ 267,046,256	\$ 272,572,712

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational, general and patient purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Utilities	\$ 4,084,396	\$ 4,084,396
2. Patient Care Activities	50,756,777	50,756,777
3. Science Park	1,631,605	1,631,605
4. Non-faculty Salary Increase	7,476,338	7,476,338
5. Transfer to San Antonio State Hospital		(1,000,000)

The amounts specified for all items shall be expended as nearly as practicable for the purposes indicated.

2. CANCER CENTER SERVICE EXPANSION. It is the intent of the Legislature that The University of Texas System Cancer Center aggressively attempt to expand its services on profitable operations and market its technology, subject to the approval of the Board of Regents. Safeguards should be initiated to ensure that the State mission of the Cancer Center is not jeopardized in any expansion activities.

THE UNIVERSITY OF TEXAS HEALTH CENTER AT TYLER

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational, General, and Patient Purposes	\$ 36,681,019	\$ 38,414,137
GRAND TOTAL, THE UNIVERSITY OF TEXAS HEALTH CENTER AT TYLER	\$ 36,681,019	\$ 38,414,137
	=====	=====
Method of Financing:		
General Revenue Fund	\$ 16,289,039	\$ 16,289,039
Estimated Other Educational, General, and Patient Income	20,391,980	22,125,098
	=====	=====
Total, Method of Financing	\$ 36,681,019	\$ 38,414,137
	=====	=====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational, general and patient purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Utilities	\$ 418,201	\$ 418,201
2. Hospital:		
a. Patient Care Services	8,974,998	8,974,998
b. General Support Services	1,490,690	1,490,690
3. Non-faculty Salary Increase	1,083,776	1,083,776

The amounts specified for all items shall be expended as nearly as practicable for the purposes indicated.

2. RATES, DONATIONS AND GIFTS. The Board of Regents of The University of Texas System shall fix reasonable rates to be charged and collected from pay patients of the center, and may make and enter into contracts for the hospitalization of the indigent sick and accept donations and gifts for the support and maintenance of the center. Provided, however, that this provision should not be construed so as to authorize, without prior and specific approval of the Legislature, acceptance of real property which would require an appropriation by the Legislature for maintenance, repair, or construction of buildings.

TEXAS A&M UNIVERSITY SYSTEM ADMINISTRATIVE AND GENERAL OFFICES

1. SYSTEM OFFICE FUNDING. Of the amounts appropriated to the academic components of the Texas A&M University System, the following amounts are included for the operation of the Texas A&M University System Administrative and General Offices:

	For the Years Ending	
	August 31, 1990	August 31, 1991
Texas A&M University	\$ 235,000	\$ 235,000
Texas A&M University at Galveston	8,000	8,000
Prairie View A&M University	33,000	33,000
Tarleton State University	20,000	20,000
Corpus Christi State University	11,000	11,000
Texas A&I University	30,000	30,000
Laredo State University	3,000	3,000

2. MINERAL FUND APPROPRIATED. There is hereby appropriated to the Board of Regents of the Texas A&M University System the funds in the Texas A&M University System Special Mineral Fund to be invested by said board in accordance with V.T.C.A., Education Code Section 85.70, and the income from said Fund is hereby appropriated to the Board of Regents of the Texas A&M University System to be disbursed for the purposes provided for and in accordance with the provisions of the above citation.

TEXAS A&M UNIVERSITY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 204,627,902	\$ 208,820,787
GRAND TOTAL, TEXAS A&M UNIVERSITY	\$ 204,627,902	\$ 208,820,787
	=====	=====

Method of financing:

General Revenue Fund	\$ 175,106,578	\$ 178,857,257
Estimated Other Educational and General Income	29,521,324	29,963,530
Total, Method of Financing	\$ 204,627,902	\$ 208,820,787
	=====	=====

TEXAS A&M UNIVERSITY
(Continued)

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 6,354,394	\$ 6,673,652
2. Faculty Salaries	66,256,788	68,560,478
3. Departmental Operating Expense	16,463,303	16,447,237
4. Medical Education Program	10,911,259	11,075,819
5. Veterinary Medical Education Program	17,274,697	17,510,961
6. Library	4,375,167	4,579,854
7. Building Maintenance	5,457,149	5,776,815
8. Utilities	22,119,706	22,318,292
9. Special Items		
a. Cyclotron Institute	752,830	752,830
b. Radiological Safety Program	309,185	309,185
c. Sea Grant Program	419,737	419,737
d. Energy Resources Program	785,000	785,000
e. Military Studies Institute	38,319	38,319
f. Public Policy Resource Laboratory	56,815	56,815
g. Scholarships	48,418	77,551
h. Institute of Biosciences and Technology	3,750,000	3,750,000
i. University Outreach Center-Corpus Christi	50,000	50,000
j. Medical Education Program Accreditation Reduction	-225,000	-225,000
k. System Office Operation	235,000	235,000
l. Remedial Education	50,000	U.B.
10. Estimated Other Educational and General Income Available	29,521,324	29,963,530
11. Non-faculty Salary Increase	2,228,686	2,228,686

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. MEDICAL PROGRAM. Texas A&M University is hereby authorized to operate its medical program in conjunction with any state operated medical facility provided for the treatment of medical patients and/or as a teaching hospital.
3. VETERINARY MEDICAL EDUCATION PROGRAM. All educational and general income generated by the Veterinary Medical Education Program shall be expended in Item 5., the Veterinary Medical Education Program.

TEXAS A&M UNIVERSITY AT GALVESTON

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 6,936,344	\$ 5,734,716
GRAND TOTAL, TEXAS A&M UNIVERSITY AT GALVESTON	\$ 6,936,344 =====	\$ 5,734,716 =====
Method of Financing:		
General Revenue Fund	\$ 6,005,239	\$ 4,699,403
Estimated Other Educational and General Income	931,105	1,035,313
Total, Method of Financing	\$ 6,936,344 =====	\$ 5,734,716 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 446,590	\$ 446,590
2. Faculty Salaries	785,383	814,121
3. Departmental Operating Expense	200,242	200,018
4. Library	326,937	326,937
5. Building Maintenance	191,294	200,194
6. Utilities	538,315	538,315
7. Ship Operation and Maintenance	622,725	622,725
8. Special Items		
a. Coastal Zone Laboratory	31,227	31,227
b. Texas Institute of Oceanography	1,300,000	U.B.
c. Dredging of Dock Area	55,000	U.B.
d. Hurricane Protection-Texas Clipper	10,000	10,000
e. Scholarships	12,275	15,006
f. System Office Operation	8,000	8,000
g. Remedial Education	10,000	U.B.
9. Academic and Research Support	400,000	400,000
10. Estimated Other Educational and General Income Available	931,105	1,035,313
11. Non-faculty Salary Increase	112,036	112,036

TEXAS A&M UNIVERSITY AT GALVESTON
(Continued)

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. APPROPRIATION OF FUNDS. In addition to the amounts specified above, there is also hereby appropriated to Texas A&M University at Galveston all funds received from any other source, including the Federal Government, to be used for the purposes for which such funds are made available, provided such funds shall be deposited with the State Treasurer and withdrawn only upon vouchers submitted to the State Comptroller of Public Accounts.
3. TRAINING VESSEL. No funds appropriated to Texas A&M University at Galveston may be expended for purchase of a training vessel.

PRAIRIE VIEW A&M UNIVERSITY

	For the Years Ending August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 20,652,878	\$ 21,161,076
GRAND TOTAL, PRAIRIE VIEW A&M UNIVERSITY	\$ 20,652,878 =====	\$ 21,161,076 =====
Method of Financing:		
General Revenue Fund	\$ 16,411,523	\$ 16,929,932
Estimated Other Educational and General Income	4,241,355	4,231,144
Total, Method of Financing	\$ 20,652,878 =====	\$ 21,161,076 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 791,983	\$ 831,764
2. Faculty Salaries	6,909,443	7,162,480
3. Departmental Operating Expense	1,298,126	1,296,707
4. Library	487,967	510,900
5. Extension and Public Service	100,000	100,000
6. Building Maintenance	886,007	927,229
7. Utilities	2,344,101	2,344,101
8. Special Items		
a. Scholarships	427,543	627,931
b. Recruitment and Scholarships for Non-Black Students	136,820	136,820

PRAIRIE VIEW A&M UNIVERSITY
(Continued)

c. Counseling Services	170,000	170,000
d. Student Nurse Stipends	221,400	221,400
e. Banneker College (non-transferable)	50,000	50,000
f. System Office Operation	33,000	33,000
g. Remedial Education	50,000	U.B.
9. Estimated Other Educational and General Income Available	4,241,355	4,231,144
10. Non-faculty Salary Increase	188,603	188,603

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. STUDENT NURSE STIPENDS. The amount appropriated above for Item 8.d. Student Nurse Stipends, is contingent upon Prairie View A&M University developing clear eligibility criteria for award of stipends that are based on financial need, including consideration of other types of financial aid available.
3. PRAIRIE VIEW A&M AUDIT CONCERNS. The State Auditor's Office shall review and ascertain whether demonstrable progress has been made by the institution in rectifying the concerns expressed by the Report to Management Based on the Audit of Financial Activities for the Year Ending August 31, 1985 or subsequent audits. The State Auditor's Office shall report its findings and recommendations for improvements to the Board of Regents, Texas A&M University System, the Legislative Audit Committee, the House Higher Education Committee and the Senate Education Committee. If the State Auditor's Office determines that substantial demonstrable progress has not been made by the end of fiscal year 1990, the Legislative Audit Committee may consider placing Prairie View A&M University under conservatorship.
4. EXTENSION AND PUBLIC SERVICE. The amount appropriated above for Item 5., Extension and Public Service, shall be expended for the cooperative extension program at Prairie View A&M University that assists limited income agricultural producers and families.

TARLETON STATE UNIVERSITY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 14,347,838	\$ 14,634,059
GRAND TOTAL, TARLETON STATE UNIVERSITY	\$ 14,347,838 =====	\$ 14,634,059 =====
Method of Financing:		
General Revenue Fund	\$ 11,875,507	\$ 12,161,728

TARLETON STATE UNIVERSITY
(Continued)

Estimated Other Educational and General Income	<u>2,472,331</u>	<u>2,472,331</u>
Total, Method of Financing	\$ 14,347,838 =====	\$ 14,634,059 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 619,813	\$ 650,946
2. Faculty Salaries	6,214,752	6,445,960
3. Departmental Operating Expense	1,069,523	1,068,339
4. Library	464,550	486,419
5. Building Maintenance	462,389	483,901
6. Utilities	970,651	981,607
7. Special Items		
a. Nursing Program	92,500	92,500
b. Scholarships	14,381	19,638
c. System Office Operation	20,000	20,000
d. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	2,472,331	2,472,331
9. Non-faculty Salary Increase	190,598	190,598

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

CORPUS CHRISTI STATE UNIVERSITY

	For the Years Ending August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 11,611,492	\$ 11,872,370
GRAND TOTAL, CORPUS CHRISTI STATE UNIVERSITY	\$ 11,611,492 =====	\$ 11,872,370 =====
Method of Financing:		
General Revenue Fund	\$ 10,247,492	\$ 10,487,370
Estimated Other Educational and General Income	<u>1,364,000</u>	<u>1,385,000</u>
Total, Method of Financing	\$ 11,611,492 =====	\$ 11,872,370 =====

CORPUS CHRISTI STATE UNIVERSITY
(Continued)

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 478,884	\$ 502,938
2. Faculty Salaries	4,840,330	5,004,173
3. Departmental Operating Expense	684,851	684,125
4. Library	373,725	390,968
5. Building Maintenance	236,892	247,914
6. Utilities	741,290	741,290
7. Special Items		
a. Scholarships	14,502	19,905
b. Academic Program Development	900,000	900,000
c. South Texas Initiative Aquaculture/Mariculture	142,000	142,000
d. South Texas Initiative Environmental Biology	62,500	62,500
e. Energy Management Efficiency	154,776	154,776
f. Undergraduate Nursing Outreach Program	50,000	50,000
g. System Office Operation	11,000	11,000
8. Estimated Other Educational and General Income Available	1,364,000	1,385,000
9. Non-faculty Salary Increase	167,736	167,736

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

TEXAS A&I UNIVERSITY

	For the Years Ending August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 19,815,889	\$ 20,185,602
GRAND TOTAL, TEXAS A&I UNIVERSITY	\$ 19,815,889 =====	\$ 20,185,602 =====

Method of Financing:

General Revenue Fund	\$ 16,058,428	\$ 16,428,141
Estimated Other Educational and General Income	<u>3,757,461</u>	<u>3,757,461</u>
Total, Method of Financing	\$ 19,815,889 =====	\$ 20,185,602 =====

TEXAS A&I UNIVERSITY
(Continued)

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 719,635	\$ 755,782
2. Faculty Salaries	6,963,747	7,225,483
3. Departmental Operating Expense	1,277,883	1,276,486
4. Library	501,064	524,562
5. Building Maintenance	588,742	616,133
6. Utilities	1,362,427	1,362,427
7. Special Items		
a. Citrus Center	613,974	613,974
b. John E. Connor Museum	37,349	37,349
c. Scholarships	98,912	158,427
d. Program Development	900,000	900,000
e. TAMUS/A&I Engineering Initiative	100,000	100,000
f. TAMUS/A&I Agriculture Initiative	130,000	130,000
g. TAMUS/A&I Bilingual Language Connections	50,000	50,000
h. Energy Management Efficiency	117,449	117,449
i. System Office Operation	30,000	30,000
j. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	3,757,461	3,757,461
9. Non-faculty Salary Increase	289,281	289,281

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. APPROPRIATION OF SPECIAL MINERAL FUND. Any unexpended balance as of August 31, 1989, and income during the biennium beginning September 1, 1989, in the Texas A&I University Special Mineral Fund No. 154 are hereby appropriated to Texas A&I University for campus building renovation, improvements, and for equipment to support the instructional and research programs of the university.
3. CITRUS CENTER. It is legislative intent that administrative costs and research efforts of the Texas A&I University Citrus Center and the Texas Agricultural Experiment Station at Weslaco shall be cooperative and non-duplicative.

LAREDO STATE UNIVERSITY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 4,212,667	\$ 4,287,111
GRAND TOTAL, LAREDO STATE UNIVERSITY	\$ 4,212,667 =====	\$ 4,287,111 =====
Method of Financing:		
General Revenue Fund	\$ 3,785,245	\$ 3,860,663
Estimated Other Educational and General Income	427,422	426,448
Total, Method of Financing	\$ 4,212,667 =====	\$ 4,287,111 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 446,590	\$ 446,590
2. Faculty Salaries	1,196,984	1,235,994
3. Departmental Operating Expense	228,701	241,535
4. Library	326,937	326,937
5. Building Maintenance	15,695	16,425
6. Utilities	42,881	42,881
7. Lease of Facilities	272,418	272,418
8. Special Items		
a. Institute for International Trade	85,354	85,354
b. Scholarships	18,399	28,478
c. New Academic Program Development	450,000	450,000
d. Energy Management Efficiency	5,900	5,900
e. System Office Operation	3,000	3,000
9. Estimated Other Educational and General Income Available	427,422	426,448
10. Non-faculty Salary Increase	61,336	61,336

LAREDO STATE UNIVERSITY
(Continued)

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

TEXAS AGRICULTURAL EXPERIMENT STATION

	For the Years Ending	
	August 31, 1990	August 31, 1991
Agricultural Experiment Station Programs	\$ 49,558,404	\$ 50,256,309
GRAND TOTAL, TEXAS AGRICULTURAL EXPERIMENT STATION	\$ 49,558,404	\$ 50,256,309
Method of Financing:		
General Revenue Fund	\$ 39,821,553	\$ 40,510,342
Federal Funds, estimated	5,559,165	5,559,165
Federal Funds (Water Resources Institute), estimated	110,000	110,000
Earned Federal Funds, estimated	275,000	275,000
Sales Funds, estimated	1,109,727	926,432
Feed Control, estimated	1,379,950	1,531,254
Fertilizer Control, estimated	1,103,009	1,144,116
Agricultural Soil and Water Conservation Fund, No. 563	200,000	200,000
Total, Method of Financing	\$ 49,558,404	\$ 50,256,309

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Other Agronomic Crops Research	\$ 5,496,801	\$ 5,580,512
2. Other Animals Research	4,970,817	5,044,101

2. USE OF FUND BALANCES. From funds received during the biennium beginning September 1, 1989, and any balances on hand at the beginning of each year of the biennium, the above itemized appropriations are to be paid from the estimated funds from other sources and the General Revenue Fund.

TEXAS AGRICULTURAL EXPERIMENT STATION
(Continued)

3. UNEXPENDED BALANCE, FEED CONTROL FUND. The unexpended balance in the Feed Control Fund created as Senate Bill No. 18, Chapter 23, Acts of the Fifty-fifth Legislature, Regular Session, 1947, and the unexpended balances and all income to the Feed Control Fund during the biennium beginning September 1, 1989, are hereby appropriated to the Texas Agricultural Experiment Station for the purposes of administering the Texas Commercial Feed Control Act of 1957, and for the expense of experiments and research relative to the value of feeds in accordance with the provisions of said Senate Bill No. 18.
4. COMMERCIALIZATION. It is the intent of the Legislature that the Texas Agricultural Experiment Station acquire royalties, licenses, fees, and other income from the new technology innovations where practical. The Texas Agricultural Experiment Station will report progress on such actions to the Legislative Budget Board on or before September 1, 1991.
5. PRIORITY, OAK WILT RESEARCH. The Agricultural Experiment Station shall assign a higher research priority to the oak wilt problem in Texas.
6. OAK WILT. Out of the funds appropriated above, \$25,000 in general revenue funds during the biennium shall be used for oak wilt research.
7. BUFFALO GNAT. Out of the funds appropriated above, \$4,000 in general revenue funds in each year of the biennium shall be used for buffalo gnat eradication.

TEXAS AGRICULTURAL EXTENSION SERVICE

	For the Years Ending	
	August 31, 1990	August 31, 1991
Extension Programs	\$ 47,864,086	\$ 48,964,917
GRAND TOTAL, TEXAS AGRICULTURAL EXTENSION SERVICE	\$ 47,864,086 =====	\$ 48,964,917 =====
Method of Financing:		
General Revenue Fund	\$ 34,397,847	\$ 35,498,678
Other Funds, estimated:		
Federal (Smith-Lever)	8,472,970	8,472,970
County	4,793,269	4,793,269
Agricultural Soil and Water Conservation Fund, No. 563	200,000	200,000
Total, Method of Financing	\$ 47,864,086 =====	\$ 48,964,917 =====

TEXAS AGRICULTURAL EXTENSION SERVICE
(Continued)

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Integrated Pest Management	\$	50,000	\$	50,000
2. Agricultural Soil and Water Conservation		200,000		200,000

2. INTEGRATED PEST MANAGEMENT. Funds appropriated above for Integrated Pest Management, are for contracting with the Texas Pest Management Association for pest management. No more than 10 percent of these funds shall be utilized by the Texas Agricultural Extension Service for administering the program.
3. MEMORANDUM OF AGREEMENT, AQUACULTURE. In a manner consistent with state and federal regulatory authority, the Texas Agricultural Extension Service shall enter into a memorandum of agreement with the General Land Office to support the establishment of fresh and saltwater aquaculture on lands owned by the permanent school fund and to develop plans for a technology transfer center to aid in the expansion of the aquaculture industry.
4. AGRICULTURAL SOIL AND WATER CONSERVATION. Pursuant to House Bill 2, Sixty-ninth Legislature, Regular Session, one-fourth of the deposits to the Agricultural Soil and Water Conservation Fund No. 563, not to exceed \$200,000 per year, are appropriated above in Item 5., Agricultural Soil and Water Conservation, for educational programs and demonstrations in agricultural water conservation and utilization. Any balances remaining as of August 31, 1990 are hereby reappropriated for the fiscal year beginning September 1, 1990.

TEXAS ENGINEERING EXPERIMENT STATION

	For the Years Ending	
	August 31, 1990	August 31, 1991
Engineering Experiment Station Programs	\$ 26,578,140	\$ 27,036,437
GRAND TOTAL, TEXAS ENGINEERING EXPERIMENT STATION	\$ 26,578,140 =====	\$ 27,036,437 =====
Method of Financing:		
General Revenue Fund	\$ 6,598,933	\$ 6,999,283
Other Funds, estimated	19,979,207	20,037,154
Total, Method of Financing	\$ 26,578,140 =====	\$ 27,036,437 =====

TEXAS ENGINEERING EXPERIMENT STATION
(Continued)

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:
 1. Inreach Divisions \$ 2,841,912 \$ 2,875,142
2. MUNICIPAL ASSISTANCE PROGRAM. Out of the funds appropriated above, \$100,000 in each year of the biennium is appropriated for the Municipal Assistance Program.
3. TEXAS INNOVATION INFORMATION NETWORK SYSTEM. Out of the funds appropriated above, \$250,000 in each year of the biennium is appropriated for the Texas Innovation Information Network System.

TEXAS TRANSPORTATION INSTITUTE

	For the Years Ending August 31, 1990	August 31, 1991
Transportation Institute Programs	\$ 14,768,839	\$ 15,017,217
GRAND TOTAL, TEXAS TRANSPORTATION INSTITUTE	\$ 14,768,839	\$ 15,017,217
Method of Financing:		
General Revenue Fund	\$ 1,585,597	\$ 1,833,975
Oil Overcharge Funds	1,000,000	1,000,000
Other Funds, estimated	12,183,242	12,183,242
Total, Method of Financing	\$ 14,768,839	\$ 15,017,217

1. APPROPRIATION AUTHORITY. The appropriations above are subject to the special and general provisions of this Act.
2. USE OF OIL OVERCHARGE FUNDS. The Oil Overcharge Funds appropriated above shall be used for the Regional Transportation Center.

TEXAS ENGINEERING EXTENSION SERVICE

	For the Years Ending August 31, 1990	August 31, 1991
Engineering Extension Programs	\$ 16,050,838	\$ 16,225,944
GRAND TOTAL, TEXAS ENGINEERING EXTENSION SERVICE	<u>\$ 16,050,838</u>	<u>\$ 16,225,944</u>
Method of Financing:		
General Revenue Fund	\$ 3,258,605	\$ 3,433,711
Other Funds, estimated	<u>12,792,233</u>	<u>12,792,233</u>
Total, Method of Financing	<u>\$ 16,050,838</u>	<u>\$ 16,225,944</u>

1. APPROPRIATION AUTHORITY. The appropriations above are subject to the special and general provisions of this Act.

TEXAS FOREST SERVICE

	For the Years Ending August 31, 1990	August 31, 1991
Forest Service Programs	\$ 12,200,447	\$ 12,263,333
GRAND TOTAL, TEXAS FOREST SERVICE	<u>\$ 12,200,447</u>	<u>\$ 12,263,333</u>
Method of Financing:		
General Revenue Fund	\$ 9,303,047	\$ 9,365,933
Other Funds, estimated	<u>2,897,400</u>	<u>2,897,400</u>
Total, Method of Financing	<u>\$ 12,200,447</u>	<u>\$ 12,263,333</u>

TEXAS FOREST SERVICE
(Continued)

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Fire Control	\$ 4,620,569	\$ 4,636,166
2. Pest Control	788,723	798,568
3. Rural Fire Defense	650,503	651,796

2. OVERTIME PAYMENTS, CONTINGENCY. Included in the appropriation above, \$273,371 for each year of the biennium is for the sole purpose of paying mandatory overtime expenses of non-exempt employees of the Texas Forest Service when such overtime is incurred in fire suppression activities. It is further provided that payments from this appropriation shall be made only upon overtime payroll vouchers submitted to the State Comptroller. Any balances remaining as of August 31, 1990 are hereby reappropriated for the same purpose for the fiscal year beginning September 1, 1990.
3. TRANSFER AUTHORITY. Funds transferred out of Fire Control, Pest Control, and Rural Fire Defense shall not exceed 35 percent.

ANIMAL DAMAGE CONTROL SERVICE

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
Animal Damage Control Programs	\$ 2,346,457	\$ 2,393,048
GRAND TOTAL, ANIMAL DAMAGE CONTROL SERVICE	\$ 2,346,457 =====	\$ 2,393,048 =====

1. APPROPRIATION AUTHORITY. The appropriations above are subject to the special and general provisions of this Act.

TEXAS VETERINARY MEDICAL DIAGNOSTIC LABORATORY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Veterinary Medical Diagnostic Programs	\$ 5,365,030	\$ 5,428,672
GRAND TOTAL, TEXAS VETERINARY MEDICAL DIAGNOSTIC LABORATORY	\$ 5,365,030	\$ 5,428,672
Method of Financing:		
General Revenue Fund	\$ 3,341,601	\$ 2,136,553
Other Funds, estimated:		
a. College Station Laboratory Fee Revenue	1,429,034	1,462,519
b. Amarillo Laboratory Fee Revenue	412,320	412,320
c. Drug Testing Laboratory Fee Revenue	182,075	1,417,280
Total, Method of Financing	\$ 5,365,030	\$ 5,428,672

1. APPROPRIATION AUTHORITY. The appropriations above are subject to the special and general provisions of this Act.
2. DRUG TESTING LABORATORY REIMBURSEMENT. Out of the General Revenue funds appropriated to the Texas Veterinary Medical Diagnostic Laboratory, \$27,675 for Staff Benefits and \$272,325 for Drug Testing Laboratory shall be used for a drug testing program for race horses and dogs. From fees collected for these tests, the Texas Veterinary Medical Diagnostic Laboratory shall transfer \$100,000 to the General Revenue Fund on or before August 31, 1991 as required by Senate Bill 1, Seventieth Legislature, Second Called Session, page 111-61, Rider 3 and \$300,000 as appropriated above on or before August 31, 1993.
3. PRIORITY TO LARGE ANIMALS. It is hereby declared to be legislative intent that the Texas Veterinary Medical Diagnostic Laboratory shall, at all times, give highest priority to the diagnostic work involving large animals. Small animal diagnostic services shall be provided only when the laboratory's staff, facilities, and supplies are not required for large animal diagnostic services.

EAST TEXAS STATE UNIVERSITY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 21,520,189	\$ 22,039,304
GRAND TOTAL, EAST TEXAS STATE UNIVERSITY	\$ 21,520,189	\$ 22,039,304
Method of Financing:		
General Revenue Fund	\$ 18,557,795	\$ 18,981,410
Estimated Other Educational and General Income	2,962,394	3,057,894
Total, Method of Financing	\$ 21,520,189	\$ 22,039,304

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 764,041	\$ 802,420
2. Faculty Salaries	9,874,539	10,220,938
3. Departmental Operating Expense	1,672,400	1,670,637
4. Library	702,135	734,863
5. Building Maintenance	701,725	734,373
6. Utilities	1,669,859	1,669,859
7. Special Items		
a. Communications Development Laboratory	79,715	53,144
b. Scholarships	23,412	37,500
c. Sam Rayburn Public Affairs Institute	13,200	13,200
d. Energy Management Efficiency	117,784	117,784
e. Remedial Education	25,000	U.B.
8. Estimated Other Educational and General Income Available	2,962,394	3,057,894
9. Non-faculty Salary Increase	287,769	287,769

EAST TEXAS STATE UNIVERSITY
(Continued)

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

EAST TEXAS STATE UNIVERSITY AT TEXARKANA

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 3,680,736	\$ 3,759,085
GRAND TOTAL, EAST TEXAS STATE UNIVERSITY AT TEXARKANA	\$ 3,680,736 =====	\$ 3,759,085 =====
Method of Financing:		
General Revenue Fund	\$ 3,312,436	\$ 3,390,785
Estimated Other Educational and General Income	368,300	368,300
Total, Method of Financing	\$ 3,680,736 =====	\$ 3,759,085 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 446,590	\$ 446,590
2. Faculty Salaries	1,465,621	1,514,012
3. Departmental Operating Expense	279,829	295,533
4. Library	326,937	326,937
5. Building Maintenance	31,249	32,734
6. Lease of Facilities	8,000	8,000
7. Utilities	73,439	73,439
8. Special Items		
a. Scholarships	7,000	7,000
9. Estimated Other Educational and General Income Available	368,300	368,300
10. Non-faculty Salary Increase	60,949	60,949

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

EAST TEXAS STATE UNIVERSITY AT TEXARKANA
(Continued)

2. JOINT CONTRACTS. The Board of Regents of East Texas State University is hereby authorized to make joint contracts within the university and any other institution of higher education. Payment shall be on the basis of services rendered to each institution.

UNIVERSITY OF HOUSTON SYSTEM ADMINISTRATION

1. SYSTEM OFFICE FUNDING. Of the amounts appropriated to the academic components of the University of Houston System, the following amounts are included for the operation of the University of Houston System Administration:

	For the Years Ending August 31, 1990	August 31, 1991
University of Houston	\$ 1,033,000	\$ 1,033,000
University of Houston - Clear Lake	139,000	139,000
University of Houston - Downtown	163,000	163,000
University of Houston - Victoria	15,000	15,000

UNIVERSITY OF HOUSTON

	For the Years Ending August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 123,294,404	\$ 126,109,804
GRAND TOTAL, UNIVERSITY OF HOUSTON	\$ 123,294,404 =====	\$ 126,109,804 =====

Method of Financing:

General Revenue Fund	\$ 101,588,226	\$ 104,393,022
Estimated Other Educational and General Income	19,456,178	19,466,782
Oil Overcharge Fund	2,250,000	2,250,000
Total, Method of Financing	\$ 123,294,404 =====	\$ 126,109,804 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 3,812,043	\$ 4,003,577
2. Faculty Salaries	51,221,232	53,091,920
3. Departmental Operating Expense	11,386,238	11,375,001

UNIVERSITY OF HOUSTON
(Continued)

4. Library	3,757,556	3,932,669
5. Building Maintenance	3,210,967	3,458,956
6. Utilities	10,653,554	10,874,783
7. Special Items		
a. Energy Laboratory	386,637	386,637
b. Scholarships	78,685	126,030
c. Tuition Revenue Bond Retirement (non-transferable)	2,959,157	3,047,478
d. Advanced Technology Materials Research	2,250,000	2,250,000
e. University of Houston Small Business Development Center	1,100,000	1,100,000
f. Repayment of Staff Group Health Insurance Premiums	-125,000	-125,000
g. System Office Operation	1,033,000	1,033,000
h. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	19,456,178	19,466,782
9. Non-faculty Salary Increase	1,677,964	1,677,964

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. REPAYMENT OF STAFF GROUP HEALTH INSURANCE PREMIUMS. Funds reduced above in Item 7.f., Repayment of Staff Group Health Insurance Premiums, are to partially repay overages in appropriations to group insurance contributions in previous years.
3. SMALL BUSINESS DEVELOPMENT CENTER. The Small Business Development Center at the University of Houston shall receive \$1,100,000 in each year of the biennium contingent upon certification by the Comptroller of Public Accounts that increased activity by the Small Business Development Center will generate at least \$2,200,000 for the biennium in additional revenue to the General Revenue Fund. It is the intent of the Legislature that state funds provided to the Small Business Development Center be used by the center to attract federal funds on a dollar-for-dollar basis.
4. CONTINGENCY FUNDING FOR ADVANCED TECHNOLOGY MATERIALS RESEARCH. In the event any of the amount shown in Item 7.d. is determined ineligible for continued oil overcharge funding, an equal amount of first-time general revenue funding is hereby appropriated.

UNIVERSITY OF HOUSTON - CLEAR LAKE

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 18,245,652	\$ 18,698,123
GRAND TOTAL, UNIVERSITY OF HOUSTON - CLEAR LAKE	\$ 18,245,652	\$ 18,698,123
Method of Financing:		
General Revenue Fund	\$ 15,660,203	\$ 16,063,961
Estimated Other Educational and General Income	2,585,449	2,634,162
Total, Method of Financing	\$ 18,245,652	\$ 18,698,123

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 912,031	\$ 957,844
2. Faculty Salaries	8,628,032	8,923,407
3. Departmental Operating Expense	1,274,512	1,273,194
4. Library	475,615	497,752
5. Building Maintenance	469,906	491,769
6. Utilities	917,864	917,864
7. Special Items		
a. High Technologies Laboratory	100,000	100,000
b. Scholarships	11,743	13,834
c. Tuition Revenue Bond Retirement (non-transferable)	377,372	389,172
d. Energy Management Efficiency	255,348	255,348
e. System Office Operation	139,000	139,000
8. Estimated Other Educational and General Income Available	2,585,449	2,634,162
9. Non-faculty Salary Increase	236,362	236,362

UNIVERSITY OF HOUSTON - CLEAR LAKE
(Continued)

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

UNIVERSITY OF HOUSTON - DOWNTOWN

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 13,559,230	\$ 13,811,385
GRAND TOTAL, UNIVERSITY OF HOUSTON - DOWNTOWN	\$ 13,559,230	\$ 13,811,385
Method of Financing:		
General Revenue Fund	\$ 10,494,730	\$ 10,744,885
Estimated Other Educational and General Income	3,064,500	3,066,500
Total, Method of Financing	\$ 13,559,230	\$ 13,811,385

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 771,392	\$ 810,140
2. Faculty Salaries	4,903,423	5,093,666
3. Departmental Operating Expense	661,285	660,379
4. Library	411,528	430,956
5. Building Maintenance	497,849	521,012
6. Utilities	545,637	545,637
7. Special Items		
a. Basic Skills Laboratory	320,500	320,500
b. Scholarships	16,802	24,963
c. Tuition Revenue Bond Retirement (non-transferable)	473,952	488,772
d. Minority Support Center	100,000	100,000
e. Energy Management Efficiency	31,737	31,737
f. System Office Operation	163,000	163,000
g. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	3,064,500	3,066,500
9. Non-faculty Salary Increase	166,837	166,837

UNIVERSITY OF HOUSTON - DOWNTOWN
(Continued)

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

UNIVERSITY OF HOUSTON - VICTORIA

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 3,759,077	\$ 4,069,621
GRAND TOTAL, UNIVERSITY OF HOUSTON - VICTORIA	\$ 3,759,077 =====	\$ 4,069,621 =====
Method of Financing:		
General Revenue Fund	\$ 3,470,805	\$ 3,781,716
Estimated Other Educational and General Income	288,272	287,905
Total, Method of Financing	\$ 3,759,077 =====	\$ 4,069,621 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 446,590	\$ 446,590
2. Faculty Salaries	1,235,507	1,275,548
3. Departmental Operating Expense	236,132	249,382
4. Library	326,937	326,937
5. Lease of Facilities Including Maintenance and Operations	532,750	532,750
6. Lease of Facilities Contingency		250,000
7. Special Items		
a. Scholarships	10,266	10,586
b. Tuition Revenue Bond Retirement (non-transferable)	55,000	55,000
c. Small Business Institute	150,000	150,000
d. System Office Operation	15,000	15,000
8. Estimated Other Educational and General Income Available	288,272	287,905
9. Non-faculty Salary Increase	44,651	44,651

UNIVERSITY OF HOUSTON - VICTORIA
(Continued)

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. LEASE OF FACILITIES CONTINGENCY. Funds appropriated in Item 6., Lease of Facilities Contingency, may be expended contingent upon certification to the Comptroller of Public Accounts, by Victoria College and the University of Houston - Victoria, that space has been made available by Victoria College for use by the University of Houston - Victoria. In the event such space is not made available by September 1, 1990, but does become available during the fiscal year, a proportional amount of the \$250,000 representing that portion of the fiscal year in which space is available is hereby appropriated. The Comptroller shall take those actions necessary to transfer the appropriate amount from the General Revenue Fund to the account of the University of Houston - Victoria for lease payments, including maintenance and operation of leased space.
3. SMALL BUSINESS INSTITUTE. The Small Business Institute at the University of Houston - Victoria shall receive \$150,000 in each year of the biennium, contingent upon certification by the Comptroller of Public Accounts that increased activity by the Small Business Institute will generate at least \$300,000 for the biennium in additional revenue to the General Revenue Fund. It is the intent of the Legislature that state funds provided to the Small Business Institute be used by the center to attract federal funds on a dollar-for-dollar basis.

LAMAR UNIVERSITY SYSTEM OFFICE

1. SYSTEM OFFICE FUNDING. Of the amounts appropriated to the academic components of the Lamar University System, the following amounts are included for the operation of the Lamar University System Office:

	For the Years Ending	
	August 31, 1990	August 31, 1991
Lamar University - Beaumont	\$ 316,000	\$ 316,000
Lamar University - Orange	25,000	25,000
Lamar University - Port Arthur	34,000	34,000

2. AUDIT OF BASE PERIOD CONTACT HOURS AT THE LAMAR CENTERS. The hours used in the contact hour base period to fund the Lamar University Centers shall subsequently be audited for accuracy by the State Auditor and the appropriation amounts adjusted accordingly by the Comptroller of Public Accounts.

LAMAR UNIVERSITY - BEAUMONT

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 32,706,870	\$ 32,101,267
GRAND TOTAL, LAMAR UNIVERSITY - BEAUMONT	\$ 32,706,870 =====	\$ 32,101,267 =====
Method of Financing:		
General Revenue Fund	\$ 27,079,870	\$ 26,474,267
Estimated Other Educational and General Income	5,627,000	5,627,000
Total, Method of Financing	\$ 32,706,870 =====	\$ 32,101,267 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 1,127,507	\$ 1,184,151
2. Faculty Salaries	12,790,417	13,257,942
3. Departmental Operating Expense	2,394,959	2,392,365
4. Library	869,313	910,236
5. Building Maintenance	1,053,344	1,102,349
6. Utilities	2,140,506	2,140,506
7. Special Items		
a. Scholarships	55,466	88,840
b. Spindletop Museum Educational Activities	40,211	40,211
c. Gulf Coast Hazardous Substance Research Center	1,200,000	U.B.
d. Start Up Expansion Nursing	110,928	110,928
e. Minority Scholars Institute	200,000	200,000
f. Small Business Development Center	150,000	150,000
g. Energy Management Efficiency	468,626	468,626
h. System Office Operation	316,000	316,000
i. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	5,627,000	5,627,000
9. Non-faculty Salary Increase	502,698	502,698

LAMAR UNIVERSITY - BEAUMONT
(Continued)

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. SMALL BUSINESS DEVELOPMENT CENTER. The Small Business Development Center at Lamar University - Beaumont shall receive \$150,000 in each year of the biennium, contingent upon certification by the Comptroller of Public Accounts that increased activity by the Small Business Development Center will generate at least \$300,000 for the biennium in additional revenue to the General Revenue Fund. It is the intent of the Legislature that state funds provided to the Small Business Development Center be used by the center to attract federal funds on a dollar-for-dollar basis.

LAMAR UNIVERSITY - ORANGE

	For the Years Ending August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 2,835,140	\$ 2,832,288
GRAND TOTAL, LAMAR UNIVERSITY - ORANGE	\$ 2,835,140 =====	\$ 2,832,288 =====
Method of Financing:		
General Revenue Fund	\$ 2,412,492	\$ 2,406,807
Estimated Other Educational and General Income	422,648	425,481
Total, Method of Financing	\$ 2,835,140 =====	\$ 2,832,288 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Administration and Instructional Services	\$ 1,612,753	\$ 1,612,753
2. Building Maintenance	65,024	67,430
3. Utilities	131,373	126,913
4. Special Items		
a. Associate Degree Nursing Program Start-up	73,784	73,784
b. Scholarships	10,000	10,000
c. System Office Operation	25,000	25,000
d. Remedial Education	13,458	U.B.
5. Estimated Other Educational and General Income Available	422,648	425,481
6. Non-faculty Salary Increase	34,171	34,171

LAMAR UNIVERSITY - PORT ARTHUR

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 4,001,803	\$ 4,080,923
GRAND TOTAL, LAMAR UNIVERSITY - PORT ARTHUR	\$ 4,001,803 =====	\$ 4,080,923 =====
Method of Financing:		
General Revenue Fund	\$ 3,440,465	\$ 3,518,432
Estimated Other Educational and General Income	561,338	562,491
Total, Method of Financing	\$ 4,001,803 =====	\$ 4,080,923 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Administration and Instructional Services	\$ 2,571,067	\$ 2,571,067
2. Building Maintenance	134,869	162,385
3. Utilities	138,517	197,544
4. Special Items		
a. Nursing Program Implementation Funds	30,600	30,600
b. Scholarships	10,000	10,000
c. System Office Operation	34,000	34,000
d. Remedial Education	20,412	U.B.
8. Estimated Other Educational and General Income Available	561,338	562,491
9. Non-faculty Salary Increase	45,267	45,267

MIDWESTERN STATE UNIVERSITY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 12,479,903	\$ 12,712,552
GRAND TOTAL, MIDWESTERN STATE UNIVERSITY	\$ 12,479,903	\$ 12,712,552
	=====	=====
Method of Financing:		
General Revenue Fund	\$ 10,525,321	\$ 10,757,970
Estimated Other Educational and General Income	1,954,582	1,954,582
	=====	=====
Total, Method of Financing	\$ 12,479,903	\$ 12,712,552
	=====	=====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 589,202	\$ 618,798
2. Faculty Salaries	5,352,272	5,544,239
3. Departmental Operating Expense	835,297	834,316
4. Library	378,384	396,192
5. Building Maintenance	593,669	621,291
6. Utilities	886,605	886,605
7. Special Items		
a. Scholarships	13,074	16,763
b. Bureau of Business and Government Research	25,000	25,000
c. Energy Management Efficiency	31,698	31,698
d. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	1,954,582	1,954,582
9. Non-faculty Salary Increase	172,834	172,834

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

MIDWESTERN STATE UNIVERSITY
(Continued)

2. APPROPRIATION OF SPECIAL MINERAL FUND. The balance of funds on hand for the year ending August 31, 1989, in the Midwestern State University Special Mineral Fund No. 412 and any income during the biennium beginning September 1, 1989, deposited to that fund are hereby appropriated to Midwestern State University for the general operations of the university.

UNIVERSITY OF NORTH TEXAS

	For the Years Ending August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 75,449,878	\$ 77,136,233
 GRAND TOTAL, UNIVERSITY OF NORTH TEXAS	 \$ 75,449,878 =====	 \$ 77,136,233 =====
 Method of Financing:		
General Revenue Fund	\$ 63,587,878	\$ 65,274,233
Estimated Other Educational and General Income	<u>11,862,000</u>	<u>11,862,000</u>
Total, Method of Financing	\$ 75,449,878 =====	\$ 77,136,233 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 2,353,205	\$ 2,471,445
2. Faculty Salaries	36,144,735	37,459,182
3. Departmental Operating Expense	6,952,404	6,945,093
4. Library	2,491,250	2,607,713
5. Building Maintenance	1,733,714	1,847,112
6. Utilities	5,184,982	5,236,349
7. Special Items		
a. Institute of Applied Sciences	88,250	88,250
b. Center for Studies in Aging	35,172	35,172
c. Labor and Industrial Relations	50,537	50,537
d. Federation of North Texas Area Universities	82,819	82,819
e. Scholarships	60,004	96,108
f. Center for Studies in Emergency Management	75,000	75,000
g. Texas Academy of Math and Science	1,057,094	1,057,094
h. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	11,862,000	11,862,000

UNIVERSITY OF NORTH TEXAS
(Continued)

9. Non-faculty Salary Increase 774,545 774,545

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. ACADEMIC OR POLICY RESEARCH PROGRAM. The Board of Regents of North Texas State University is hereby authorized to use available funds or to enter into contracts, accept grants or matching grants for the purpose of establishing an academic or policy research program in conjunction with the Federal Emergency Management Agency (FEMA).
3. FEDERATION OF NORTH TEXAS AREA UNIVERSITIES. The Comptroller of Public Accounts shall pay all warrants drawn on the appropriation to the Federation of North Texas Area Universities for expenses incurred on federation business regardless of which member institution of the federation the payee is an employee.

TEXAS COLLEGE OF OSTEOPATHIC MEDICINE

	For the Years Ending August 31, 1990	August 31, 1991
Educational, General, and Patient Purposes	\$ 26,394,793	\$ 26,459,711
GRAND TOTAL, TEXAS COLLEGE OF OSTEOPATHIC MEDICINE	\$ 26,394,793 =====	\$ 26,459,711 =====
Method of Financing:		
General Revenue Fund	\$ 24,330,933	\$ 24,362,997
Estimated Other Educational, General, and Patient Income	<u>2,063,860</u>	<u>2,096,714</u>
Total, Method of Financing	\$ 26,394,793 =====	\$ 26,459,711 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational, general and patient purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Utilities	\$ 1,453,232	\$ 1,453,232
2. Clinical Faculty and Support	1,261,890	1,261,890
3. Forensic Laboratory		
a. Personnel	50,000	50,000
b. Capital Outlay	450,000	200,000
4. Non-faculty Salary Increase	479,655	479,655

TEXAS COLLEGE OF OSTEOPATHIC MEDICINE
(Continued)

The amounts specified for all items shall be expended as nearly as practicable for the purposes indicated.

2. FORENSIC LABORATORY. Of the amounts appropriated above \$500,000 in fiscal year 1990 and \$250,000 in fiscal year 1991 is to be used for the Forensic Laboratory. Beginning in fiscal year 1991, the Texas College of Osteopathic Medicine is authorized to conduct all blood and DNA tests associated with paternity testing for the Office of the Attorney General at a rate not to exceed \$285 per case. The income derived from this testing is to be spent only on the Forensic Laboratory. In addition, the services of the Forensic Laboratory are available to other entities or interested parties in which case the laboratory will charge the prevailing rate, but in no instance will the rate be less than \$285 per case..

STEPHEN F. AUSTIN STATE UNIVERSITY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 33,178,810	\$ 33,592,814
GRAND TOTAL, STEPHEN F. AUSTIN STATE UNIVERSITY	\$ 33,178,810 =====	\$ 33,592,814 =====
Method of Financing:		
General Revenue Fund	\$ 27,254,155	\$ 27,668,159
Estimated Other Educational and General Income	5,924,655	5,924,655
Total, Method of Financing	\$ 33,178,810 =====	\$ 33,592,814 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 1,214,405	\$ 1,275,417
2. Faculty Salaries	14,476,649	15,004,575
3. Departmental Operating Expense	2,427,035	2,424,216
4. Library	1,065,274	1,115,400
5. Building Maintenance	914,329	956,868
6. Utilities	2,441,475	2,441,475
7. Special Items		
a. Center for Applied Studies in Forestry	400,000	400,000
b. Scholarships	46,487	74,458
c. Stone Fort Museum	19,610	19,610

STEPHEN F. AUSTIN STATE UNIVERSITY
(Continued)

d. For Transfer to Fund No. 261 in the State Treasury	234,000	
e. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	5,924,655	5,924,655
9. Non-faculty Salary Increase	455,312	455,312

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

TEXAS SOUTHERN UNIVERSITY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 30,956,528	\$ 31,569,580
GRAND TOTAL, TEXAS SOUTHERN UNIVERSITY	\$ 30,956,528 =====	\$ 31,569,580 =====
Method of Financing:		
General Revenue Fund	\$ 23,853,730	\$ 24,473,827
Estimated Other Educational and General Income	7,102,798	7,095,753
Total, Method of Financing	\$ 30,956,528 =====	\$ 31,569,580 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 934,724	\$ 981,678
2. Faculty Salaries	11,312,781	11,746,530
3. Departmental Operating Expense	1,935,817	1,933,723
4. Library	975,234	1,020,806
5. Building Maintenance	1,139,576	1,193,684
6. Utilities	2,433,418	2,435,717
7. Special Items		
a. Scholarships	446,877	530,093
b. Counseling and Academic Advisement	386,460	386,460
c. Scholarships and Recruitment for Non-Black Students	251,174	251,174
d. Thurgood Marshall School of Law	428,000	428,000
e. Accreditation Continuation -		

TEXAS SOUTHERN UNIVERSITY
(Continued)

Business	100,000	100,000
f. Accreditation Continuation - Pharmacy	100,000	100,000
g. Accreditation Continuation - Education	125,000	125,000
h. Program Enhancement - Doctor of Pharmacy	140,630	140,630
i. Program Enhancement - Master of Accounting	60,460	60,460
j. Program Enhancement - Environmental Health	29,647	29,647
k. Energy Management Efficiency	216,204	216,204
l. Remedial Education	50,000	U.B.
8. Less Repayment of Educational and General Funds from Auxiliary Funds	-500,000	-500,000
9. Estimated Other Educational and General Income Available	7,102,798	7,095,753
10. Non-faculty Salary Increase	417,945	417,945

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. INTERNAL AUDIT REQUIRED. The Board of Regents of Texas Southern University is directed to establish an internal auditing function to provide an independent appraisal of the various operations and systems of control within the university. Prior to the end of each fiscal quarter, the Board of Regents shall submit to the Legislative Budget Board and the State Auditor's Office a report, in a format prescribed by the Auditor's Office, detailing the progress made by the institution during that fiscal quarter in rectifying the concerns expressed by the audit report for fiscal year 1985 or subsequent audits.
3. UNAUTHORIZED EXPENDITURE OF EDUCATIONAL AND GENERAL FUNDS. As provided by general law, educational and general funds appropriated to Texas Southern University may not be expended to support auxiliary enterprise operations or to pay Skiles Act debt retirement. The State Auditor shall monitor compliance with this provision. In the event that compliance is not maintained, the State Auditor shall report the extent of non-compliance to the Comptroller of Public Accounts and the Legislative Budget Board. Based upon the finding of the State Auditor, the Comptroller is hereby directed to reduce any remaining general revenue appropriations to Texas Southern University by an amount equal to the unauthorized expenditure of educational and general funds.
4. PROGRAM ENHANCEMENTS FOR TEXAS SOUTHERN UNIVERSITY. It is the intent of the Legislature that for Items 7.e. through 7.g. Accreditation Continuation, 7.d. Thurgood Marshall School of Law, and 7.h. through 7.j. Program Enhancement, Texas Southern University shall, prior to September 1, 1989, submit to the Texas Higher Education Coordinating Board and the Legislative Budget Board a detailed plan for the use of these funds in order to maintain or achieve accreditation for the specified program or department.

TEXAS SOUTHERN UNIVERSITY
(Continued)

5. THURGOOD MARSHALL SCHOOL OF LAW. In addition to general revenue funds appropriated above for the operation and maintenance of the Thurgood Marshall School of Law, any tuition and fee revenues generated through enrollment in the School of Law shall be allocated for use by the School of Law and may only be expended for purposes related to the operation and maintenance of the School of Law.
6. FINANCIAL EXIGENCY. Based on financial distress or exigency, Texas Southern University may furlough or otherwise decrease the number of employees regardless of tenure provisions, to comply with funding levels provided by this Act. It is the intent of the Legislature that this provision be in effect during fiscal years 1990 and 1991 only.

TEXAS TECH UNIVERSITY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 93,383,026	\$ 95,087,205
GRAND TOTAL, TEXAS TECH UNIVERSITY	\$ 93,383,026	\$ 95,087,205
Method of Financing:		
General Revenue Fund	\$ 77,280,009	\$ 78,829,139
Estimated Other Educational and General Income	16,103,017	16,258,066
Total, Method of Financing	\$ 93,383,026	\$ 95,087,205

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 2,686,141	\$ 2,821,106
2. Faculty Salaries	36,151,109	37,489,022
3. Departmental Operating Expense	7,313,374	7,305,794
4. Library	2,679,986	2,805,412
5. Building Maintenance	2,687,956	2,813,693
6. Utilities	8,935,582	9,026,222
7. Special Items		
a. Scholarships	95,340	152,705
b. Research in Rangeland Management	1,086,865	1,086,865
c. Research in Wool, Mohair and Cotton	590,455	590,455
d. Research in Water, Water Conservation and Reuse	172,399	172,399

TEXAS TECH UNIVERSITY
(Continued)

e.	Research in Alternate Sources of Energy, Including Agricultural Irrigation	349,404	349,404
f.	Research in Agriculture, Business Administration, Engineering and Home Economics	318,231	318,231
g.	Efficient Beef Production Research	141,015	141,015
h.	Junction Annex Operation	87,439	87,439
i.	Research in Problems of Arid and Semi-Arid Lands	84,076	84,076
j.	Fire Ant Research	152,654	152,654
k.	Tuition Revenue Bond Retirement (non-transferable)	2,308,600	2,303,570
l.	Applied Research in Robotics and High Technology	250,000	U.B.
m.	Wine Marketing and Enology Research	249,000	249,000
n.	Small Business Development Center	200,000	200,000
o.	Texas Tech University Museum	539,025	539,025
p.	Energy Management Efficiency	199,824	199,824
q.	Remedial Education	50,000	U.B.
8.	Estimated Other Educational and General Income Available	16,103,017	16,258,066
9.	Non-faculty Salary Increase	1,082,997	1,082,997

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. APPROPRIATION OF SPECIAL MINERAL FUND. Any unexpended balance as of August 31, 1989, and income during the biennium beginning September 1, 1989, in the Texas Tech University Special Mineral Fund are hereby appropriated at Texas Tech University for equipment to support instruction and research programs of the University.
3. SMALL BUSINESS DEVELOPMENT CENTER. The Small Business Development Center at Texas Tech University shall receive \$200,000 in each year of the biennium, contingent upon certification by the Comptroller of Public Accounts that increased activity by the Small Business Development Center will generate at least \$400,000 for the biennium in additional revenue to the General Revenue Fund. It is the intent of the Legislature that state funds provided to the Small Business Development Center be used by the center to attract federal funds on a dollar-for-dollar basis.
4. TEXAS TECH UNIVERSITY MUSEUM. Out of funds appropriated in line item 7.o. above for the Texas Tech University Museum, \$49,826 in fiscal year 1990 and \$49,826 in fiscal year 1991 shall be allocated to the Ranching Heritage Center, and \$75,000 in fiscal year 1990 and \$75,000 in fiscal year 1991 shall be allocated to the Lubbock Lake Landmark.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational, General, and Patient Purposes	\$ 46,264,282	\$ 46,864,277
GRAND TOTAL, TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER	\$ 46,264,282	\$ 46,864,277
Method of Financing:		
General Revenue Fund	\$ 43,015,061	\$ 43,586,133
Estimated Other Educational, General, and Patient Income	3,249,221	3,278,144
Total, Method of Financing	\$ 46,264,282	\$ 46,864,277

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational, general and patient purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Utilities	\$ 4,396,365	\$ 4,396,365
2. Alzheimer's Disease Institute	539,974	539,974
3. Addictive Disease Institute	550,000	550,000
4. Office of Rural Health	75,000	75,000
5. Non-faculty Salary Increase	767,823	767,823
6. Supplement for Undergraduate Nursing Faculty	100,000	100,000

The amounts specified for all items shall be expended as nearly as practicable for the purposes indicated.

2. AIRCRAFT AUTHORIZATION. Texas Tech University and Texas Tech University Health Sciences Center are authorized to acquire, operate, and maintain, including replacing, one passenger airplane. Such airplane may be acquired or replaced by gift, purchase, or partly by gift and partly by purchase. All costs of acquisition, operation and maintenance, including replacement, of said airplane may be paid from funds appropriated to Texas Tech University and/or Texas Tech University Health Sciences Center.

TEXAS WOMAN'S UNIVERSITY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 34,915,239	\$ 35,571,271
GRAND TOTAL, TEXAS WOMAN'S UNIVERSITY	\$ 34,915,239 =====	\$ 35,571,271 =====
Method of Financing:		
General Revenue Fund	\$ 31,073,644	\$ 31,726,991
Estimated Other Educational and General Income	3,841,595	3,844,280
Total, Method of Financing	\$ 34,915,239 =====	\$ 35,571,271 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 928,852	\$ 975,511
2. Faculty Salaries	16,267,550	16,814,575
3. Departmental Operating Expense	3,326,122	3,322,941
4. Library	919,858	962,625
5. Building Maintenance	872,800	913,393
6. Utilities	3,853,779	3,853,779
7. Special Items		
a. Human Nutrition Research Development Program	119,447	119,447
b. Texas Medical Center Library Assessment	304,128	304,128
c. Scholarships	28,095	45,000
d. Health Professions Outreach	251,625	251,625
e. Energy Management Efficiency	498,673	498,673
f. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	3,841,595	3,844,280
9. Non-faculty Salary Increase	415,683	415,683

TEXAS WOMAN'S UNIVERSITY
(Continued)

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

WEST TEXAS STATE UNIVERSITY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 15,979,347	\$ 16,307,057
GRAND TOTAL, WEST TEXAS STATE UNIVERSITY	\$ 15,979,347	\$ 16,307,057
Method of Financing:		
General Revenue Fund	\$ 13,499,931	\$ 13,804,741
Estimated Other Educational and General Income	2,479,416	2,502,316
Total, Method of Financing	\$ 15,979,347	\$ 16,307,057

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 639,325	\$ 671,439
2. Faculty Salaries	6,282,469	6,511,121
3. Departmental Operating Expense	1,062,661	1,061,470
4. Library	433,292	453,667
5. Building Maintenance	587,386	614,715
6. Utilities	1,408,058	1,408,058
7. Special Items		
a. Killgore Research Center	73,286	73,286
b. Wind Energy Research	93,424	93,424
c. Scholarships	42,191	67,577
d. Pandhandle-Plains Historical Museum	457,981	469,413
e. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	2,479,416	2,502,316
9. Non-faculty Salary Increase	226,098	226,098

WEST TEXAS STATE UNIVERSITY
(Continued)

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. APPROPRIATION OF FUNDS. The Panhandle-Plains Historical Museum is hereby authorized to accept grants, donations, gifts, and matching grants from federal, state, or private sources for the purpose of acquiring, constructing, equipping, and furnishing a collections care facility in Canyon, Texas and these funds are hereby appropriated.

BOARD OF REGENTS, TEXAS STATE UNIVERSITY SYSTEM CENTRAL OFFICE

1. SYSTEM OFFICE FUNDING. Of the amounts appropriated to the academic components of the Texas State University System, the following amounts are included for the operation of the Texas State University System Central Office:

	For the Years Ending August 31, 1990	August 31, 1991
Angelo State University	\$ 54,000	\$ 54,000
Sam Houston State University	116,000	116,000
Southwest Texas State University	183,000	183,000
Sul Ross State University	20,000	20,000
Sul Ross State University - Uvalde Center	2,000	2,000

2. AIRCRAFT AUTHORIZED. The Board of Regents may rent, charter or short-term lease aircraft with the above appropriated, transferred, or contracted funds when such is advantageous to the State of Texas.

ANGELO STATE UNIVERSITY

	For the Years Ending August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 14,602,104	\$ 14,892,455
GRAND TOTAL, ANGELO STATE UNIVERSITY	\$ 14,602,104 =====	\$ 14,892,455 =====

Method of Financing:

General Revenue Fund	\$ 12,009,904	\$ 12,299,445
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ANGELO STATE UNIVERSITY
(Continued)

Estimated Other Educational and General Income	<u>2,592,200</u>	<u>2,593,010</u>
Total, Method of Financing	\$ <u>14,602,104</u>	\$ <u>14,892,455</u>

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 677,140	\$ 711,153
2. Faculty Salaries	6,340,647	6,576,003
3. Departmental Operating Expense	1,050,226	1,048,964
4. Library	479,608	502,205
5. Building Maintenance	430,593	450,626
6. Utilities	703,565	703,565
7. Special Items		
a. Management, Instruction, and Research Center	196,766	196,766
b. Scholarships	19,077	29,969
c. System Office Operation	54,000	54,000
d. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	2,592,200	2,593,010
9. Non-faculty Salary Increase	211,661	211,661

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

SAM HOUSTON STATE UNIVERSITY

	For the Years Ending August 31, 1990	August 31, 1991
Educational and General Purposes	\$ <u>30,759,601</u>	\$ <u>31,334,897</u>
GRAND TOTAL, SAM HOUSTON STATE UNIVERSITY	\$ <u>30,759,601</u>	\$ <u>31,334,897</u>
Method of Financing:		
General Revenue Fund	\$ 25,248,601	\$ 25,823,897

SAM HOUSTON STATE UNIVERSITY
(Continued)

Estimated Other Educational and General Income	<u>5,511,000</u>	<u>5,511,000</u>
Total, Method of Financing	\$ 30,759,601 =====	\$ 31,334,897 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 1,110,888	\$ 1,166,697
2. Faculty Salaries	13,220,441	13,704,444
3. Departmental Operating Expense	2,196,565	2,194,003
4. Library	964,917	1,010,293
5. Building Maintenance	846,500	885,887
6. Utilities	2,041,964	2,041,964
7. Special Items		
a. Criminal Justice Center	723,999	723,999
b. Scholarships	19,125	30,076
c. Sam Houston Museum	309,949	309,949
d. System Office Operation	116,000	116,000
e. Remedial Education	50,000	U.B.
8. Estimated Other Educational and General Income Available	5,511,000	5,511,000
9. Non-faculty Salary Increase	377,454	377,454

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

2. CRIMINAL JUSTICE CENTER FACILITIES. It is hereby declared to be legislative intent that all facilities of the Criminal Justice Center of Sam Houston State University be available for use in carrying out any university related programs or activities when such use is authorized by the president of the university. Priority in the use of the center's facilities shall be given to activities concerning continuing education in the criminal justice area. To the extent possible, the center should be used to support programs or activities that will generate funds to help defray operational expenses of the center.
3. CRIMINAL JUSTICE CENTER FACULTY SALARIES. It is the intent of the Legislature that Sam Houston State University may augment the base salaries of faculty members at the Criminal Justice Center from a grant or consulting contract, as provided by law. Sam Houston State University must include a report of any salaries that have been augmented and the amount of the augmentation in the request for legislative appropriations submitted to the Legislative and Executive Budget Offices for the biennium ending August 31, 1991.

SOUTHWEST TEXAS STATE UNIVERSITY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 50,439,054	\$ 51,890,234
GRAND TOTAL, SOUTHWEST TEXAS STATE UNIVERSITY	\$ 50,439,054	\$ 51,890,234
Method of Financing:		
General Revenue Fund	\$ 41,731,969	\$ 43,183,149
Estimated Other Educational and General Income	8,707,085	8,707,085
Total, Method of Financing	\$ 50,439,054	\$ 51,890,234

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 1,843,925	\$ 1,936,574
2. Faculty Salaries	21,989,445	22,794,213
3. Departmental Operating Expense	3,523,896	3,519,682
4. Library	1,608,881	1,684,588
5. Building Maintenance	1,351,337	1,513,637
6. Utilities	5,442,731	5,696,487
7. Special Items		
a. Edwards Aquifer Research and Data Center	204,439	204,439
b. Stuttering Specialist Program	37,019	37,019
c. Scholarships	57,831	92,628
d. System Office Operation	183,000	183,000
e. Remedial Education	50,000	U.S.
8. Estimated Other Educational and General Income Available	8,707,085	8,707,085
9. Non-faculty Salary Increase	602,999	602,999

SOUTHWEST TEXAS STATE UNIVERSITY
(Continued)

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

SUL ROSS STATE UNIVERSITY

	For the Years Ending August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 6,998,767	\$ 7,138,258
GRAND TOTAL, SUL ROSS STATE UNIVERSITY	\$ 6,998,767 =====	\$ 7,138,258 =====

Method of Financing:

General Revenue Fund	\$ 6,046,392	\$ 6,186,593
Estimated Other Educational and General Income	952,375	951,665
Total, Method of Financing	\$ 6,998,767 =====	\$ 7,138,258 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 446,590	\$ 446,590
2. Faculty Salaries	2,297,461	2,375,678
3. Departmental Operating Expense	437,907	462,486
4. Library	373,725	390,968
5. Building Maintenance	302,901	316,992
6. Utilities	640,320	640,320
7. Special Items		
a. Sul Ross State University Museum	34,976	34,976
b. Chihuahuan Desert Research	47,960	47,960
c. Scholarships	20,227	32,397
d. Energy Management Efficiency	65,177	65,177
e. System Office Operation	20,000	20,000
f. Remedial Education	25,000	U.B.
8. Estimated Other Educational and General Income Available	952,375	951,665
9. Non-faculty Salary Increase	132,303	132,303

SUL ROSS STATE UNIVERSITY
(Continued)

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

SUL ROSS STATE UNIVERSITY - UVALDE CENTER

	For the Years Ending	
	August 31, 1990	August 31, 1991
Educational and General Purposes	\$ 954,243	\$ 971,091
GRAND TOTAL, SUL ROSS STATE UNIVERSITY - UVALDE CENTER	\$ 954,243 =====	\$ 971,091 =====
Method of Financing:		
General Revenue Fund	\$ 859,730	\$ 876,578
Estimated Other Educational and General Income	94,513	94,513
Total, Method of Financing	\$ 954,243 =====	\$ 971,091 =====

1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. General Administration and Student Services	\$ 37,312	\$ 39,187
2. Faculty Salaries	330,997	342,461
3. Departmental Operating Expense	63,028	66,566
4. Lease of Facilities	185,284	185,284
5. Special Items		
a. Scholarships	10,000	10,000
b. System Office Operation	2,000	2,000
6. Academic and Research Support	200,017	200,017
8. Estimated Other Educational and General Income Available	94,513	94,513
8. Non-faculty Salary Increase	10,417	10,417

The amounts specified above for Faculty Salaries are minimum amounts and may be expended for no other purpose. The amounts specified for all other items shall be expended as nearly as practicable for the purposes indicated.

SUL ROSS STATE UNIVERSITY - UVALDE CENTER
(Continued)

2. SUL ROSS STATE UNIVERSITY - UVALDE CENTER. Contingent upon approval by the Higher Education Coordinating Board, Sul Ross State University - Uvalde Center shall receive separate, upper level formula funding on the same basis as other upper level centers beginning with the 1992-93 biennium.

TEXAS FOOD AND FIBERS COMMISSION

	For the Years Ending	
	August 31, 1990	August 31, 1991
Food and Fibers Commission Programs	\$ 3,629,887	\$ 3,630,671
GRAND TOTAL, TEXAS FOOD AND FIBERS COMMISSION	\$ 3,629,887 =====	\$ 3,630,671 =====

Method of Financing:

General Revenue Fund	\$ 1,450,455	\$ 1,451,239
Federal Funds, estimated	345,810	345,810
Other Funds, estimated	1,833,622	1,833,622
Total, Method of Financing	\$ 3,629,887 =====	\$ 3,630,671 =====

Schedule of Exempt Positions and Per Diem of Commissioners

Executive Director	\$ 53,061	\$ 54,653
Per Diem of Commissioners	3,000	3,000

1. APPROPRIATION AUTHORITY. The appropriations above are subject to the special and general provisions of this Act.
2. CONTRACT REQUIREMENTS. In order that the trained personnel and the facilities of cooperating agencies may be used to the fullest extent for research and investigations relating to the use of cotton, cottonseed and their products and more fully to comply with the provisions of Senate Bill No. 403, Chapter 474, Acts of the Forty-seventh Legislature, Regular Session, 1941; Senate Bill No. 374, Chapter 451, Acts of the Fifty-first Legislature, Regular Session, 1949, known as the Cotton Research Laboratory Act, and as amended by Senate Bill No. 424, Chapter 329, Fifty-sixth Legislature, Regular Session, 1959, and by House Bill No. 2063, Chapter 632, Sixty-fourth Legislature, Regular Session, 1975, the Natural Fibers and Food Protein Commission is hereby authorized to contract with any or all of said institutions to perform such services for the commission as it may deem proper and to compensate said institution or institutions for the cost thereof from the funds herein appropriated. All funds which may come into the hands of the Natural Fibers and Food Protein Commission, for any purpose and from any source, shall be deposited in the State Treasury in a special account and are hereby appropriated to the specific purpose or purposes authorized by the grantor, and may be withdrawn from the State Treasury;

TEXAS FOOD AND FIBERS COMMISSION
(Continued)

provided, however, that the Natural Fibers and Food Protein Commission shall not accept and place in the State Treasury any grants as provided under this paragraph which would cause the violation of the specific or the general provisions of this Act which govern the compensation, travel expenses or other acts of state employees. It is further provided that where any grant exceeds the total cost of the specific project for which it was received, such excess may be returned to the grantor.

3. A. B. COX LIBRARY. It is legislative intent that the A. B. Cox Library located at The University of Texas at Austin be maintained in its entirety. If the commission's facilities at The University of Texas at Austin are no longer used by the commission, this library should be moved to the facilities of the Bureau of Business Research at The University of Texas at Austin or another institution deemed appropriate by the commission. Ownership of the A. B. Cox Library shall remain with the Natural Fibers and Food Protein Commission while the custodian of this library shall be the agency in which the library is located. The library, regardless of location, shall remain available to the public.
4. SUNSET CONTINGENCY. Funds appropriated above for fiscal year 1991 for the Natural Fibers and Food Protein Commission are made contingent on the continuation of Natural Fibers and Food Protein Commission by the Legislature. In the event the agency is not continued, the funds appropriated for fiscal year 1990 or as much there of as may be necessary are to be used to provide for the phase out of agency operations.

TEXAS STATE TECHNICAL INSTITUTE-SYSTEM ADMINISTRATION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Administration	340,000	340,000
2. Staff Group Insurance Premiums	2,170,740	2,170,740
3. Estimated Other Educational and General Income Available	3,590,964	3,639,676
GRAND TOTAL, TEXAS STATE TECHNICAL INSTITUTE-SYSTEM ADMINISTRATION	\$ 6,101,704	\$ 6,150,416
Method of Financing:		
General Revenue Fund	\$ 2,510,740	\$ 2,510,740
Estimated Other Educational, General, and Patient Income	3,590,964	3,639,676
Total, Method of Financing	\$ 6,101,704	\$ 6,150,416

Schedule of Exempt Positions

Chancellor	\$ 63,036	\$ 63,036
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TEXAS STATE TECHNICAL INSTITUTE-SYSTEM ADMINISTRATION
(Continued)

1. COORDINATION WITH JUNIOR/COMMUNITY COLLEGES. In accordance with the provisions of Chapter 135.01, paragraph B of the Texas Education Code, prior to establishing a program in an area which is within a junior/community college district, the Texas State Technical Institute shall receive prior authorization to offer such educational, technical or vocational programs from the Texas Higher Education Coordinating Board.

TEXAS STATE TECHNICAL INSTITUTE AMARILLO

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
Educational and General Purposes	6,378,798	5,418,335
GRAND TOTAL, TEXAS STATE TECHNICAL INSTITUTE AMARILLO	\$ 6,378,798	\$ 5,418,335

Schedule of Exempt Positions

Campus President	\$ 51,400	\$ 51,400
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1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Administration and Instructional Services	\$ 3,500,518	\$ 3,500,518
2. Remedial Education	22,142	U.B.
3. Utilities	539,294	539,294
4. Physical Plant Operation and Maintenance	913,033	936,712
5. Special Items:		
a. Pre-Apprenticeship, Journeyman and Compensatory Training	204,812	204,812
b. Scholarships	14,697	14,697
c. Academic and Vocational Support	209,763	209,763
6. Major Repairs and Renovation of Buildings and Facilities:		
a. Roof repair-Bldgs. 1300, 1400, 3500, 6500	140,000	U.B.
b. HVAC - Bldgs. 3404, 3500, 4240	227,000	U.B.

TEXAS STATE TECHNICAL INSTITUTE AMARILLO
(Continued)

c. Renovate upper portion Bldg. 1400 and upgrade HVAC	165,000	U.B.
d. Renovate upper portion Bldg. 1300 and upgrade HVAC	165,000	U.B.
e. Renovate Bldg. 6500 and upgrade HVAC	<u>265,000</u>	<u>U.B.</u>
Total, Major Repairs and Renovation of Buildings and Facilities	\$ 962,000	\$ U.B.

TEXAS STATE TECHNICAL INSTITUTE HARLINGEN

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
Educational and General Purposes	<u>10,029,506</u>	<u>9,852,208</u>
GRAND TOTAL, TEXAS STATE TECHNICAL INSTITUTE HARLINGEN	<u>\$ 10,029,506</u>	<u>\$ 9,852,208</u>

Schedule of Exempt Positions

Campus President	\$ 59,500	\$ 59,500
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1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Administration and Instructional Services	\$ 7,001,596	\$ 7,001,596
2. Remedial Education	50,000	U.B.
3. Utilities	442,291	442,291
4. Physical Plant Operation and Maintenance	820,461	868,163
5. Special Items:		
a. McAllen Extension Program	925,125	925,125
b. Pre-Apprenticeship, Journeyman and Compensatory Training	42,988	42,988
c. Scholarships	33,441	33,441
d. Academic and Vocational		

TEXAS STATE TECHNICAL INSTITUTE HARLINGEN
(Continued)

Support	366,620	366,620
6. Major Repairs and Renovation of Buildings and Facilities:		
a. HVAC upgrade-Learning Resource Center	150,000	U.B.
b. HVAC upgrade-Technical Office Training Bldg	150,000	U.B.
c. Library Expansion	125,000	125,000
Total, Major Repairs and Renovation of Buildings and Facilities		
	\$ 300,000	\$ 125,000

TEXAS STATE TECHNICAL INSTITUTE SWEETWATER

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
Educational and General Purposes	4,872,329	4,989,628
GRAND TOTAL, TEXAS STATE TECHNICAL INSTITUTE SWEETWATER	\$ 4,872,329	\$ 4,989,628

Schedule of Exempt Positions

Campus President	\$ 56,560	\$ 56,560
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1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Administration and Instructional Services	\$ 3,066,741	\$ 3,194,507
2. Remedial Education	20,865	U.B.
3. Utilities	200,000	200,000
4. Physical Plant Operation and Maintenance:		
a. Plant Support Services	\$ 129,300	\$ 134,750
b. Building Maintenance	115,101	119,936
c. Custodial Services	63,157	63,270
d. Grounds Maintenance	43,461	43,461
e. Campus Security	170,200	170,200
5. Special Items:		
a. Abilene Extension Program	\$ 625,177	\$ 625,177

TEXAS STATE TECHNICAL INSTITUTE SWEETWATER
(Continued)

b. Pre-Apprenticeship, Journeyman and Compensatory Training	9,444	9,444
c. Scholarships	8,025	8,025
d. Rural Technology Center	270,000	270,000

2. APPROPRIATIONS FOR ADMINISTRATIVE AND INSTRUCTIONAL SERVICES.

Appropriations to the Texas State Technical Institute at Sweetwater are based on estimated contact hours to be generated during the 1990-1991 biennium. The State Auditor shall determine the actual number of contact hours generated in each program. Based upon this determination, the actual disbursement to each program shall be adjusted to reflect actual contact hours. In no instance shall the total disbursements for the biennium be greater than the amount listed for the Texas State Technical Institute-Sweetwater.

3. PRE-APPRENTICESHIP PROGRAM REVIEW. The Texas Higher Education Coordinating Board, in consultation with the staff of the Legislative Budget Board, is hereby instructed to review inclusion of pre-apprenticeship hours in the appropriate formula structure to be sure that the Texas State Technical Institute is treated equitably with similar programs at the junior colleges.

TEXAS STATE TECHNICAL INSTITUTE WACO

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
Educational and General Purposes	22,514,391	21,137,640
GRAND TOTAL, TEXAS STATE TECHNICAL INSTITUTE WACO	\$ 22,514,391 =====	\$ 21,137,640 =====

Schedule of Exempt Positions

Campus President	\$ 61,428	\$ 61,428
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1. INFORMATIONAL LISTING OF SELECTED APPROPRIATION ITEMS. The appropriations made above for educational and general purposes are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated:

1. Administration and Instructional Services	\$16,923,660	\$ 16,923,660
2. Remedial Education	50,000	U.B.
3. Utilities	1,658,787	1,658,787
4. Physical Plant Operation and Maintenance	1,455,483	1,491,676

TEXAS STATE TECHNICAL INSTITUTE WACO
(Continued)

5. Special Items:		
a. Deaf Students Services	65,234	65,234
b. Pre-Apprenticeship, Journeyman and Compensatory Training	25,196	25,196
c. Scholarships	36,000	36,000
d. Academic and Vocational Support	858,914	858,914
6. Major Repairs and Renovation of Buildings and Facilities:		
a. Repair HVAC and built-up roof, Bldg. 28-3	\$ 263,235	\$ U.B.
b. Repair HVAC, built-up roof, and insulation- Continuing Education Center	346,240	U.B.
c. Repair HVAC, Bldg. 40-5	85,840	U.B.
d. Repair HVAC and built-up roof-Meat Processing Bldg.	200,287	U.B.
e. Major Repair to campus roads	272,500	U.B.
f. Repair HVAC to include energy management system- Patterson Hall	161,310	U.B.
g. Repair HVAC to include energy management system- Fentress Center	<u>33,532</u>	<u>U.B.</u>
Total, Major Repairs and Renovation of Buildings and Facilities	<u>\$ 1,362,944</u> =====	<u>\$ U.B.</u> =====

SPECIAL PROVISIONS RELATING ONLY TO COMPONENTS OF
TEXAS STATE TECHNICAL INSTITUTE

1. APPROPRIATION OF FUND BALANCES. For the biennium beginning September 1, 1989, any balances on hand and all revenues received during the biennium in the following funds for each of the campuses and the system office of the Texas State Technical Institute are hereby appropriated to the respective campuses and the system office: Designated Funds, Auxiliary Funds, Auxiliary Funds - Student Services, Restricted Funds, Restricted Funds-NIH, Unexpended Plant Funds and Loan Funds.
2. EXPENDITURE OF EDUCATION AND GENERAL FUNDS. Recognizing that Texas State Technical Institute may have the opportunity and should be encouraged to attract private contributions, grants, or contracts, and to enter into agreements with private businesses and other agencies of government, for purposes not specifically contained in the Line Items hereinabove, that might require matching funds from TSTI, the Board of Regents of Texas State Technical Institute is hereby authorized to expend its remaining educational and general funds to meet contribution, contract, or grant-matching requirements only for the following purposes:
 - a. planning and implementing a large-scale job-training program in conjunction with private business and other state agencies; and
 - b. acquiring facilities and equipment to carry out a large-scale industrial training program in conjunction with a major employer.
 - c. major renovations.
3. OPERATING BUDGET. A copy of the proposed operating budget of the Texas State Technical Institute shall be filed each fiscal year with the Governor, Legislative Budget Board, Coordinating Board, Texas College and University System and the Legislative Reference Library.
4. FINANCIAL RECORDS. The financial records and reports of the Texas State Technical Institute shall classify accounts in accordance with the recommendation of the National Committee on the Preparation of a Manual on College and University Business Administration, as set forth in Volume I of "College and University Business Administration," published by the American Council on Education with a copyright date of 1952, and subsequent published revisions with such modifications as may be developed and provided by the Comptroller of Public Accounts, or as may be required to conform with specific provisions of the Appropriation Acts of the Legislature. The accounts of the Texas State Technical Institute shall be maintained and audited in accordance with the approved reporting system. The Texas State Technical Institute shall deliver to the Coordinating Board, Texas College and University System any such program reports as it may deem necessary in accordance with its rules and regulations.
5. ENROLLMENT RECORDS AND REPORTS. To be eligible to receive the appropriations hereinabove, the Texas State Technical Institute shall maintain such enrollment records and report such enrollment data as required by the Coordinating Board, Texas College and University System. These enrollment reports shall be submitted in the form and on the date required.

SPECIAL PROVISIONS RELATING ONLY TO COMPONENTS OF
TEXAS STATE TECHNICAL INSTITUTE
(Continued)

The above reports shall be certified to the Comptroller of Public Accounts no later than the date required by the Coordinating Board, Texas College and University System, and each term copies of the above certified enrollment reports shall be sent to the Coordinating Board, Texas College and University System, Legislative Budget Board, Governor, State Auditor and Legislative Reference Library.

The State Auditor shall verify the certified enrollment data submitted to the agencies listed above as part of the audit of the Texas State Technical Institute.

The Texas State Technical Institute shall offer only such courses as are economically justified in the considered judgment of the Board of Regents. The Board of Regents shall adopt policies specifying the conditions under which classes of less than 10 students by head count are to be considered necessary and justifiable. The Board of Regents shall direct the president or other officials to review enrollment data prior to the designated Coordinating Board, Texas College and University System census date and take all necessary actions to ensure that the small classes offered on each campus are only those that conform with established policies on small classes. Each school term, each campus shall prepare for submission to the Board of Regents a small class report showing the department, course number, title of course and the name of the instructor. The Board of Regents shall review enrollment reports certified to the Comptroller of Public Accounts, the campus small class reports and other enrollment records as necessary to ensure that the classes offered are economically justified and are in compliance with Board of Regents policy.

6. CERTIFICATION OF COMPLIANCE. Expenditure of the funds appropriated hereinabove is contingent upon annual certification by the president of the Texas State Technical Institute to the Comptroller of Public Accounts that the Texas State Technical Institute is in compliance with these provisions regarding budgets, accounting procedures and enrollment.
7. APPROVED GEOGRAPHIC LOCATIONS. None of the funds appropriated above to the Texas State Technical Institute shall be expended in promoting, developing or creating a technical institute at any other location in the state except in Cameron County, Potter County, Nolan County and McLennan County.
8. TEMPORARY SPECIAL COURSES. The expenditure of funds appropriated hereinabove to the Texas State Technical Institute in pre-apprenticeship, related training for apprentices and specialized training for journeymen and compensatory training for pre-apprenticeship and apprenticeship enrollees, and, plant expansion and new plant start-up training program may be spent wherever the need exists within the state in conjunction with curriculum approval by the Coordinating Board, Texas College and University System. Such expenditure of funds for these special courses are temporary in nature and outside the provision of Article 135.04, Subsection B, Texas Education Code, as amended.

SPECIAL PROVISIONS RELATING ONLY TO COMPONENTS OF
TEXAS STATE TECHNICAL INSTITUTE
(Continued)

9. AIRCRAFT PILOT TRAINING PROGRAMS. Funds may be used for the operation, maintenance or lease of aircraft for use in the Aircraft Pilot Training programs subject to the requirement that excess costs of flight instruction be recovered by an assessment of charge to student pilots. This income shall be separately accounted for and credited as a reduction in expenditure in the Aircraft Pilot Training Program.
10. CONSTRUCTION AND RENOVATION FUNDS. The construction funds herein appropriated for new construction may be used for matching purposes; in the event the Texas State Technical Institute should acquire matching funds from any sources to be used in conjunction with the appropriated funds for building construction, the Board of Regents may use any of the appropriated funds for additional space and mechanical systems or renovation of existing buildings in accordance with the Campus Master Plans.
11. APPROVAL OF PLANS BY FOUNDATIONS. Any use of the Texas State Technical Institute's assets or facilities including, but not limited to, buildings, equipment or employees by existing foundations or for the promotion of foundations shall require prior approval of the Board of Regents. Approval is contingent upon receipt by the Board of Regents of a satisfactory annual plan of operation. As a minimum, this plan must specify the proposed use of any Texas State Technical Institute facilities, equipment, personnel; payments made directly to Texas State Technical Institute personnel for services provided or expenses incurred; and donations of funds to the Texas State Technical Institute for designated purposes. All funds donated by foundations to the Texas State Technical Institute shall be received and accounted for in the same manner as all other Texas State Technical Institute funds. After Board of Regents approval, the plan shall be filed with the Legislative Budget Board.
12. McALLEN EXTENSION PROGRAM. Only those funds specified for the Harlingen Campus in Line Item 5.a., McAllen Extension Program, shall be expended for the purpose of maintaining extension programs in McAllen. Funds appropriated to other items at Harlingen or other TSTI campuses, shall not be transferred for this purpose.
13. ABILENE EXTENSION PROGRAM. Only those funds specified for the Sweetwater Campus in Line Item 5.a., Abilene Extension Program, shall be expended for the purpose of maintaining extension programs in Abilene. Funds appropriated to other items at Sweetwater or other TSTI campuses, shall not be transferred for this purpose.
14. ADMINISTRATION EXPENDITURE CAP. It is the intent of the Legislature that Texas State Technical Institute not increase its annual total expenditures for administration above the amount shown in its operating budget for fiscal year 1989, \$5,163,725.
15. AUDIT OF BASE CONTACT HOURS. The hours used in the contact hour base period to fund Texas State Technical Institute shall subsequently be audited for accuracy by the State Auditor and the appropriation amounts adjusted accordingly by the Comptroller of Public Accounts.

STATE RURAL MEDICAL EDUCATION BOARD

1. PRIORITY FOR TEXAS RESIDENTS. It is the intent of the Legislature that the first priority award of grant funds be to Texas residents studying in Texas Medical Schools and that the next priority award of grants be to Texas residents attending medical schools in the continental United States.
2. PROHIBITION FOR NEW LOANS. Funds appropriated to the Rural Medical Education Board may not be used for initiating any new loans to medical students who have not received a loan from the board in the preceding year.
3. TRANSFER TO THE TEXAS HIGHER EDUCATION COORDINATING BOARD. It is the intent of the Legislature that the operations and responsibilities of the State Rural Medical Education Board be transferred to the Texas Higher Education Coordinating Board.

SPECIAL PROVISIONS RELATING ONLY TO STATE AGENCIES
OF HIGHER EDUCATION

The Special Provisions which follow shall apply only to agencies of higher education:

Sec. 2. INSTITUTIONAL FUNDS REAPPROPRIATED. All balances except for any identifiable general revenue in the local institutional funds of the state institutions of higher education named in this Article, at the close of the fiscal year ending August 31, 1989, including balances in their local revolving funds at that time, and the income to said funds during the fiscal years beginning September 1, 1989 and 1990, are hereby reappropriated for the operation, maintenance, and improvement of the respective state institutions.

Sec. 3. COLLEGE BUILDING AND EXCELLENCE FUNDS. There also are appropriated for use the allocations from Article VII, Sections 17 and 18 of the State Constitution, including any unexpended balances from allocations in prior years, to the respective institutions and for the purposes specified therein.

Sec. 4. PURCHASED UTILITIES REAPPROPRIATED.

1. Any unexpended balance in the appropriation item "Purchased Utilities," or "Utilities" for any institution as of August 31, 1990, is hereby reappropriated for the same purpose during the fiscal year beginning September 1, 1990.
2. Notwithstanding any designation of "non-transferable" assigned to the line item utilities of each general academic institution, health science centers, health centers, or technical institutes, upon approval by the Governor, any unexpended balances from fiscal year 1990 may be used for additional energy-saving projects, of which the costs for the entire project will be met during the current biennium. Any such expenditure of funds shall be reported to the Legislative Budget Board and to the Texas Legislature.
3. Any amounts appropriated to the general academic teaching institutions for Energy Management Efficiency are to provide an incentive for efficient energy management. These funds may be used as enrichment of academic and research programs.

Sec. 5. DEFINITION OF TERMS.

1. As used in this Act, the term "general academic institutions" shall mean only the following institutions:

The University of Texas at Arlington
The University of Texas at Austin
The University of Texas at Dallas
The University of Texas at El Paso
The University of Texas - Pan American
The University of Texas - Pan American - Brownsville
The University of Texas of the Permian Basin
The University of Texas at San Antonio
The University of Texas at Tyler
Texas A&M University

SPECIAL PROVISIONS RELATING ONLY TO STATE AGENCIES
OF HIGHER EDUCATION
(Continued)

Texas A&M University at Galveston
 Prairie View A&M University
 Tarleton State University
 Corpus Christi State University
 Texas A&I University
 Laredo State University
 East Texas State University
 East Texas State University at Texarkana
 University of Houston
 University of Houston - Clear Lake
 University of Houston - Downtown
 University of Houston - Victoria
 Lamar University - Beaumont
 Lamar University - Orange
 Lamar University - Port Arthur
 Midwestern State University
 University of North Texas
 Stephen F. Austin State University
 Texas Southern University
 Texas Tech University
 Texas Woman's University
 West Texas State University
 Angelo State University
 Sam Houston State University
 Southwest Texas State University
 Sul Ross State University, including Uvalde Campus

2. "Elements of Institutional Cost." The costs included in the various items appearing in the appropriations for the general academic institutions, health centers, health science centers, medical education programs, and technical institutes shall be considered to be all costs, including salaries, for those functions or activities in "Definitions of the Elements of Institutional Costs," Supplement A, of the detailed instructions for preparing and submitting appropriations requests by agencies of higher education for legislative appropriations for the biennium beginning September 1, 1989 published jointly by the Legislative and Executive Budget Offices unless otherwise provided by the terms of this Act. Bond premiums, Workers' Compensation Insurance Fund operations, Unemployment Compensation Benefits, insurance premiums where authorized by law, and major repairs and rehabilitation of buildings and facilities in addition to those specifically listed in line items, may be purchased from appropriated funds. Major repairs and rehabilitation of buildings and facilities may not be purchased from general revenue funds that are not expressly appropriated or allocated for such purposes.

Sec. 6. TRANSFER PROVISIONS:

1. INTERCOMPONENT TRANSFERS. With the approval of the respective governing board, appropriation transfers may be made among medically-related components, among academic component institutions, and among component technical institutes controlled by said board, and within each institution, transfers may be made between the items of appropriation for the general academic institutions, health centers, health science centers, medical education programs, and technical institutes regardless of whether said appropriation items are general revenue or local funds in character.

SPECIAL PROVISIONS RELATING ONLY TO STATE AGENCIES
OF HIGHER EDUCATION
(Continued)

Transfers may not be made from medically-related components to academic components or from academic components to medically-related components except that transfers may be made from schools of nursing, pharmacy and allied health in academic components to medically-related components and from medically-related components into the health-related programs listed above in academic components. Transfers may not be made into the appropriation item setting the salary rate for the president, chancellor, or for any other line-item salary shown. Such transfers that may be made shall be reported to the Governor's Budget Office and the Legislative Budget Board. Nothing in this section shall authorize the transfer of appropriations from Texas A&M University Service Agencies to Texas A&M University.

2. HEALTH TO ACADEMIC INTERCOMPONENT TRANSFERS WITH LBB APPROVAL. As an exception to the provisions in subsection 1., transfers may be made with prior approval of the Legislative Budget Board from medically-related components to general academics if it does not diminish the academic programs of the medically-related component nor result in increased fees to patients at the component. The systems shall furnish whatever documentation may be required by the Legislative Budget Board to assure these conditions are met.
3. REVENUE ENHANCEMENT AND TRANSFER NOTIFICATION. The Legislature instructs The University of Texas System to enhance local revenues to reduce the need for general revenue funds. The Legislature instructs The University of Texas System to give 30 days notice to the Legislative Budget Board prior to transferring local funds from any System hospital. Furthermore, notwithstanding the provisions of subsections 1 and 2 above, The University of Texas System Board of Regents shall not transfer funds from health institutions delivering patient care if such a transfer would result in a decrease in the quality or amount of indigent patient care offered by the affected institution.
4. REPORTING OF TRANSFERS. Such transfers that may be made, whether general revenue or local funds in nature, shall be reported in the Legislative Appropriations Request for the biennium beginning September 1, 1991.
5. APPROPRIATIONS TRANSFERS IN TAMU SERVICES. Subject to approval by the Board of Regents of the Texas A&M University System, agencies other than the general academic institutions in that system may transfer excess funds between line items of appropriations when consistent with economical operations and when it is in the best interest of the state to make such transfers; provided, however, that such adjustments made under authority of this section shall not exceed the excess of actual funds available over the amounts estimated herein as "Estimated Other Educational and General Funds" or "Estimated Funds from Other Sources."
6. SUBITEMS AS INFORMATION ONLY IN TAMU SERVICES. For the purposes of developing appropriations accounts for agencies in the Texas A&M University System other than the general academic institutions, the Comptroller of Public Accounts shall treat the sub-items listed under each program as informational only and shall require accounts to be established for the individual programs totals.

SPECIAL PROVISIONS RELATING ONLY TO STATE AGENCIES
OF HIGHER EDUCATION
(Continued)

Sec. 7. SALARY AND BENEFIT PROVISIONS.

1. PRORATED SALARIES AUTHORIZED. Any employees who distribute their time and duties between general administration, instruction, organized activities related to instruction, and the management of auxiliary enterprises, may receive their total salary payments in proportionate parts from such activities and from the appropriated or available funds therefore.
2. SUMMER SESSION SALARY RATES. The rate of the salary paid an employee of any educational institution named herein for services during a summer session shall not exceed the salary rate paid the employee for the same or similar services in that institution during the preceding long session.
3. CORRESPONDENCE COURSE SALARY LIMITATION. Full-time employees on twelve (12) months basis may receive not more than Seven Thousand Five Hundred Dollars (\$7,500) for correspondence course and/or extension center teaching and may not be paid additional money for summer school teaching; and full-time employees on a nine (9) months basis may be paid for correspondence and/or extension center teaching or summer school or other services during the remaining three (3) months of the fiscal year, but may not receive more than Seven Thousand Five Hundred Dollars (\$7,500) per annum for correspondence course teaching during the fiscal year and/or extension center work during the regular nine (9) months session.
4. SALARIES FOR CONTRACTS NOT UNDER INSTITUTIONAL CONTROL/AUGMENTATION FOR ECONOMIC DEVELOPMENT. None of the funds appropriated in this Article shall be expended for payment of salary to any person who directly receives funding from a grant or consulting contract not subject to administration by a state-supported institution of higher education and who may use the resources of the institution in carrying out the provisions of the grant or consulting contract. Provided, however, that a state-supported institution of higher education may prorate the salary of persons contributing directly to carrying out the provisions of a grant or consulting contract from funds received and administered by the institution under the terms of the grant or consulting contract. The state-supported institutions of higher education may also augment the base salary of the person or persons engaged in the development of new technological innovations leading to the development of new processes or products.
5. PRESIDENT SALARIES. Out of the funds appropriated to the general academic institutions, health centers, health science centers and medical education programs in the element of institutional cost General Administration and Student Services, an amount NTE \$59,200 in 1990 and \$59,200 in 1991 may be expended for the salary of a president. All presidents may receive in addition to the above amounts a house, utilities, and/or supplement from private sources. If an institutionally owned house is not available an amount NTE \$7,200 per year from the General Administration and Student Services appropriation, and additional funds from gifts and grants where required, may be provided in lieu of house and utilities.
6. CHANCELLOR SALARIES. Out of the funds appropriated, transferred, or contracted to the system offices, an amount NTE \$63,036 in 1990 and \$63,036 in 1991 may be expended for the salary for a chancellor or executive director. All chancellors or executive directors may receive in addition to the above amounts a house, utilities, and/or supplement from private

SPECIAL PROVISIONS RELATING ONLY TO STATE AGENCIES
OF HIGHER EDUCATION
(Continued)

- sources. If a system owned house is not available an amount NTE \$7,200 per year from the system office appropriation and additional funds from gifts and grants where required, may be provided in lieu of house and utilities.
7. MERIT AUTHORIZATION. It is expressly provided that institutional administrators may grant merit salary increases to employees whose job performance and productivity is consistently above that normally expected or required.
 8. MERIT REQUIREMENT FOR FACULTY AND PROFESSIONAL POSITIONS. Salary increases for faculty in the general academic universities and technical institutes; professional positions in the Texas A&M University Services; and faculty and professional positions in the health science centers and other medical education programs shall be awarded on the basis of merit and performance in accepted activities including teaching, research, and service. This shall not be interpreted so as to preclude salary adjustments designed to avoid salary inequities.
 9. NON-CLASSIFIED, FACULTY EQUIVALENT POSITION SALARY INCREASES AS MERIT. All agencies of higher education are authorized to award salary increases for non-classified, faculty-equivalent positions on the basis of merit.
 10. NON-FACULTY/FACULTY EQUIVALENT SALARY INCREASE. All non-faculty/non-classified, faculty-equivalent positions in all public institutions and agencies of higher education shall receive a salary increase of at least 5.0% with a minimum increase of \$60/month/employee beginning on September 1, 1989.
 11. GROUP INSURANCE PREMIUMS. State institutions and agencies covered by this Article shall utilize funds, other than those appropriated specifically for personal services, to pay premiums for eligible persons on policies containing group life, health, accident, accidental death and dismemberment, disability income replacement and hospital, surgical and/or medical expense insurance. The dependents of an employee may be insured under that portion of the employee's group policy which provides for hospital, surgical and/or medical expense insurance.

It is further provided that agencies shall cooperate so that employees from more than one institution or agency may be combined under one group policy and that said policy may be held jointly by two or more institutions or agencies and paid from funds appropriated to the institutions or agencies for payment of employee insurance premiums as set out above.

Institutions and agencies of higher education shall give first priority in utilizing funds appropriated for group insurance to funding state contributions for all eligible persons with Employee Only coverage at \$130 per month in fiscal year 1990 and \$155 per month in fiscal year 1991. Additional funds available for group insurance contributions shall be used to attempt to limit increases in employee contributions for dependent coverage to \$10 per month above fiscal year 1989 levels in fiscal year 1990 and an additional \$10 per month in fiscal year 1991, based on the changes in premium levels for an institution's indemnity plan. In no case, however, may state contributions for insurance premium categories that insure dependents and/or spouses which are the same as those used by the Employees Retirement System exceed the state contribution levels established for the

SPECIAL PROVISIONS RELATING ONLY TO STATE AGENCIES
OF HIGHER EDUCATION
(Continued)

Employees Retirement System under this Act. Should it not be possible to limit increases in employee contributions to the amounts specified, the institutions shall use the available funds in a manner that results in employee contributions increasing by equal amounts for each category of dependent coverage. Funds appropriated for group insurance premiums may not be used for any other purpose.

Sec. 8. EXPENDITURE PROVISIONS. The expenditure of the appropriations made and authorized for institutions of higher education by this Act, whether from the General Revenue Fund, local institutional funds, or any other receipts and funds whatsoever, except bequests and gifts specifically designated to be in some manner handled otherwise, shall be subject to the provisions which follow hereafter:

1. ANNUAL BUDGETS.

- a. ANNUAL OPERATING BUDGETS REQUIRED. It is expressly provided that the governing board of each of the institutions of higher education named herein shall approve on or before September 1, 1989 and 1990, an itemized budget covering the operation of the ensuing fiscal year, which budget shall be prepared within the limits of the revenue available from legislative appropriations and estimated local and other funds. A copy of each such budget, and any subsequent amendments thereto, shall be filed with the Legislative Reference Library to be available for public inspection. Copies of each such budget shall also be filed with the Legislative Budget Board and the Executive Budget Office.
- b. CLINICAL EDUCATION DELINEATED. Pursuant to the provisions of Article V of the General Appropriations Act, the health science institutions and medical schools shall clearly identify in the operating budget, the proposed expenditure of general revenue funds appropriated for clinical education in a format prescribed jointly by the Legislative Budget Office and the Governor's Office of Budget and Planning.

2. LOCAL INCOME FROM EDUCATIONAL AND GENERAL ACTIVITIES.

- a. DISPOSITION OF INCOME. The governing board of each of the general academic teaching institutions, health centers, health science centers, medical education programs, and technical institutes specified in this Article shall deposit in the State Treasury all cash receipts from all sources except auxiliary enterprises, noninstructional services, agency and restricted funds, endowment funds, and student loan funds.
- b. REAPPROPRIATION OF INCOME SAVINGS AND BALANCES. Any balances of "Estimated Other Educational and General Funds" resulting from cost savings or income realization as of August 31, 1989 are reappropriated to the respective institutions for the fiscal year beginning September 1, 1989 and any such balances as of September 1, 1990 are reappropriated for the fiscal year beginning September 1, 1990.

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- c. INCOME REPORTS. Each general academic, medical and health science institution, and technical institute shall submit an annual report to the Legislative Budget Board, the Governor and the Comptroller of Public Accounts identifying the income and expenditure of any amount of income earned by the institution during the reporting period. Reports shall be submitted within 30 days of the completion of the annual reporting period and in a format determined by the Legislative Budget Board.
3. CLEARING ACCOUNTS.
- a. The State Comptroller and the State Treasurer are to credit such receipts deposited by each such institution to a separate fund account for the institution depositing the receipts. For the purpose of facilitating the transferring of such institutional receipts to the State Treasury, each institution may open in a local depository bank a clearing account to which it shall deposit daily all such receipts, and shall, not less than every three (3) days make remittances therefrom to the State Treasurer of all except Five Hundred Dollars (\$500) of the total balance in said account, such remittances to be in the form of checks drawn on the clearing account by the duly authorized officers of the institution, and no disbursements other than remittances to the State Treasury shall be made from such clearing account. All moneys so deposited in the State Treasury shall be paid out on warrants drawn by the Comptroller of Public Accounts, as is now provided by law.
- b. At their option, the institutions may use their local depository bank account in lieu of the special clearing account, provided that the general requirements as set out in the above paragraphs, for deposits and transfers to the State Treasury, are complied with.
4. REVOLVING FUNDS.
- a. Each institution affected by this section, at its option, is hereby authorized to maintain a revolving fund to facilitate the payment of nominal expenses and to pay bills within cash discount periods. The institutions may use the revolving fund for regular monthly payrolls as well as for weekly and special payrolls. Disbursements from the revolving funds are to be reimbursed from respective appropriations made herein, the State Comptroller being hereby authorized to make such reimbursements on claims filed with him by the institutions under his regularly prescribed procedures except that one voucher and one warrant may cover any number of claims for this purpose. These reimbursement claims shall meet the same requirements as other claims against state appropriations, and each institution shall prepare such a reimbursement claim as at the close of business on the last day of each month and as many times during the month as may be expedient in order to make unnecessary the maintaining of an unreasonably large revolving fund.

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- b. The respective governing board shall determine the amounts of the revolving funds to be set up for each institution, and may increase or decrease the amounts if necessary. Such governing board shall designate a depository bank for each revolving fund, and shall specify the officers and/or employees to sign checks drawn on each such fund. The depository bank for each revolving fund shall be required to secure the deposit as provided by law.
 - c. Appropriations to all institutions of higher education and systems, except funds appropriated exclusively for salaries, may be used to reimburse any revolving fund operated for the benefit of one or more parts or component units of said institution or system, such as a motor pool for managing automotive vehicles authorized by this Act, a feed supply center, an office supply or laboratory supply center, a computer center, or any other operations of a similar nature established by authority of the governing board of said institution or system.
5. LOCAL DEPOSITORIES. The governing boards of the respective institutions for which appropriations are made in this Article are hereby authorized to select depository banks for the safekeeping of local funds other than those specified in the Section, "Local Income from Educational and General Activities," of this Article. The boards shall require said depository banks to furnish adequate surety bonds or securities to be posted for the assurance of safety of such deposits. The depository bank or banks so selected are hereby authorized to pledge their securities for assurance of safety for such funds. All such local funds shall be deposited in these depositories within seven (7) days from date of collection. The governing boards may require the depository so designated and selected to pay interest on deposits at a rate to be agreed upon by said depositories and said boards.
6. BORROWING MONEY. It is hereby declared the legislative intent that governing boards and heads of the institutions of higher education shall not borrow money from any person, firm or corporation to be repaid out of local funds, other than as specifically authorized by legislative enactment.
7. ANNUAL RESEARCH REPORTS. The governing board of each of the institutions of higher education and agricultural service agencies named herein shall file with the Legislative Budget Board on or before September 1 of 1989 and 1990, an itemized report covering the type, proposed benefits and results from the preceding year's projects funded in whole or in part with clearly identified research funds appropriated herein.
8. INVESTMENT REPORTS. The Audit Committee may require the governing board of each of the educational institutions named in this Article to file with the State Auditor a report of all investment transactions involving endowment funds, short-term and long-term investment funds, and all other securities transactions during the preceding year, on forms as prescribed by the Legislative Budget Board. Copies of such reports if submitted, shall be available for public inspection.

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9. CENTRAL SERVICES ACCOUNTS.

a. Out of funds appropriated in this Article, the governing boards of the university systems and their component units, and institutions of higher education may employ persons to serve two or more parts or component units of the system or institution and may pay their salaries in whole or in part from the appropriations made herein to any component unit. Said governing boards are authorized to establish accounts from which salaries and expenses for the administration and supervision of the units of the system or institution may be paid and to require said units, including any other agency the administration of which it may be charged with by law, to pay into this account from any local fees or funds or from moneys appropriated by the Legislature, their proportionate share as determined by the board for the expense of such administration and supervision. The Comptroller of Public Accounts is authorized to set up an account for each of the systems or institutions and to deposit in said account funds to the amount authorized by the governing boards and executive heads of the respective units, from funds appropriated by the Legislature to the units for noninstructional salaries and general operating expenses. The Comptroller is authorized to draw warrants against such accounts based on vouchers submitted by said systems or institutions in payment of salaries, maintenance, equipment or travel incidental to the administration and supervision of the respective units.

b. The systems and institutions whose governing boards and component units are subject to the above are authorized to establish the following accounts:

Texas A&M University System Central Services Account
The University of Texas System Central Services Account
University of Houston System Central Services Account
Texas Tech University and Texas Tech University Health
Sciences Center Central Services Account
East Texas State University Central Services Account
University of North Texas Central Services Account
Texas College of Osteopathic Medicine Central Services
Account
Lamar University System Central Services Account
Texas State University System Central Services Account

c. Travel expense incurred by a person employed by one unit of an above system or institution in connection with service to the other units may be reimbursed by the unit for which such services are performed or proportionately if more than one such unit is involved.

10. UTILITY REVOLVING FUNDS. The governing boards of Texas Woman's University, Texas Tech University, West Texas State University, all components of the University of Houston System, Texas State University System, and The University of Texas System are authorized to use appropriated funds, except funds expressly appropriated for salaries, to make payments of debt service and other payments in connection with utility plant revenue bonds and utility plant operation and maintenance expenses, and/or to reimburse any revolving fund now or hereafter established in connection with providing

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utility services to any building or facility of said college or university, in accordance with the general principles established by Senate Bill No. 365, Acts of the Sixtieth Legislature, Regular Session, 1967, originally codified as Vernon's Annotated Civil Statutes, Article 2909c-1, and the creation and maintenance of any such revolving fund is hereby authorized.

11. DEVELOPMENT LEAVES. It is the intent of the Legislature that out of any appropriations to the general academic teaching institutions for Departmental Operating Expense at least 6.4 percent is to be expended for development leaves and/or professional training for faculty.

12. LUMP SUM APPROPRIATION EXPENDITURES AUTHORIZED.

- a. The appropriations made in this Act to the general academic teaching institutions, health centers, health science(s) centers, medical education programs and Texas State Technical Institute may be expended for educational, general and patient purposes including, but not limited to: General Administration and Student Services, General Institutional Expense: Staff Benefits; Faculty Salaries; Departmental Operating Expense; Instructional Administration; Organized Activities; Library; Organized Research; Extension and Public Service; Plant Support Services; Campus Security; Building Maintenance; Custodial Services; Grounds Maintenance; Utilities; Special Items; and Lease of Facilities.

- b. No funds appropriated to any institution or agency named in this article may be expended on auxiliary enterprises.

13. TUITION REVENUE BONDS. Funds appropriated to the general academic teaching institutions and health sciences centers for Tuition Revenue Bond Retirement may be expended only for debt retirement authorized by V.T.C.A., Education Code, Section 55.17. Any funds not needed for debt retirement shall be reverted to the General Revenue Fund at the end of each fiscal year.

Sec. 9. RECRUITMENT OF STUDENTS. Appropriations herein made and authorized from the General Revenue Fund or from local institutional funds may not be expended for travel expenses incurred outside the boundaries of the State of Texas for the purpose of direct recruitment of students, unless the students being recruited are qualified minority applicants whose attendance at a Texas public institution would help that institution meet its enrollment goals established by the Texas Educational Plan for Higher Education or unless the students being recruited graduated at the top ten percent of their graduating class.

Sec. 10. TELEVISION STATIONS PROHIBITED. None of the moneys appropriated in this Article may be expended for the acquisition, construction or operation of television transmitter stations; provided, however, this prohibition shall not be construed so as to prevent the institutions of higher education named in this Article from using closed-circuit television for purely instructional purposes, or to prevent institutions with existing transmitter stations to use them for educational purposes, or to prevent the continuance of operating arrangements with existing transmitter stations for purely educational purposes.

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Sec. 11. ATHLETIC DEPARTMENTS. The special and general provisions of Articles III and V of this Act shall not apply to athletic departments. The governing boards of the respective institutions of higher education shall make such necessary rules and adjustments as may be deemed advisable for the management and operation of such departments; however, no funds under control of an athletic department may be used to purchase alcoholic beverages; no general revenue funds appropriated herein may be used for the operation of an athletic department; such rules and adjustments shall be designed to complement (to the extent possible) the rules applicable to other departments of the respective institution and finally, such rules and adjustments shall specifically prohibit violation of NCAA or other governing body rules with respect to recruitment of athletes.

Sec. 12. PROHIBITION AGAINST ADDITIONAL MUSEUMS. None of the moneys appropriated in this Article, except bequests and gifts, shall be used for establishing additional museums or for the maintenance and operation of museums unless the language of this Act or of other acts and resolutions of the Legislature specifically authorizes such use of appropriated funds.

Sec. 13. VOCATIONAL TEACHER TRAINING.

1. Programs of vocational teacher training shall be operated in accordance with plans approved by the State Board for Vocational Education. Expenditures under such approved plans shall be subject to the same laws and legal precedents that apply to other expenditures of public moneys, and the Comptroller of Public Accounts is prohibited from paying claims which do not meet the restrictions above. No funds appropriated to the state agencies of higher education shall be expended for the supervision of, or giving on-the-job training to, vocational teachers employed by local school boards. The State Board of Education may enter into agreements with the governing boards of the general academic teaching institutions having vocational teacher training departments, authorizing such institutions to utilize the public schools in providing practice teacher training for college undergraduate vocational students.
2. It is the intent of the Legislature that institutions that received line-item funding for Vocational Teacher Training in Senate Bill No. 179, Sixty-eighth Legislature, Regular Session, may use funds appropriated to them for 1990 and 1991 to continue this program. Funds appropriated to the eligible institutions may be used as required to finance the Vocational Teacher Training Program according to provisions of the Texas State Acceptance Act and the Plan of the State Board of Vocational Teacher Training under the Smith-Hughes and George Barden Acts.

Sec. 14. METHOD OF FINANCING SCHOLARSHIPS.

1. Out of the moneys appropriated by this Article in the items described as "Other Educational and General Income" or "Other Educational, General and Patient Income," the respective governing boards of the general academic teaching institutions and of the health centers, health science centers, medical education programs or technical institutes may allocate and expend the actual receipts in such appropriation for student scholarships pursuant to the provisions of V.T.C.A., Education Code 56.031 to 56.038, cited as the Texas Public Educational Grants Program.

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2. Out of the funds appropriated by this Article in the line-item described as "Scholarships," the respective governing boards may allocate and expend for student scholarships and the institutional share required to match Federal Work Study Funds such amounts as said boards may determine; provided, however, that each student receiving such scholarship first shall have utilized any federal grant funds for which the student may reasonably be eligible; and, that such scholarship, when combined with all other grant or gift funds awarded to the student, shall not exceed seventy percent (70%) of the reasonable expenses to be incurred by the student in the semester or term for which the scholarship is awarded; and provided, however, that no student shall receive an amount in excess of demonstrated need. The respective governing boards may transfer up to one-half of the amount to be awarded as scholarship to each otherwise eligible student to the Texas Higher Education Coordinating Board for use as matching funds to be awarded to that student through the Texas Public Educational Grants Program.
3. Copies of such approved allocations together with copies of rules and regulations adopted by the respective governing boards concerning the award of such scholarships, shall be filed with the Coordinating Board and with the Comptroller prior to the disbursement of any moneys for scholarships. Copies of any subsequent changes in such allocations or rules shall be similarly filed with the Coordinating Board and with the Comptroller.
4. No funds appropriated in this Act for scholarships to institutions of higher education may be used to provide athletic scholarships.
5. Out of the additional funds appropriated for the 1990-1991 biennium for the line-item described as "Scholarships," it is the intent of the Legislature that the respective governing boards shall allocate and expend such funds for need-based student scholarships regardless of the race, sex, color or ethnicity of the student recipient.

Sec. 15. USE OF EDUCATIONAL AND GENERAL FUNDS FOR ALUMNI ACTIVITIES PROHIBITED. None of the funds appropriated by this Article including general revenue funds may be expended by state agencies of higher education for the support or maintenance of alumni organizations or activities.

Sec. 16. LIMITATION OF NONRESIDENT ENROLLMENT IN CERTAIN STATE-SUPPORTED PROFESSIONAL SCHOOLS.

1. None of the moneys appropriated by this Act, regardless of the source or character of such moneys, may be expended for the establishment, operation, or maintenance, or for the payment of any salaries to the employees in, any wholly or partially state-supported medical, dental, or law school (a) which imposes a limitation on the number of students that it admits, (b) which in an academic semester denies admission to one or more Texas residents who apply for admission and who reasonably demonstrate that they are probably capable of doing the quality of work that is necessary to obtain the usual degree awarded by such school, and (c) which in the same academic semester admits, as either class, nonresidents of the State of Texas in a number greater than 10% of the class of which such nonresidents are a part. Limitation of nonresident enrollment at The University of Texas Law School may be increased to 15% of the class of which nonresidents are a part provided that the admission of such nonresident students is on the basis of academic merit alone. By the provisions of this paragraph it is intended to

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withhold funds appropriated by this Act from state-supported medical, dental, and law schools which limit their enrollments and which fill more than 10% of their classes with non-resident students in the case of medical and dental schools, and 15% in the case of The University of Texas Law School, when the result of admitting each such nonresident is thereby to deny admission to a qualified Texas applicant. Provided, however, this provision shall not apply to the funds appropriated to the Coordinating Board for the funding of Baylor College of Medicine, Baylor College of Dentistry, nor to funds appropriated for tuition equalization grants for students attending private colleges.

2. It is provided, however, that, additionally, The University of Texas Southwestern Medical Center at Dallas may admit up to 25 competitively recruited medical students in each entering class for a specialized six-year program of clinical and research training designed to lead to the M.D. and Ph.D. degrees irrespective of whether those students are Texas residents.

Sec. 17. FACULTY WORKLOAD REQUIREMENTS. It is the intent of the Legislature that all general academic institutions of higher education shall arrange faculty staffing and faculty workloads to achieve maximum effectiveness in teaching effort in relation to student enrollment. If the Coordinating Board finds that a general academic institution is not complying with minimum standard workload requirements established by its board, then all full-time faculty in that institution shall be required to teach a minimum of twelve classroom hours each semester.

Sec. 18. OFF-CAMPUS INSTRUCTION. General academic institutions may teach courses off campus with the following restrictions:

1. Based upon data provided by the Coordinating Board on the general academic institutions' class reports for each semester and summer session, the Comptroller of Public Accounts shall reduce any institution's current appropriations for faculty salaries as identified in this bill by 25 percent of formula funding for all off-campus semester credit hours which are in excess of 5 percent of the institution's total semester credit hours produced during the fiscal year for which the class reports were made.
2. At the conclusion of each fiscal year, the Coordinating Board shall file a report with the Executive Budget Office and the Legislative Budget Board on all general academic institutions concerning off-campus semester credit hours for that fiscal year. This report shall certify the dollars computed for such credit hours under the foregoing provisions on the funding of off-campus semester credit hours as contrasted to the dollars which would have been earned by all off-campus semester credit hours based on the formula funding used in determining legislative appropriations for that fiscal year. These amounts are to be calculated for faculty salaries.
3. Semester credit hours generated at upper level centers authorized by the Legislature or by the Coordinating Board, as well as at Prairie View A&M's Houston nursing program and Texas Woman's University nursing programs in Dallas and Houston are not considered to be off-campus.

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4. All courses taught off campus must be taught by a regular faculty member or administrator who is employed at least half-time on the main campus of the institution. Allied health and vocational instructors are exempted from this requirement.

Sec. 19. MAJOR REPAIRS AND REHABILITATION.

1. Unless otherwise indicated, it is declared to be legislative intent that the appropriation item "Major Repairs and Rehabilitation of Buildings and Facilities" be expended as nearly as practicable in the manner summarized within the institution's appropriation bill pattern. It is provided, however, that such work may be done by the institution's own maintenance staff.
2. Appropriations for "Major Repairs and Rehabilitation of Buildings and Facilities" shall include salaries, wages and the cost of materials for extraordinary or major repairs, rehabilitation or renovation of existing buildings and facilities (including production and distribution facilities where such facilities do not primarily serve auxiliary enterprises) which involve relatively large amounts of funds, are not recurring in nature and increase the use value or the service life of an asset. Major repairs and rehabilitation include any measures taken to eliminate health and safety hazards, correct structural and mechanical defects that would endanger the integrity of a building, facility or its components, reduce institutional operating costs and upgrade or convert existing facilities. This item does not include new construction.

Sec. 20. CLEAR ENGLISH REQUIRED. All Texas public universities that utilize teaching assistants, instructors, lab assistants, research assistants, lecturers, assistant professors, associate professors, and full professors whose primary language is not English shall establish a program or short course that will ensure that all courses (with the exception of foreign languages) will be clearly taught in the English language, or in signed English; provided that, this section shall not prohibit individual assistance to a non-English speaking student in his or her native language during course instruction. The Texas Higher Education Coordinating Board shall monitor and approve such programs at each institution of higher education. Any such institution failing to establish such programs and have such programs approved by the Coordinating Board by September 1, 1988, shall remit into the General Revenue Fund five percent (5%) of the amount identified to such institution as appropriated for Fiscal Year 1990 in the line item entitled faculty salaries.

Sec. 21. DISMISSAL OF UNNEEDED FACULTY. It is the intent of the Legislature that the general academic institutions, when entering into contractual agreements with faculty and staff, should review, consider, and take into account any and all available information regarding trends and projections in student enrollment with particular attention being paid to indications of decline in the number of actual and/or potential students enrolling at said institution.

Sec. 22. MEDICAL SCHOOL ENROLLMENT.

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1. It is the intent of the Legislature that the first year class enrollment of undergraduate medical students in the fiscal years ending August 31, 1990, and August 31, 1991, shall be no less than 200 students at The University of Texas System medical colleges and 100 students at the Texas College of Osteopathic Medicine and the Texas Tech University Health Sciences Center College of Medicine. Each school of medicine shall certify its first year class enrollment as of September 15 to the Legislative Budget Board and the Governor's Budget Office. This provision shall not be construed as requiring any school of medicine to accept an unqualified applicant. In the event that a school of medicine falls below the required first year class enrollment of undergraduate medical students by more than five percent for fiscal years 1990 and 1991, the school shall report to the Governor's Budget Office and the Legislative Budget Office the reasons for failing to meet the required enrollment. It is the intent of the Legislature that this information be taken into account when preparing the appropriation recommendations for the Seventy-second Legislature.
2. Health science institutions and medical schools may allocate funds appropriated in this Article for scholarships to not more than five percent of the students in each class of the institution.

Sec. 23. HOSPITAL AND CLINIC INCOME.

1. It is the intent of the Legislature that health science institutions and medical schools recover overhead costs incurred from the provision of medical services in state-owned hospitals and clinics.
2. By September 1, of each year each institution shall submit a plan to maximize the collection of hospital and clinic fees including:
 - a. policies and rationale used to establish billing schedules, discounted schedules, and sliding scales;
 - b. policies and rationale regarding professional courtesy medical services;
 - c. types of fees charged;
 - d. procedures for contracting with relevant counties to recover the costs associated with treating those counties' indigent patients;
 - e. procedures used for collecting and writing off delinquent accounts; and
 - f. procedures for determining clinic and education costs and accounting for associated expenditures.

The plan shall be submitted to the Legislative Budget Office and the Governor's Office of Budget and Planning.

Sec. 24. TUITION COLLECTION. On or before the dates for reporting official enrollments each semester to the Coordinating Board, each institution of higher education will collect in full from each student that is to be counted for state aid purposes the amounts set by law as tuition in accordance with the installment tuition payment plan provided for by House Bill No. 1147, Acts of the Sixty-ninth Legislature, Regular Session, 1985 or as amended. Valid contracts with the United States Government for instruction of eligible military

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personnel, and valid contracts with private business and public service-type organizations or institutions such as hospitals, may be considered as collections thereunder but subject to adjustments after final payment thereof.

Sec. 25. COMPLIANCE WITH TEXAS EDUCATIONAL OPPORTUNITY PLAN. It is the intent of the Legislature that state agencies and institutions of higher education give top priority and consideration to compliance with the spirit and mandates of the Texas Educational Opportunity Plan for Higher Education.

Sec. 26. One percent of the funds in Item 1, General Administration and Student Services, appropriated to The University of Texas at Austin and Texas A&M University, shall be expended for independent programs designed to recruit and retain through scholarships and financial aid Black and Mexican American students. These universities will by the year 2000 increase the number of Mexican American and Black students to a level which reasonably reflects the proportion of Mexican Americans and Blacks in Texas. They shall be required to submit to the Governor, Lieutenant Governor, and Speaker of the House a report detailing how the funds were spent and the progress of the programs. Failure to implement and sustain the programs will result in a reduction of five percent of General Administration and Student Services funds allocated to the respective campus(es) for the biennium. Any reduction will be allocated to the program entitled Scholarship Fund for Educationally Disadvantaged Students and for Recruitment of Minority Staff and Faculty, that is administered by the Coordinating Board and will be available to all of the public colleges and universities except those which fail to abide by this amendment.

Sec. 27. INDIGENT HEALTH CARE COUNTY CONTRACTS REQUIRED. It is the intent of the Legislature that all institutions of higher education providing indigent health care contract with relevant counties in their service area to recover the costs associated with treating those counties' indigent patients.

Sec. 28. FIVE YEAR CONSTRUCTION PLANS. It is the intent of the Legislature that all institutions of higher education receiving funds appropriated in this Act file a five-year building construction and major repair and rehabilitation plan with the Coordinating Board. No bonds may be issued by an institution until the Coordinating Board certifies to relevant agencies and organizations that such a plan for the institution has been filed.

Sec. 29. FORMULA VARIABLE AUDITS. The Texas Higher Education Coordinating Board in consultation with the State Auditor's Office and the Legislative Budget Office, shall clearly define all variables used by the Seventy-first Legislature in arriving at formula appropriations for 1990 and 1991. Using these definitions, the State Auditor shall audit the accuracy of all variables used in making 1990 and 1991 formula appropriations and report any differences from data submitted by the institutions to the Coordinating Board. The Coordinating Board shall then calculate a new appropriations amount for each institution that reported data in conflict with that verified by the Auditor. These calculations shall then be reported to the Legislative Budget Board and the Comptroller of Public Accounts for consideration of future action during the Seventy-second Legislature.

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(Continued)

Sec. 30. SYSTEM OFFICES FUNDING AUTHORIZED.

1. Funds appropriated to components of The University of Texas, Texas A&M University, University of Houston, Lamar University, Texas State University System and Texas State Technical Institute Systems may be transferred or contracted to system offices to provide support for coordination, administration, and other related services.
2. The appropriation for each of the university system offices is hereby allocated to the general academic institutions based on each institution's proportionate share of general revenue. On September 1 of each year of the biennium the State Comptroller shall transfer the aforementioned appropriation from each component part to the system office for its support.

Sec. 31. TAMU SERVICES RETIREMENT AND BENEFITS. It is the intent of the Legislature that professional administrative, research and extension employees in higher education be eligible for the same retirement and benefit options as faculty of higher education.

Sec. 32. DENTAL SCHOOL CLINICAL SERVICES. It is the intent of the Legislature that services provided at clinics sponsored or staffed by dental schools funded under this Act and operated for the primary benefit of low-income or rural residents not be reduced below the level of such services provided in fiscal year 1989.

Sec. 33. LICENSE PLATE SCHOLARSHIP PROGRAM. If H.B. No. 121, 71st Legislature, Regular Session, is enacted and becomes law, in addition to other amounts appropriated by this Act, the portion of fees deposited in the state treasury, during the biennium ending August 31, 1991, to the credit of public senior colleges and universities as provided by Section 5j, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-1 et seq., Vernon's Texas Civil Statutes), as added by H.B. No. 121, is appropriated for that period to the public senior college or university for which it was credited, for the purpose of providing scholarships for students who demonstrate a need for financial assistance. If H.B. No. 121 does not become law, this section has no effect. For purposes of this section, a bill becomes law on signature by the governor or on becoming law under Article IV, Section 14, of the Texas Constitution without the governor's signature.

Sec. 34. PRACTICE PLANS OF MEDICAL, DENTAL, NURSING INSTITUTIONS, AND ALLIED HEALTH UNITS. The governing board of each public medical, nursing, dental, or allied health institution must establish bylaws for any practice plan created by the institution. The bylaws must regulate the collection and expenditure of patient fees paid to the institution and must require that each faculty member as a condition of employment assign all patient fees to the institution to be held in trust by the institution. The bylaws may allow any fees collected to be used for the following purposes: patient care personnel and programs, educational and research personnel and support, medical and professional liability premiums and reserves, faculty and administration salaries and benefits, fee accounting and collection costs, institutional development and recruitment, new program development, endowment programs, and capital projects. No fees collected may be used for any purpose except that which benefits the mission and purpose of the particular institution. The bylaws must also provide for annual audits of the collections and expenditures of each plan, and must

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require each institution to provide an annual report of any practice plan to the governing board of the institution within 90 days after the end of each fiscal year. As used in this section, "faculty" includes all persons appointed to clinical, research, or teaching positions of a public institution.

Sec. 35. SELF-INSURANCE FUNDS. Any funds of an agency or institution of higher education used for or allocated to a self-insurance fund authorized by Senate Bill No. 1273, Acts of the Seventieth Legislature, Regular Session (Article 715c, Vernon's Texas Civil Statutes) for a risk otherwise insurable by the agency or institution of higher education shall be treated by the Comptroller of Public Accounts as an expenditure of the respective funds. The self-insurance funds so created shall be considered designated funds as that term is used in Sec. 51.008 (b) of the Education Code. Any self-insurance fund reserves so created shall not exceed in amount the maximum value determined to be actuarially sound for each such self-insurance program.

Sec. 36. ENERGY EFFICIENCY AND UTILITY EXPENDITURE REVIEW. It is the intent of the Legislature that the Legislative Budget Board conduct a study examining the development and establishment of incentives for higher education in the areas of energy efficiency and utility expenditures, with the cooperation of the Texas Higher Education Coordinating Board, the Governor's Office of Energy Management, and institutions of higher education. Recommendations on funding utility incentives shall be reported to the Seventy-second Legislature.

Sec. 37. PAN AMERICAN GOVERNANCE AND NAME CHANGE. The name changes and resulting technical adjustments made in this Act for The University of Texas - Pan American and The University of Texas - Pan American - Brownsville are contingent upon enactment of Senate Bill No. 47, Acts of the Seventy-first Legislature, Regular Session. If Senate Bill No. 47 is not enacted, these two institutions are to remain as Pan American University and Pan American University at Brownsville. The Comptroller of Public Accounts shall make any adjustments necessary to implement this provision.

RECAPITULATION - ARTICLE III
AGENCIES OF PUBLIC EDUCATION

		GENERAL REVENUE	OTHER FUNDS	TOTAL
CENTRAL EDUCATION				
AGENCY-Programs	1990	\$ 5,174,259,348	\$ 919,044,543	\$ 6,093,303,891
	1991	\$ 5,252,632,230	\$ 945,824,696	\$ 6,198,456,926
CENTRAL EDUCATION				
AGENCY-Administration	1990	19,990,435	18,410,922	38,401,357
	1991	19,635,604	18,360,686	37,996,290
TEXAS SCHOOL FOR THE BLIND	1990	8,186,489	1,061,803	9,248,292
	1991	8,187,791	1,108,526	9,296,317
TEXAS SCHOOL FOR THE DEAF	1990	12,282,462	1,093,800	13,376,262
	1991	11,228,462	737,661	11,966,123
TEACHER RETIREMENT SYSTEM AND OPTIONAL RETIREMENT PROGRAM	1990	930,683,000		930,683,000
	1991	963,023,000		963,023,000
COORDINATING BOARD, TEXAS HIGHER EDUCATION	1990	166,543,390	39,847,261	206,390,651
	1991	92,965,476	39,841,261	132,806,737
HIGHER EDUCATION FUND	1990	100,000,000		100,000,000
	1991	100,000,000		100,000,000
PUBLIC JUNIOR/COMMUNITY COLLEGES	1990	512,063,744		512,063,744
	1991	510,374,849		510,374,849
NATIONAL RESEARCH LABORATORY COMMISSION	1990	27,930,147		27,930,147
	1991	1,939,584		1,939,584
THE UNIVERSITY OF TEXAS SYSTEM: SYSTEM ADMINISTRATION	1990			
	1991			
AVAILABLE UNIVERSITY FUND	1990		233,875,000	233,875,000
	1991		237,025,000	237,025,000
THE UNIVERSITY OF TEXAS AT ARLINGTON	1990	58,718,514	10,892,735	69,611,249
	1991	60,017,655	10,916,888	70,934,543
THE UNIVERSITY OF TEXAS AT AUSTIN	1990	193,472,007	56,086,054	249,558,061
	1991	198,449,530	57,086,054	255,535,584

T3end/V1

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CC101

RECAPITULATION - ARTICLE III
AGENCIES OF PUBLIC EDUCATION
(Continued)

		GENERAL REVENUE	OTHER FUNDS	TOTAL
THE UNIVERSITY OF TEXAS AT DALLAS	1990	27,788,244	4,487,015	32,275,259
	1991	28,765,694	4,526,088	33,291,782
THE UNIVERSITY OF TEXAS AT EL PASO	1990	33,955,243	7,401,441	41,356,684
	1991	34,350,746	7,561,289	41,912,035
THE UNIVERSITY OF TEXAS - PAN AMERICAN	1990	22,964,664	4,753,910	27,718,574
	1991	23,942,743	4,753,910	28,696,653
THE UNIVERSITY OF TEXAS - PAN AMERICAN - BROWNSVILLE	1990	3,434,610	464,953	3,899,563
	1991	3,506,438	464,821	3,971,259
THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN	1990	6,711,296	647,500	7,358,796
	1991	6,837,664	647,500	7,485,164
THE UNIVERSITY OF TEXAS AT SAN ANTONIO	1990	28,252,101	5,799,198	34,051,299
	1991	29,180,931	5,846,362	35,027,293
THE UNIVERSITY OF TEXAS AT TYLER	1990	8,844,215	1,397,141	10,241,356
	1991	9,120,723	1,424,834	10,545,557
THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS	1990	65,777,765	19,308,950	85,086,715
	1991	66,744,698	19,808,950	86,553,648
THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON	1990	177,859,850	85,958,215	263,818,065
	1991	179,097,991	86,958,215	266,056,206
THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON	1990	97,642,795	15,268,462	112,911,257
	1991	98,922,674	15,518,462	114,441,136
THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO	1990	79,963,577	14,413,512	94,377,089
	1991	81,310,394	14,654,631	95,965,025
THE UNIVERSITY OF TEXAS SYSTEM CANCER CENTER	1990	102,801,256	164,245,000	267,046,256
	1991	101,827,712	170,745,000	272,572,712

T3end/V1

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CC101

RECAPITULATION - ARTICLE III
 AGENCIES OF PUBLIC EDUCATION
 (Continued)

		GENERAL REVENUE	OTHER FUNDS	TOTAL
THE UNIVERSITY OF TEXAS HEALTH CENTER AT TYLER	1990	16,289,039	20,391,980	36,681,019
	1991	16,289,039	22,125,098	38,414,137
TEXAS A&M UNIVERSITY SYSTEM: ADMINISTRATIVE AND GENERAL OFFICES	1990			
	1991			
TEXAS A&M UNIVERSITY	1990	175,106,578	29,521,324	204,627,902
	1991	178,857,257	29,963,530	208,820,787
TEXAS A&M UNIVERSITY AT GALVESTON	1990	6,005,239	931,105	6,936,344
	1991	4,699,403	1,035,313	5,734,716
PRAIRIE VIEW A&M UNIVERSITY	1990	16,411,523	4,241,355	20,652,878
	1991	16,929,932	4,231,144	21,161,076
TARLETON STATE UNIVERSITY	1990	11,875,507	2,472,331	14,347,838
	1991	12,161,728	2,472,331	14,634,059
CORPUS CHRISTI STATE UNIVERSITY	1990	10,247,492	1,364,000	11,611,492
	1991	10,487,370	1,385,000	11,872,370
TEXAS A&I UNIVERSITY	1990	16,058,428	3,757,461	19,815,889
	1991	16,428,141	3,757,461	20,185,602
LAREDO STATE UNIVERSITY	1990	3,785,245	427,422	4,212,667
	1991	3,860,663	426,448	4,287,111
TEXAS AGRICULTURAL EXPERIMENT STATION	1990	39,821,553	9,736,851	49,558,404
	1991	40,510,342	9,745,967	50,256,309
TEXAS AGRICULTURAL EXTENSION SERVICE	1990	34,397,847	13,466,239	47,864,086
	1991	35,498,678	13,466,239	48,964,917
TEXAS ENGINEERING EXPERIMENT STATION	1990	6,598,933	19,979,207	26,578,140
	1991	6,999,283	20,037,154	27,036,437
TEXAS TRANSPORTATION INSTITUTE	1990	1,585,597	13,183,242	14,768,839
	1991	1,833,975	13,183,242	15,017,217
TEXAS ENGINEERING EXTENSION SERVICE	1990	3,258,605	12,792,233	16,050,838
	1991	3,433,711	12,792,233	16,225,944

T3end/V1

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RECAPITULATION - ARTICLE III
 AGENCIES OF PUBLIC EDUCATION
 (Continued)

		GENERAL REVENUE	OTHER FUNDS	TOTAL
TEXAS FOREST SERVICE	1990	9,303,047	2,897,400	12,200,447
	1991	9,365,933	2,897,400	12,263,333
ANIMAL DAMAGE CONTROL SERVICE	1990	2,346,457		2,346,457
	1991	2,393,048		2,393,048
TEXAS VETERINARY MEDICAL DIAGNOSTIC LABORATORY	1990	3,341,601	2,023,429	5,365,030
	1991	2,136,553	3,292,119	5,428,672
EAST TEXAS STATE UNIVERSITY	1990	18,557,795	2,962,394	21,520,189
	1991	18,981,410	3,057,894	22,039,304
EAST TEXAS STATE UNIVERSITY AT TEXARKANA	1990	3,312,436	368,300	3,680,736
	1991	3,390,785	368,300	3,759,085
UNIVERSITY OF HOUSTON SYSTEM: SYSTEM ADMINISTRATION	1990			
	1991			
UNIVERSITY OF HOUSTON	1990	101,588,226	21,706,178	123,294,404
	1991	104,393,022	21,716,782	126,109,804
UNIVERSITY OF HOUSTON - CLEAR LAKE	1990	15,660,203	2,585,449	18,245,652
	1991	16,063,961	2,634,162	18,698,123
UNIVERSITY OF HOUSTON - DOWNTOWN	1990	10,494,730	3,064,500	13,559,230
	1991	10,744,885	3,066,500	13,811,385
UNIVERSITY OF HOUSTON - VICTORIA	1990	3,470,805	288,272	3,759,077
	1991	3,781,716	287,905	4,069,621
LAMAR UNIVERSITY SYSTEM: SYSTEM OFFICE	1990			
	1991			
LAMAR UNIVERSITY AT BEAUMONT	1990	27,079,870	5,627,000	32,706,870
	1991	26,474,267	5,627,000	32,101,267
LAMAR UNIVERSITY AT ORANGE	1990	2,412,492	422,648	2,835,140
	1991	2,406,807	425,481	2,832,288

T3end/V1

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CC101

RECAPITULATION - ARTICLE III
 AGENCIES OF PUBLIC EDUCATION
 (Continued)

		GENERAL REVENUE	OTHER FUNDS	TOTAL
LAMAR UNIVERSITY AT PORT ARTHUR	1990	3,440,465	561,338	4,001,803
	1991	3,518,432	562,491	4,080,923
MIDWESTERN STATE UNIVERSITY	1990	10,525,321	1,954,582	12,479,903
	1991	10,757,970	1,954,582	12,712,552
UNIVERSITY OF NORTH TEXAS	1990	63,587,878	11,862,000	75,449,878
	1991	65,274,233	11,862,000	77,136,233
TEXAS COLLEGE OF OSTEOPATHIC MEDICINE	1990	24,330,933	2,063,860	26,394,793
	1991	24,362,997	2,096,714	26,459,711
STEPHEN F. AUSTIN STATE UNIVERSITY	1990	27,254,155	5,924,655	33,178,810
	1991	27,668,159	5,924,655	33,592,814
TEXAS SOUTHERN UNIVERSITY	1990	23,853,730	7,102,798	30,956,528
	1991	24,473,827	7,095,753	31,569,580
TEXAS TECH UNIVERSITY	1990	77,280,009	16,103,017	93,383,026
	1991	78,829,139	16,258,066	95,087,205
TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER	1990	42,740,061	3,249,221	45,989,282
	1991	43,311,133	3,278,144	46,589,277
TEXAS WOMAN'S UNIVERSITY	1990	31,073,644	3,841,595	34,915,239
	1991	31,726,991	3,844,280	35,571,271
WEST TEXAS STATE UNIVERSITY	1990	13,499,931	2,479,416	15,979,347
	1991	13,804,741	2,502,316	16,307,057
BOARD OF REGENTS, TEXAS STATE UNIVERSITY SYSTEM: CENTRAL OFFICE	1990			
	1991			
ANGELO STATE UNIVERSITY	1990	12,009,904	2,592,200	14,602,104
	1991	12,299,445	2,593,010	14,892,455
SAM HOUSTON STATE UNIVERSITY	1990	25,248,601	5,511,000	30,759,601
	1991	25,823,897	5,511,000	31,334,897
SOUTHWEST TEXAS STATE UNIVERSITY	1990	41,731,969	8,707,085	50,439,054
	1991	43,183,149	8,707,085	51,890,234

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RECAPITULATION - ARTICLE III
AGENCIES OF PUBLIC EDUCATION
(Continued)

		GENERAL REVENUE	OTHER FUNDS	TOTAL
SUL ROSS STATE UNIVERSITY	1990	6,046,392	952,375	6,998,767
	1991	6,186,593	951,665	7,138,258
SUL ROSS STATE UNIVERSITY - UVALDE CENTER	1990	859,730	94,513	954,243
	1991	876,578	94,513	971,091
TEXAS FOOD AND FIBERS COMMISSION	1990	1,450,455	2,179,432	3,629,887
	1991	1,451,239	2,179,432	3,630,671
TEXAS STATE TECHNICAL INSTITUTE: SYSTEM ADMINISTRATION	1990	2,510,740	3,590,964	6,101,704
	1991	2,510,740	3,639,676	6,150,416
TEXAS STATE TECHNICAL INSTITUTE - AMARILLO	1990	6,378,798		6,378,798
	1991	5,418,335		5,418,335
TEXAS STATE TECHNICAL INSTITUTE - HARLINGEN	1990	10,029,506		10,029,506
	1991	9,852,208		9,852,208
TEXAS STATE TECHNICAL INSTITUTE - SWEETWATER	1990	4,872,329		4,872,329
	1991	4,989,628		4,989,628
TEXAS STATE TECHNICAL INSTITUTE - WACO	1990	22,514,391		22,514,391
	1991	21,137,640		21,137,640
STATE RURAL MEDICAL EDUCATION BOARD	1990			
	1991			
TOTAL, ARTICLE III AGENCIES OF PUBLIC EDUCATION*	1990	\$ 8,850,373,342	\$ 1,857,437,786	\$10,707,811,128
	1991	\$ 8,887,641,572	\$ 1,900,860,919	\$10,788,502,491
		=====	=====	=====

*Total does not include rider appropriations.

ARTICLE IV

THE JUDICIARY

Section 1. The following sums, or as much of them as may be necessary for the objects and purposes shown, are appropriated from the General Revenue Fund or from such other sources as may be specified, for the expenses of the Judiciary and of the judicial service units of this state for the years shown.

FIRST COURT OF APPEALS DISTRICT, HOUSTON

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Justices	\$ 664,650	\$ 664,650
2. Other Exempt Salaries	619,424	619,424
3. Classified Salaries	251,306	251,306
4. Travel	14,762	14,762
5. Operating Expenses	79,211	79,211
		& U.B.
GRAND TOTAL, FIRST COURT OF APPEALS DISTRICT, HOUSTON	\$ 1,629,353 =====	\$ 1,629,353 =====

Schedule of Exempt Positions

Chief Justice	\$ 74,250	\$ 74,250
Justice	8 73,800	8 73,800
Clerk	43,911	43,911
Chief Staff Attorney	45,911	45,911
Senior Staff Attorney	3 43,810	3 43,810
Research Attorney I	4 32,043	4 32,043
Briefing Attorney	9 30,000	9 30,000

SCHEDULE OF CLASSIFIED POSITIONS,
FIRST COURT OF APPEALS DISTRICT, HOUSTON

GROUP 17

3556 Deputy Clerk IV

GROUP 13

1162 Accountant II

3564 Appellate Secretary III

GROUP 11

3552 Deputy Clerk II, 2

3562 Appellate Secretary II, 6

FIRST COURT OF APPEALS DISTRICT, HOUSTON
(Continued)

GROUP 09

3550 Deputy Clerk I, 2

SECOND COURT OF APPEALS DISTRICT, FORT WORTH

For the Years Ending
August 31, August 31,
1990 1991

Out of the General Revenue Fund:

1. Justices	517,050	517,050
2. Other Exempt Salaries	407,718	407,718
3. Classified Salaries	245,900	245,900
4. Travel	10,672	10,672
5. Operating Expenses	109,546	95,546
		& U.B.

GRAND TOTAL, SECOND COURT OF
APPEALS DISTRICT, FORT WORTH

\$ 1,290,886	\$ 1,276,886
=====	=====

Schedule of Exempt Positions

Chief Justice	\$	74,250		\$	74,250
Justice	6	73,800		6	73,800
Clerk		43,911			43,911
Chief Staff Attorney		45,911			45,911
Senior Staff Attorney		43,810			43,810
Research Attorney I	2	32,043		2	32,043
Briefing Attorney	7	30,000		7	30,000

SCHEDULE OF CLASSIFIED POSITIONS,
SECOND COURT OF APPEALS DISTRICT, FORT WORTH

GROUP 17

3556 Deputy Clerk IV

GROUP 13

3564 Appellate Secretary III

GROUP 11

3552 Deputy Clerk II, 3

3562 Appellate Secretary II, 5

GROUP 09

3550 Deputy Clerk I

GROUP 08

1003 Accounting Clerk III

SECOND COURT OF APPEALS DISTRICT, FORT WORTH
(Continued)

GROUP 02
0051 Clerk I

THIRD COURT OF APPEALS DISTRICT, AUSTIN

	For the Years Ending August 31, 1990	August 31, 1991
<u>Out of the General Revenue Fund:</u>		
1. Justices	443,250	443,250
2. Other Exempt Salaries	453,571	453,571
3. Classified Salaries	232,675	232,675
4. Travel	6,500	6,500
5. Operating Expenses	55,410	56,263
		\$ U.S.
 GRAND TOTAL, THIRD COURT OF APPEALS DISTRICT, AUSTIN	 \$ 1,191,406 =====	 \$ 1,192,259 =====

BOND DEBT SERVICE	\$ 365,850	\$ 365,889
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Schedule of Exempt Positions

Chief Justice	\$	74,250	\$	74,250
Justice	5	73,800	5	73,800
Clerk		43,911		43,911
Chief Staff Attorney		45,911		45,911
Senior Staff Attorney	2	43,810	2	43,810
Research Attorney I	3	32,043	3	32,043
Briefing Attorney	6	30,000	6	30,000

SCHEDULE OF CLASSIFIED POSITIONS,
THIRD COURT OF APPEALS DISTRICT, AUSTIN

GROUP 17
3556 Deputy Clerk IV

GROUP 13
3564 Appellate Secretary III

GROUP 11
3552 Deputy Clerk II, 2
3562 Appellate Secretary II, 2

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THIRD COURT OF APPEALS DISTRICT, AUSTIN
(Continued)

GROUP 09

3550 Deputy Clerk I

3560 Appellate Secretary I, 4

GROUP 08

1003 Accounting Clerk III

GROUP 02

0051 Clerk I

FOURTH COURT OF APPEALS DISTRICT, SAN ANTONIO

For the Years Ending
August 31, August 31,
1990 1991

Out of the General Revenue Fund:

1. Justices	517,050	517,050
2. Other Exempt Salaries	405,617	405,617
3. Classified Salaries	198,726	198,726
4. Travel	10,600	10,600
5. Operating Expenses	87,988	88,988
		& U.B.
6. Moving Expenses	5,000	U.B.

GRAND TOTAL, FOURTH COURT OF
APPEALS DISTRICT, SAN ANTONIO

\$ 1,224,981	\$ 1,220,981
=====	=====

Schedule of Exempt Positions

Chief Justice	\$ 74,250	\$ 74,250
Justice	6 73,800	6 73,800
Clerk	43,911	43,911
Senior Staff Attorney	2 43,810	2 43,810
Research Attorney I	2 32,043	2 32,043
Briefing Attorney	7 30,000	7 30,000

SCHEDULE OF CLASSIFIED POSITIONS,
FOURTH COURT OF APPEALS DISTRICT, SAN ANTONIO

GROUP 17

3556 Deputy Clerk IV

GROUP 13

3564 Appellate Secretary III

FOURTH COURT OF APPEALS DISTRICT, SAN ANTONIO
(Continued)

GROUP 11

1161 Accountant I
3552 Deputy Clerk II, 2
3562 Appellate Secretary II, 4

GROUP 09

3550 Deputy Clerk I

FIFTH COURT OF APPEALS DISTRICT, DALLAS

	For the Years Ending August 31, 1990	August 31, 1991
 Out of the General Revenue Fund:		
1. Justices	959,850	959,850
2. Other Exempt Salaries	922,320	922,320
3. Classified Salaries	364,229	364,229
4. Travel	15,000	15,000
5. Operating Expenses	164,529	142,252
		& U.B.
 GRAND TOTAL, FIFTH COURT OF APPEALS DISTRICT, DALLAS	 \$ 2,425,928 =====	 \$ 2,403,651 =====

Schedule of Exempt Positions

Chief Justice	\$	74,250	\$	74,250
Justice	12	73,800	12	73,800
Clerk		43,911		43,911
Chief Staff Attorney		45,911		45,911
Senior Staff Attorney	4	43,810	4	43,810
Research Attorney I	6	32,043	6	32,043
Briefing Attorney	14	30,000	14	30,000
Court Coordinator		45,000		45,000

SCHEDULE OF CLASSIFIED POSITIONS,
FIFTH COURT OF APPEALS DISTRICT, DALLAS

GROUP 17

3556 Deputy Clerk IV

GROUP 14

3554 Deputy Clerk III, 2

GROUP 13

1162 Accountant II
1503 Administrative Technician III
3564 Appellate Secretary III

FIFTH COURT OF APPEALS DISTRICT, DALLAS
(Continued)

GROUP 11

3552 Deputy Clerk II, 2
3562 Appellate Secretary II, 9

GROUP 09

3550 Deputy Clerk I, 2

SIXTH COURT OF APPEALS DISTRICT, TEXARKANA

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Justices	221,850	221,850
2. Other Exempt Salaries	209,764	209,764
3. Classified Salaries	119,366	119,366
4. Travel	5,520	5,520
5. Operating Expenses	67,295	69,955
		& U.B.
 GRAND TOTAL, SIXTH COURT OF APPEALS DISTRICT, TEXARKANA	 \$ 624,295 =====	 \$ 626,955 =====

Schedule of Exempt Positions

Chief Justice	\$	74,250		\$	74,250
Justice	2	73,800	2	73,800	
Clerk		43,911		43,911	
Senior Staff Attorney		43,810		43,810	
Research Attorney I		32,043		32,043	
Briefing Attorney	3	30,000	3	30,000	

SCHEDULE OF CLASSIFIED POSITIONS,
SIXTH COURT OF APPEALS DISTRICT, TEXARKANA

GROUP 13

3564 Appellate Secretary III

GROUP 11

3552 Deputy Clerk II
3562 Appellate Secretary II

GROUP 09

3550 Deputy Clerk I
3560 Appellate Secretary I

GROUP 08

1003 Accounting Clerk III

SIXTH COURT OF APPEALS DISTRICT, TEXARKANA
(Continued)

GROUP 06
0055 Clerk III

SEVENTH COURT OF APPEALS DISTRICT, AMARILLO

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Justices	295,650	295,650
2. Other Exempt Salaries	239,764	239,764
3. Classified Salaries	127,512	127,512
4. Travel	6,360	6,360
5. Operating Expenses	61,178	58,728
		& U.S.
 GRAND TOTAL, SEVENTH COURT OF APPEALS DISTRICT, AMARILLO	 \$ 730,464 =====	 \$ 728,014 =====

Schedule of Exempt Positions

Chief Justice	\$	74,250	\$	74,250
Justice	3	73,800	3	73,800
Clerk		43,911		43,911
Senior Staff Attorney		43,810		43,810
Research Attorney I		32,043		32,043
Briefing Attorney	4	30,000	4	30,000

SCHEDULE OF CLASSIFIED POSITIONS,
SEVENTH COURT OF APPEALS DISTRICT, AMARILLO

GROUP 13
3564 Appellate Secretary III

GROUP 11
3552 Deputy Clerk II
3562 Appellate Secretary II, 2

GROUP 09
3550 Deputy Clerk I
3560 Appellate Secretary I

GROUP 08
1003 Accounting Clerk III

EIGHTH COURT OF APPEALS DISTRICT, EL PASO

	For the Years Ending	
	August 31,	August 31,
	1990	1991

Out of the General Revenue Fund:

1. Justices	295,650	295,650
2. Other Exempt Salaries	239,764	239,764
3. Classified Salaries	131,346	131,346
4. Travel	11,410	11,410
5. Operating Expenses	66,388	63,788
6. Moving Expenses	25,000	8 U.B.
		U.B.
GRAND TOTAL, EIGHTH COURT OF APPEALS DISTRICT, EL PASO	\$ 769,558	\$ 741,958

Schedule of Exempt Positions

Chief Justice	\$ 74,250	\$ 74,250
Justice	3 73,800	3 73,800
Clerk	43,911	43,911
Senior Staff Attorney	43,810	43,810
Research Attorney I	32,043	32,043
Briefing Attorney	4 30,000	4 30,000

SCHEDULE OF CLASSIFIED POSITIONS,
EIGHTH COURT OF APPEALS DISTRICT, EL PASOGROUP 13

3564 Appellate Secretary III

GROUP 11

3552 Deputy Clerk II

3562 Appellate Secretary II, 2

GROUP 09

3550 Deputy Clerk I

3560 Appellate Secretary I

GROUP 08

1003 Accounting Clerk III

EIGHTH COURT OF APPEALS DISTRICT, EL PASO
(Continued)

1. CONTINGENCY, MOVING EXPENSES. The appropriation made above in item 6., Moving Expenses, is hereby made contingent upon the Eighth Court of Appeals moving its offices from their current location in the El Paso City-County Building. The appropriation shall be expended only for moving expenses and any necessary equipment installation costs.

NINTH COURT OF APPEALS DISTRICT, BEAUMONT

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Justices	221,850	221,850
2. Other Exempt Salaries	209,764	209,764
3. Classified Salaries	120,356	120,356
4. Travel	3,500	3,500
5. Operating Expenses	65,805	62,305
		& U.B.
 GRAND TOTAL, NINTH COURT OF APPEALS DISTRICT, BEAUMONT	 \$ 621,275 =====	 \$ 617,775 =====

Schedule of Exempt Positions

Chief Justice	\$ 74,250	\$ 74,250
Justice	2 73,800	2 73,800
Clerk	43,911	43,911
Senior Staff Attorney	43,810	43,810
Research Attorney I	32,043	32,043
Briefing Attorney	3 30,000	3 30,000

SCHEDULE OF CLASSIFIED POSITIONS,
NINTH COURT OF APPEALS DISTRICT, BEAUMONT

GROUP 13

3564 Appellate Secretary III

GROUP 11

3552 Deputy Clerk II

3562 Appellate Secretary II

GROUP 09

3550 Deputy Clerk I

3560 Appellate Secretary I

GROUP 08

1003 Accounting Clerk III

NINTH COURT OF APPEALS DISTRICT, BEAUMONT
(Continued)

GROUP 06
0055 Clerk III

TENTH COURT OF APPEALS DISTRICT, WACO

For the Years Ending
August 31, August 31,
1990 1991

Out of the General Revenue Fund:

1. Justices	221,850	221,850
2. Other Exempt Salaries	209,764	209,764
3. Classified Salaries	105,044	105,044
4. Travel	4,900	4,900
5. Operating Expenses	23,124	24,326
		& U.S.

GRAND TOTAL, TENTH COURT OF APPEALS
DISTRICT, WACO

\$ 564,682	\$ 565,884
=====	=====

Schedule of Exempt Positions

Chief Justice	\$ 74,250	\$ 74,250
Justice	2 73,800	2 73,800
Clerk	43,911	43,911
Senior Staff Attorney	43,810	43,810
Research Attorney I	32,043	32,043
Briefing Attorney	3 30,000	3 30,000

SCHEDULE OF CLASSIFIED POSITIONS,
TENTH COURT OF APPEALS DISTRICT, WACO

GROUP 11
3552 Deputy Clerk II
3562 Appellate Secretary II

GROUP 09
3550 Deputy Clerk I
3560 Appellate Secretary I

GROUP 08
1003 Accounting Clerk III

GROUP 02
0051 Clerk I

ELEVENTH COURT OF APPEALS DISTRICT, EASTLAND

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Justices	221,850	221,850
2. Other Exempt Salaries	209,764	209,764
3. Classified Salaries	124,677	124,677
4. Travel	7,015	7,015
5. Operating Expenses	78,038	64,461
		& U.B.
GRAND TOTAL, ELEVENTH COURT OF APPEALS DISTRICT, EASTLAND	\$ 641,344 =====	\$ 627,767 =====

Schedule of Exempt Positions

Chief Justice	\$	74,250	\$	74,250
Justice	2	73,800	2	73,800
Clerk		43,911		43,911
Senior Staff Attorney		43,810		43,810
Research Attorney I		32,043		32,043
Briefing Attorney	3	30,000	3	30,000

SCHEDULE OF CLASSIFIED POSITIONS,
ELEVENTH COURT OF APPEALS DISTRICT, EASTLANDGROUP 13

3564 Appellate Secretary III

GROUP 11

3552 Deputy Clerk II

3562 Appellate Secretary II

GROUP 09

3550 Deputy Clerk I

3560 Appellate Secretary I

GROUP 08

1003 Accounting Clerk III

GROUP 02

0051 Clerk I

TWELFTH COURT OF APPEALS DISTRICT, TYLER

For the Years Ending
August 31, August 31,
1990 1991

Out of the General Revenue Fund:

1. Justices	221,850	221,850
2. Other Exempt Salaries	209,764	209,764
3. Classified Salaries	96,927	96,927
4. Travel	6,610	6,610
5. Operating Expenses	91,192	74,631
		\$ U.S.

GRAND TOTAL, TWELFTH COURT OF
APPEALS DISTRICT, TYLER

\$ 626,343	\$ 609,782
=====	=====

Schedule of Exempt Positions

Chief Justice	\$ 74,250	\$ 74,250
Justice	2 73,800	2 73,800
Clerk	43,911	43,911
Senior Staff Attorney	43,810	43,810
Research Attorney I	32,043	32,043
Briefing Attorney	3 30,000	3 30,000

SCHEDULE OF CLASSIFIED POSITIONS,
TWELFTH COURT OF APPEALS DISTRICT, TYLERGROUP 13

3564 Appellate Secretary III

GROUP 11

3552 Deputy Clerk II

3562 Appellate Secretary II

GROUP 09

3550 Deputy Clerk I

3560 Appellate Secretary I

GROUP 08

1003 Accounting Clerk III

THIRTEENTH COURT OF APPEALS DISTRICT, CORPUS CHRISTI

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Justices	443,250	443,250
2. Other Exempt Salaries	375,617	375,617
3. Classified Salaries	201,096	201,096
4. Travel	12,325	12,325
5. Operating Expenses	112,280	92,530
		& U.B.
GRAND TOTAL, THIRTEENTH COURT OF APPEALS DISTRICT, CORPUS CHRISTI	\$ 1,144,568	\$ 1,124,818

Schedule of Exempt Positions

Chief Justice	\$ 74,250	\$ 74,250
Justice	5 73,800	5 73,800
Clerk	43,911	43,911
Senior Staff Attorney	2 43,810	2 43,810
Research Attorney I	2 32,043	2 32,043
Briefing Attorney	6 30,000	6 30,000

SCHEDULE OF CLASSIFIED POSITIONS,
THIRTEENTH COURT OF APPEALS DISTRICT, CORPUS CHRISTIGROUP 17

3556 Deputy Clerk IV

GROUP 13

3564 Appellate Secretary III

GROUP 11

1161 Accountant I

3552 Deputy Clerk II, 2

3562 Appellate Secretary II, 4

GROUP 09

3550 Deputy Clerk I

THIRTEENTH COURT OF APPEALS DISTRICT, CORPUS CHRISTI
(Continued)

1. CONTINGENCY APPROPRIATION, TRAVEL. Contingent on the enactment of House Bill No. 707, Seventy-first Legislature, or similar legislation, the Thirteenth Court of Appeals is hereby appropriated an amount not to exceed \$10,000 in fiscal year 1990 and \$10,000 in fiscal year 1991 out of the General Revenue Fund to provide for additional travel expenses associated with the implementation of the bill.

FOURTEENTH COURT OF APPEALS DISTRICT, HOUSTON

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Justices	664,650	664,650
2. Other Exempt Salaries	619,424	619,424
3. Classified Salaries	260,443	260,443
4. Travel	14,762	14,762
5. Operating Expenses	86,260	87,260
		& U.B.
GRAND TOTAL, FOURTEENTH COURT OF APPEALS DISTRICT, HOUSTON	\$ 1,645,539 =====	\$ 1,646,539 =====

Schedule of Exempt Positions

Chief Justice	\$ 74,250	\$ 74,250
Justice	8 73,800	8 73,800
Clerk	43,911	43,911
Chief Staff Attorney	45,911	45,911
Senior Staff Attorney	3 43,810	3 43,810
Research Attorney I	4 32,043	4 32,043
Briefing Attorney	9 30,000	9 30,000

SCHEDULE OF CLASSIFIED POSITIONS,
FOURTEENTH COURT OF APPEALS DISTRICT, HOUSTON

GROUP 17

3556 Deputy Clerk IV

GROUP 13

1162 Accountant II

3564 Appellate Secretary III

GROUP 11

3552 Deputy Clerk II, 2

3562 Appellate Secretary II, 6

GROUP 09

3550 Deputy Clerk I, 2

SUPREME COURT OF TEXAS

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Supreme Court:		
a. Justices	738,500	738,500
b. Other Exempt Salaries	1,088,728	1,088,728
c. Classified Salaries	540,689	540,689
d. Travel	17,000	17,000
e. Operating Expenses	222,328	192,198 & U.B.
f. States Contribution for Membership in the National Center for State Courts	50,000	50,000
Total, Supreme Court of Texas	\$ 2,657,245	\$ 2,627,115
2. Judicial and Court Personnel Training	\$ 1,950,000	\$ 1,950,000
GRAND TOTAL, SUPREME COURT OF TEXAS	\$ 4,607,245 =====	\$ 4,577,115 =====
Method of Financing:		
General Revenue Fund	\$ 2,657,245	\$ 2,627,115
Judicial and Court Personnel Training Fund No. 540	1,950,000	1,950,000
Total, Method of Financing	\$ 4,607,245 =====	\$ 4,577,115 =====
BOND DEBT SERVICE	\$ 541,519	\$ 541,576

Schedule of Exempt Positions

Chief Justice	\$ 82,500	\$ 82,500
Justice	8 82,000	8 82,000
Clerk	45,911	45,911
Chief Deputy Clerk	28,892	28,892
Administrative Assistant	45,911	45,911
Executive Assistant	57,153	57,153
Chief Staff Attorney	45,911	45,911
Senior Staff Attorney	5 43,810	5 43,810
Staff Attorney	3 35,300	3 35,300
Briefing Attorney	18 30,000	18 30,000

SUPREME COURT OF TEXAS
(Continued)

SCHEDULE OF CLASSIFIED POSITIONS, SUPREME COURT OF TEXAS

GROUP 17

1506 Administrative Assistant, 11

GROUP 14

3554 Deputy Clerk III, 2

GROUP 13

1162 Accountant II

GROUP 11

1161 Accountant I

3552 Deputy Clerk II, 4

GROUP 09

3560 Appellate Secretary I

GROUP 06

0055 Clerk III

GROUP 04

0053 Clerk II

GROUP 02

8001 Building Custodian I, 2

1. TRANSFER AUTHORITY. The Supreme Court of Texas may transfer funds between sub-items 1.b., 1.c., 1.d., and 1.e. A report of such transfers and the reasons for the transfers shall be filed at the time of the transfer with the Legislative Budget Office and the Governor's Office of Budget and Planning.
2. JUDICIAL EDUCATION. The Supreme Court may assign to the Office of Court Administration or to any other agency of the Judicial Branch the necessary administrative and accounting functions for the Judicial and Court Personnel Training Fund appropriation included in this Act to be performed under the direction of the Supreme Court in compliance with House Bill 309 and House Bill 1658, Acts of the Sixty-ninth Legislature, Regular Session, 1985. To implement this provision, the Comptroller is authorized to transfer the appropriation from the Supreme Court to the Office of Court Administration or to any other agency of the Judicial Branch as directed by order of the Supreme Court.
3. APPROPRIATION, JUDICIAL AND COURT PERSONNEL TRAINING FUND. In addition to the funds appropriated elsewhere in this Act, the Supreme Court of Texas is hereby appropriated \$1,000,000 for the fiscal year beginning on September 1, 1989, and \$1,000,000 for the fiscal year beginning on September 1, 1990, out of the Judicial and Court Personnel Training Fund No. 540, to provide for the training and continuing legal education of the clerks and other court personnel of the district courts, county courts, justice courts, and municipal courts of this State. No more than one-third of the money appropriated hereby shall be used for the training and continuing legal education of clerks and other court personnel of the district courts, county

SUPREME COURT OF TEXAS
(Continued)

courts at law, and county courts performing judicial functions. No more than one-third of the money appropriated hereby shall be used for the training and continuing legal education of clerks and other court personnel of justice courts. No more than one-third of the money appropriated hereby shall be used for the training and continuing legal education of clerks and other court personnel of municipal courts.

COURT OF CRIMINAL APPEALS

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Judges	738,500	738,500
2. Other Exempt Salaries	1,043,446	1,043,446
3. Classified Salaries	512,700	512,700
4. Travel	19,212	19,212
5. Operating Expenses	218,200	200,000 & U.B.
 GRAND TOTAL, COURT OF CRIMINAL APPEALS	 \$ 2,532,058 =====	 \$ 2,513,858 =====
 BOND DEBT SERVICE	 \$ 517,842	 \$ 517,897

Schedule of Exempt Positions

Presiding Judge	\$ 82,500	\$ 82,500
Judge	8 82,000	8 82,000
Clerk	45,911	45,911
Chief Deputy Clerk	43,911	43,911
Executive Administrator	57,153	57,153
Chief Staff Attorney	45,911	45,911
Staff Attorney	6 43,810	6 43,810
Research Assistant	9 35,300	9 35,300
Briefing Attorney	9 30,000	9 30,000

SCHEDULE OF CLASSIFIED POSITIONS, COURT OF CRIMINAL APPEALS

GROUP 18

1564 Program Administrator II

GROUP 17

1506 Administrative Assistant, 10

COURT OF CRIMINAL APPEALS
(Continued)

GROUP 14

0411 Deputy Clerk, Court of Criminal Appeals, 2

GROUP 13

3564 Appellate Secretary III, 2

GROUP 09

0137 Legal Secretary I, 4

GROUP 06

0055 Clerk III, 2

0128 Stenographer III

1. TRANSFER AUTHORITY. The Court of Criminal Appeals may transfer funds between items 2., 3., 4., and 5. A report of any such transfer and the reasons for the transfers shall be filed at the time of the transfer with the Legislative Budget Office and the Governor's Office of Budget and Planning.

OFFICE OF THE STATE PROSECUTING ATTORNEY

	For the Years Ending August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. State's Attorney	73,800	73,800
2. Other Exempt Salaries	137,313	137,313
3. Salaries of Classified Positions	62,424	62,424
4. Operating Expenses	30,000	30,000
5. Travel	5,000	5,000 & U.B.
 GRAND TOTAL, OFFICE OF THE STATE PROSECUTING ATTORNEY	 \$ 308,537 =====	 \$ 308,537 =====
 BOND DEBT SERVICE	 \$ 64,158	 \$ 64,164

Schedule of Exempt Positions

State's Attorney	\$ 73,800	\$ 73,800
First Assistant State's Attorney	49,693	49,693
Second Assistant State's Attorney	2 48,246	2 48,246

SCHEDULE OF CLASSIFIED POSITIONS,
OFFICE OF THE STATE PROSECUTING ATTORNEY

OFFICE OF THE STATE PROSECUTING ATTORNEY
(Continued)

GROUP 15

1504 Administrative Technician IV

GROUP 11

1502 Administrative Technician II, 2

1. TRANSFER AUTHORITY. The State Prosecuting Attorney is hereby authorized to transfer funds appropriated above between Line Items 3., 4., and 5.

STATE LAW LIBRARY

	For the Years Ending August 31, 1990	August 31, 1991
1. Director	35,931	35,931
2. Salaries of Classified Positions	124,080	124,080
3. Operating Expenses	61,020	61,020
4. Travel	1,500	1,500
5. Capital Outlay	383,887	411,039
		& U.B.
	<hr/>	<hr/>
GRAND TOTAL, STATE LAW LIBRARY	\$ 606,418	\$ 633,570
	<hr/>	<hr/>

Method of Financing:

General Revenue Fund	\$ 565,918	\$ 593,070
Reappropriated Receipts, estimated	26,000	26,000
Interagency Contracts, estimated	14,500	14,500
	<hr/>	<hr/>
Total, Method of Financing	\$ 606,418	\$ 633,570
	<hr/>	<hr/>

BOND DEBT SERVICE	\$ 1,387,228	\$ 1,386,045
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Schedule of Exempt Positions

Director	\$ 35,931	\$ 35,931
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SCHEDULE OF CLASSIFIED POSITIONS (UL), STATE LAW LIBRARY

GROUP 16

7421 Law Librarian II

GROUP 14

7420 Law Librarian I

T4A243/V1

IV-19

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CC101

STATE LAW LIBRARY
(Continued)

GROUP 13

1162 Accountant II

GROUP 09

7417 Library Assistant III

GROUP 07

7416 Library Assistant II

GROUP 06

0133 Secretary II

GROUP 05

7415 Library Assistant I

GROUP 04

0106 Clerk Typist II

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the State Law Library. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer
Equipment and Software

\$	4,000	\$	4,000
\$	4,000	\$	4,000
	=====		=====

Total, Capital Outlay

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFER AUTHORITY. The State Law Library is hereby authorized to transfer funds appropriated above between Item 3., Operating Expenses, and Item 5., Capital Outlay. Funds transferred into Item 3. may be expended only to acquire access to "on-line" computerized legal resource services and other computerized legal reference sources including, but not limited to, CD-ROM materials. The total amount transferred into Item 3. shall not exceed twenty percent (20%) of the appropriation for that line item for the respective fiscal year.
3. COMPUTER BASED LEGAL RESEARCH SERVICES. The State Law Library is hereby authorized to enter into interagency contracts with other state agencies and courts for providing a computer based legal research service. The State Law Library shall charge an amount for this service equal to the cost to the library for providing this service.

STATE LAW LIBRARY
(Continued)

4. FEE SCHEDULE, DUPLICATION SERVICES. The State Law Library shall set a fee schedule for duplication services to the inmates of the Texas Department of Corrections at the same amount per page as charged to the general public.
5. USE OF PRIVATE FUNDS. Contingent upon the final passage of House Bill No. 2461, Seventy-first Legislature, or similar legislation, any gifts, donations and grants of private or federal funds made to the State Law Library are hereby authorized and appropriated to the State Law Library for the purposes specified by the donor. In the event that a purpose is not specified by the donor, such funds are hereby appropriated for the purpose of purchasing legal reference materials.
6. BILLING FOR SERVICES. Contingent upon the final passage of House Bill 2462, Seventy-first Legislature, or similar legislation, the State Law Library is hereby authorized to set a fee, within guidelines established by the State Purchasing and General Services Commission, and bill users for photocopies sent by mail, express mail service or telefacsimile transmission. Bills must be issued at the time of transmission. Fees collected pursuant to this provision are hereby appropriated to the State Law Library for the purpose of acquiring legal reference materials and services.

TEXAS JUDICIAL COUNCIL, OFFICE OF COURT ADMINISTRATION

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Court Administration:		
a. Administrative Director	73,800	73,800
b. Salaries of Classified Positions	412,471	412,471
c. Operating Expenses	171,162	171,162
d. Travel	24,125	24,125
Total, Court Administration	\$ 681,558	\$ 681,558
2. Equalization of the Courts of Appeals Dockets	\$ 17,000	\$ 17,000 & U.S.
3. Assistance to the Administrative Judicial Regions	173,798	173,798
4. Child Support Enforcement Assistance	52,136	52,136
5. Computer Acquisition for Appellate Courts	71,171	66,165 & U.S.
GRAND TOTAL, TEXAS JUDICIAL COUNCIL, OFFICE OF COURT ADMINISTRATION	\$ 995,663 =====	\$ 990,657 =====

TEXAS JUDICIAL COUNCIL, OFFICE OF COURT ADMINISTRATION
(Continued)

Method of Financing:

General Revenue Fund	\$ 894,955	\$ 889,949
Criminal Justice Grants, estimated	<u>100,708</u>	<u>100,708</u>
Total, Method of Financing	<u>\$ 995,663</u>	<u>\$ 990,657</u>

BOND DEBT SERVICE \$ 183,307 \$ 183,326

Schedule of Exempt Positions

Administrative Director	\$ 73,800	\$ 73,800
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SCHEDULE OF CLASSIFIED POSITIONS,
TEXAS JUDICIAL COUNCIL, OFFICE OF COURT ADMINISTRATION

GROUP 21

0275 Director of ADP II
1208 Director of Accounting
1559 Director of Programs II
3607 General Counsel

GROUP 20

0252 Programmer Analyst II
0264 Systems Analyst III

GROUP 19

1565 Program Administrator III
3605 Legal Counselor

GROUP 18

0251 Programmer Analyst I

GROUP 16

0241 ADP Programmer II
1163 Accountant III

GROUP 15

1504 Administrative Technician IV
3535 Attorney II

GROUP 14

0259 Systems Support Specialist III

GROUP 11

1161 Accountant I
1502 Administrative Technician II

TEXAS JUDICIAL COUNCIL, OFFICE OF COURT ADMINISTRATION
(Continued)

GROUP 09

0137 Legal Secretary I

GROUP 08

1501 Administrative Technician I, 2

GROUP 06

0055 Clerk III

0128 Stenographer III

0203 Key Entry Operator II

1802 Statistical Clerk II, 2

1. CAPITAL OUTLAY. The following amounts are included in appropriations made by Article VII of this Act for the purpose of financing the capital outlays necessary for the operation of the Office of Court Administration. The amounts shown shall be expended only for the purposes of the categories shown and are not available for expenditure for any purpose other than capital outlay, subject to the provisions of Article VII of this Act.

Out of the General Revenue Fund:

1. Acquisition of Computer Equipment and Software	\$ 2,135,320	\$ U.B.
Total, Capital Outlay	\$ 2,135,320 =====	\$ U.B. =====

In addition to the amounts listed above, any other appropriations made in this Act may be expended for capital outlay purposes subject to any limitations or restrictions on the expenditure of funds established elsewhere in this Act.

2. TRANSFER AUTHORITY. The Office of Court Administration is hereby authorized to transfer funds appropriated hereinabove between sub-items 1.b., Salaries of Classified Positions, 1.c., Operating Expenses, and 1.d., Travel.
3. JUDICIAL EDUCATION. The Office of Court Administration is hereby granted the authority to expend funds transferred to the Office of Court Administration by the Supreme Court of Texas for the purpose of providing the necessary administrative and accounting functions for the Judicial and Court Personnel Training Fund appropriation included in this Act.
4. LIMITATION, OUT-OF-STATE TRAVEL. Of the funds received by the Office of Court Administration, not more than \$10,000 may be expended during the biennium for out-of-state travel for the statutory duties of the Office of Court Administration.
5. RESTRICTION, ASSISTANCE TO THE ADMINISTRATIVE JUDICIAL REGIONS. Funds appropriated in Item 3., Assistance to the Administrative Judicial Regions, may be used only for the payment of salaries of administrative assistants employed by the presiding judges of the Administrative Judicial Regions pursuant to Article 200a, V.A.C.S., as amended. The administrative assistants may be employed in the following classified position titles: 1504 (15) Administrative Technician IV, 1503 (13) Administrative Technician III, 1502 (11) Administrative Technician II, 1501 (08) Administrative

TEXAS JUDICIAL COUNCIL, OFFICE OF COURT ADMINISTRATION
(Continued)

Technician I; and may be employed on a full-time or part-time basis. The salaries paid the administrative assistants as provided above may be supplemented from sources other than appropriations provided by this Act.

6. COMPUTER ACQUISITION, APPELLATE COURTS.

- a. The appropriation made above in line item 5., Computer Acquisition for Appellate Courts for fiscal year 1990 and the appropriation identified in the provision 1., Capital Outlay, shall be expended only for the purpose of acquiring, installing, developing, and maintaining automated data and word processing systems for the appellate courts and Office of Court Administration. The Office of Court Administration shall allocate the appropriation between the appellate courts and the Office of Court Administration in the following manner:

Supreme Court of Texas	\$234,427
Court of Criminal Appeals	226,377
First Court of Appeals	175,835
Second Court of Appeals	137,942
Third Court of Appeals	135,470
Fourth Court of Appeals	136,447
Fifth Court of Appeals	200,852
Sixth Court of Appeals	72,680
Seventh Court of Appeals	84,007
Eighth Court of Appeals	84,007
Ninth Court of Appeals	72,680
Tenth Court of Appeals	64,802
Eleventh Court of Appeals	71,702
Twelfth Court of Appeals	71,702
Thirteenth Court of Appeals	134,320
Fourteenth Court of Appeals	173,535
Office of Court Administration	129,706

- b. In purchasing equipment for the respective appellate courts, the Office of Court Administration shall attempt, when possible, to purchase units in quantity when this would realize a cost savings and shall acquire equipment that will facilitate the development and application of uniform software systems. The selection of equipment to be purchased from each court's allocation shall rest with each respective court, except that a proposed purchase of equipment, including computer software, regardless of the proposed purchase price, must be first approved by the Automated Information and Telecommunications Council. The council shall approve a proposed purchase under this appropriation, unless additional certification standards provided by general law apply, if the council determines that the equipment is compatible with the comparable equipment of, or proposed by, the Office of Court Administration and is capable of interchanging information among the appellate courts and with that office.

TEXAS JUDICIAL COUNCIL, OFFICE OF COURT ADMINISTRATION
(Continued)

- c. Ownership of equipment purchased with funds from this appropriation shall be transferred to the court from which the allocation for the purchase was made.
- d. It is the intent of the Legislature that the automated data processing systems acquired with the above appropriation shall have the capacity of maintaining both offender identification and criminal case identification data and have the capacity to provide this data to the information systems of criminal justice agencies, including, but not limited to, the criminal history system of the Department of Public Safety.

COURT REPORTERS CERTIFICATION BOARD

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
1. Executive Secretary	32,412	32,412
2. Examination and Certification	65,793	60,793
GRAND TOTAL, COURT REPORTERS CERTIFICATION BOARD	\$ 98,205 =====	\$ 93,205 =====
 BOND DEBT SERVICE	 \$ 10,693	 \$ 10,694

Schedule of Exempt Positions

Executive Secretary	\$ 32,412	\$ 32,412
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SCHEDULE OF CLASSIFIED POSITIONS, COURT REPORTERS CERTIFICATION BOARD

GROUP 11

1502 Administrative Technician II

GROUP 06

0055 Clerk III

STATE COMMISSION ON JUDICIAL CONDUCT

	For the Years Ending August 31, 1990	August 31, 1991
1. Executive Director	73,800	73,800
2. Legal Counsel	39,608	39,608
3. Salaries of Classified Positions	173,895	173,895
4. Operating Expenses	70,453	69,603
5. Travel	53,000	& U.S. 53,000

GRAND TOTAL, STATE COMMISSION ON
JUDICIAL CONDUCT

\$ 410,756	\$ 409,906
=====	=====

Method of Financing:

General Revenue Fund	\$ 324,624	\$ 323,774
Criminal Justice Grants, estimated	86,132	86,132

Total, Method of Financing

\$ 410,756	\$ 409,906
=====	=====

Schedule of Exempt Positions

Executive Director	\$ 73,800	\$ 73,800
Legal Counsel	39,608	39,608

SCHEDULE OF CLASSIFIED POSITIONS, STATE COMMISSION ON JUDICIAL CONDUCT

GROUP 17

3536 Attorney III

GROUP 16

3645 Investigator III

GROUP 15

1504 Administrative Technician IV

3535 Attorney II, 2

GROUP 11

1502 Administrative Technician II

GROUP 08

1501 Administrative Technician I, 2

GROUP 04

1001 Accounting Clerk I

STATE COMMISSION ON JUDICIAL CONDUCT
(Continued)

1. TRANSFER AUTHORITY. The Commission on Judicial Conduct is hereby authorized to transfer funds appropriated above between Line Items 3., 4. and 5.

JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Salaries for District Judges and Criminal District Judges of the existing three-hundred-seventy-five (375) judicial district courts at \$73,800 (1990) and \$73,800 (1991); former district judges called to duty as visiting judges per V.T.C.A., Government Code, Section 74.061; and salaries of retired district judges assigned to special juvenile courts or domestic relations courts per Government Code, Section 24.604(f); estimated to be	28,666,115	28,666,115
2. Expenses of district judges while engaged in the actual performance of their duties whose judicial district is composed of more than one (1) county per Government Code, Sections 24.019 and 32.301, not to exceed \$1,500 per county	486,000	486,000
3. Special Judges salaries per Government Code, Section 32.302; salary per diem for active, retired, and former district judges and statutory county court of law judges serving on assignment and the salary per diem and expenses for active and retired justices and judges of the Supreme Court, Court of Criminal Appeals, or of a Court of Appeals when holding court out of their district or county when assigned per V.T.C.A., Government Code, Chapter 74; estimated to be	240,000	240,000
Total, Justices and District Judges	\$ 29,392,115	\$ 29,392,115

JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT
(Continued)

4. Salaries of thirty-two (32) District Attorneys compensated on a salary basis by the State per Government Code, Chapter 43, at \$45,229 (1990) and \$45,229 (1991)	\$ 1,447,328	\$ 1,447,328
5. Salaries of ninety-five (95) District Attorneys, Criminal District Attorneys and County Attorneys performing the duties of the district attorney that are prohibited from the private practice of law by Government Code, Section 46.002 and are compensated on a salary basis by the State at \$66,420 (1990) and \$66,420 (1991)	6,309,900	6,309,900
6. Salary supplementation for two (2) Assistant District Attorneys of the Fifty-third Judicial District (Travis County) per Government Code, Section 43.132, at \$2,521 (1990) and \$2,521 (1991)	5,042	5,042
7. Expenses of felony prosecutors while engaged in the actual performance of their duties whose prosecutorial district is composed of more than one (1) county per Government Code Section 43.004, not to exceed \$1,500 per county	267,000	267,000

JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT
(Continued)

8. Salaries of three (3) Criminal District Attorneys per Government Code, Sections 44.143 (Collin), 44.159 (Deaf Smith), and 44.351 (Yoakum), and seven (7) County Attorneys performing the duties of a district attorney per Government Code, Sections 45.154 (Crosby), 45.170 (Ellis), 45.239 (Lamar), 45.240 (Lamb), 45.258 (Marion), 45.266 (Milam), and 45.323 (Terry), all at \$45,229 (1990) and \$45,229 (1991); and two (2) County Attorneys performing the duties of a district attorney per Government Code, Section 45.130 (Callahan) and 45.142 (Coleman) at \$5,000 (1990) and \$5,000 (1991)			<u>462.290</u>	<u>462.290</u>
Total, District Attorneys, Criminal District and County Attorneys	\$	<u>8,491.560</u>	\$	<u>8,491.560</u>

JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT
(Continued)

9. For the payment of salaries of Assistant District Attorneys, Investigators and/or secretarial help and expenses, including travel for these personnel as determined by the District Attorney, Criminal District Attorney and County Attorneys designated in Items No. 4., 5., 8., 11. and 12.

Reimbursement shall be limited to expenses for supplies or items which would normally be consumed or utilized within the fiscal year for which the funds in this item are designated. Payments shall not exceed \$27,650 per district per year in multi-county districts and \$13,650 per district per year in single-county districts and \$27,650 for both multi-county and single-county districts for those District Attorneys, Criminal District Attorneys and County Attorneys performing the duties of a district attorney prohibited from the private practice of law per Government Code, Chapter 46; and shall be made available in three equal installments issued on the first day of September, January and May of each fiscal year. These payments shall be made directly to the District Attorney, Criminal District Attorney, or County Attorney for the purposes of disbursement as required by the attorney. The attorney receiving these payments shall be responsible to the Comptroller for accounting for all expenditures of these funds

\$ 3,673,950 \$ 3,673,950

10. Apportionment to fund the operation of the Public Integrity Unit in the District Attorney's Office of the Fifty-third Judicial District (Travis County) to be used: For payment of salaries and other necessary expenses for the operation of the Public Integrity Unit in the District Attorney's Office of the Fifty-third Judicial District (Travis County).

1,431,095 1,357,937

JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT
(Continued)

11. Apportionment payable to County Officers Salary Fund in counties where there is a District Attorney per Government Code, Section 43.180 (Harris), a Criminal District Attorney per Government Code, Section 44.157(f) (Dallas), and one (1) County Attorney (Fayette) performing the duties of a district attorney and not receiving a state salary, all pursuant to Government Code, Section 41.201; estimated to be	160,057	160,057
12. Salary apportionment payable to the Officer Salary Fund for a County Attorney performing the duties of a district attorney in Oldham County per Government Code, Section 45.280	13,569	13,569
Total, County Officers	\$ 5,278,671	\$ 5,205,513
13. Expenses of witnesses called in criminal proceedings who reside outside of the county where the trial is held pursuant to V.A.C.C.P., Articles 24.28 and 35.27; estimated to be	\$ 675,000	\$ 675,000
GRAND TOTAL, JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT	\$ 43,837,346	\$ 43,764,188

Method of Financing:

General Revenue Fund, estimated	\$ 30,425,251	\$ 30,106,251
Judicial Fund No. 573	12,160,000	12,460,000
State Board of Insurance Operating Fund No. 036	648,394	557,040
State Highway Fund No. 006	603,701	640,897
Total, Method of Financing	\$ 43,837,346	\$ 43,764,188

Schedule of Exempt Positions

District Judges and Criminal District Judges (Item 1.)	375 \$ 73,800	375 \$ 73,800
District Attorneys, Criminal District Attorneys and County Attorneys performing the duties of District Attorney (Items		

JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT
(Continued)

4.,8.)	42	45,229	42	45,229
County Attorneys, Callahan and Coleman Counties, performing the duties of District Attorney (Item 8.)				
District Attorneys, Criminal District Attorneys and County Attorneys performing the duties of District Attorney, subject to Government Code, Section 46, (Item 5.)	2	5,000	2	5,000
Assistant District Attorneys, Fifty-third Judicial District (Travis County) (Item 6.)	95	66,420	95	66,420
	2	2,521	2	2,521

1. APPROPRIATION SOURCE. Pursuant to V.T.C.A., Government Code, Section 21.006, all revenues to, and fund balances in, the Judicial Fund No. 573 are hereby appropriated to the Judiciary Section, Comptroller's Department. In the event that revenues into Fund 573 exceed the amount appropriated out of Fund 573 during a fiscal year the difference shall be appropriated to the Judiciary Section, Comptroller's Department and the General Revenue Fund appropriation shall be reduced by a like amount.
2. APPROPRIATION SOURCE, PUBLIC INTEGRITY UNIT. Out of the funds appropriated above in line item 10, \$1,252,095 in fiscal year 1990 and \$1,197,937 in fiscal year 1991 is appropriated specifically to facilitate the intended investigations by the Public Integrity Unit in the District Attorney's Office of the Fifty-third Judicial District. It is the intent of the Legislature that the funds specified in the Method of Financing as being appropriated out of the State Highway Fund No. 006 and the Board of Insurance Operating Fund No. 036 be allocated to the appropriation made above in line item 10. In no event shall the amount of general revenue funds allocated and/or granted to the Public Integrity Unit exceed \$179,000 in fiscal year 1990 and \$160,000 in fiscal year 1991. In no event shall any funds out of the Judicial Fund No. 573 be allocated and/or granted to the Public Integrity Unit.
3. CONTINGENCY FOR HOUSE BILL NO. 600. Contingent upon enactment of House Bill No. 600, Seventy-first Legislature, Regular Session, or other similar legislation, \$154,764 for fiscal year 1990 and \$154,764 for fiscal year 1991, out of the General Revenue Fund is hereby appropriated to the Judiciary Section, Comptroller's Department for the purpose of paying the salaries and expenses of felony prosecutors. The Comptroller of Public Accounts is hereby authorized to transfer the appropriation made herein to the appropriate line items and to transfer funds appropriated above, between line items, as necessary to implement the provisions of the bill.

SPECIAL PROVISIONS - JUDICIARY

Sec. 2. LIMITATION, SALARY SUPPLEMENTS. Salary Differential for District Court Judges and Justices of Courts of Appeals. District Court Judges may receive a combined yearly salary rate from state and county sources which is One Thousand Dollars (\$1,000) less than the combined yearly salary rate from state and county sources received by Justices of the Courts of Appeals in whose district the District Court is located. Justices of the Courts of Appeals may receive a combined yearly salary rate from state and county sources which is One Thousand Dollars (\$1,000) less than the yearly salary provided in this Act for an Associate Justice of the Supreme Court and the Court of Criminal Appeals. In the case of Chief Justices of the Courts of Appeals, the differential shall be Five Hundred Dollars (\$500).

In order that the differential set out above be maintained, each District Court Judge and Justice of the Courts of Appeals shall file a sworn statement with the Comptroller of Public Accounts setting forth the yearly amounts to be received from state and county as salary payments during the ensuing fiscal year. Amended statements shall be filed setting forth any change in the salary rate which occurs during a fiscal year.

For the purpose of salary payments by the state, the Comptroller of Public Accounts shall determine from the filed statements that the required salary differential set out above is maintained. In the event a salary is in excess of the One Thousand Dollars (\$1,000) differential, the Comptroller is directed to reduce the state's portion of that salary by the amount of excess, except in the case of the Chief Justices in the Courts of Appeals where the differential shall be Five Hundred Dollars (\$500).

The appropriations for salaries of District Court Judges and Justices of Courts of Appeals are made contingent upon strict compliance with the provisions of this section and the Comptroller shall have no authority to issue a warrant for salaries which violate these provisions.

Sec. 3. TRANSFER AUTHORITY. Each Court of Appeals is hereby authorized to transfer funds appropriated under Items 2. Other Exempt Salaries, 3. Classified Salaries, 4. Travel, and 5. Operating Expenses, between each of those items in an amount not to exceed fifteen (15%) percent of the amount appropriated for that item in fiscal year 1990 and ten (10%) percent in fiscal year 1991.

Sec. 4. CLASSIFIED POSITIONS, APPELLATE COURTS. In lieu of the classified positions authorized for the Supreme Court, Court of Criminal Appeals, and each Court of Appeals, funds appropriated for salaries of classified positions may be expended to employ personnel in the classified position titles listed in Article V of this Act or in such other positions established and approved by the State Classification Officer for use by the Supreme Court, Court of Criminal Appeals, and the Courts of Appeals for legal, legal support, or paralegal support positions.

Sec. 5. PUBLIC INTEGRITY UNIT. In Item 10., Judiciary Section, Comptroller's Department, warrants shall be drawn as necessary to reimburse the District Attorney of the 53rd Judicial District for salary and expenses previously incurred. The District Attorney shall submit a voucher containing an itemized

SPECIAL PROVISIONS - JUDICIARY
(Continued)

statement of expenses to substantiate each claim. This appropriation shall be allocated in three equal installments over the fiscal year. Any unencumbered, unexpended balance existing in a previous allocation period may be used in a subsequent period provided that period occurs within the same fiscal year.

Sec. 6. AUTOMATED EQUIPMENT COMPATIBILITY. It is the intent of the Legislature that the Supreme Court, the Court of Criminal Appeals and the Courts of Appeals, when purchasing word and data processing equipment with funds appropriated by this Act, shall consider the feasibility of acquiring compatible equipment to facilitate the exchange of docket information between the courts.

Sec. 7. RESTRICTION, NEW DISTRICT COURTS. No new district court may be funded until it has been approved by the commissioner's court of the county or counties in that district.

Sec. 8. LIMITATION, COUNTY FUNDING REQUIREMENTS. It is the intent of the Legislature that the administration and implementation of certain provisions of the Court Administration Act, Vernon's Annotated Civil Statutes, Article 200a-1, Chapters 1, 2, 3, 5, 6 & 7, as amended, shall not require the expenditure of local or county funds above the current level of expenditure.

Sec. 9. MOVING EXPENSES. It is the intent of the Legislature that any moving expenses and necessary equipment installation costs associated with the Supreme Court Complex construction and renovation project incurred by the courts and judicial agencies currently located in the Supreme Court Building and by the Office of Court Administration shall be paid out of the Governor's Deficiency and Emergency Grants appropriation.

Sec. 10. EXEMPT POSITIONS. In addition to the exempt positions authorized elsewhere in this Article, other than judges, personnel of the Supreme Court, Court of Criminal Appeals, and the Courts of Appeals may be employed in any of the following exempt positions. The salaries of these positions shall be adjusted to reflect any cost of living increases adopted by the Legislature for state employees. The utilization of these positions shall not authorize the expenditure of state appropriated funds over the amount authorized for that purpose by this Act.

	Not to Exceed	
	1990	1991
Executive Assistant	\$57,153	\$57,153
Executive Administrator	57,153	57,153
Executive Attorney	57,153	57,153
Chief Staff Attorney	52,500	52,500
Staff Attorney IV	50,000	50,000
Staff Attorney III	47,500	47,500
Staff Attorney II	45,000	45,000
Staff Attorney I	43,810	43,810
Research Attorney III	43,810	43,810
Research Attorney II	39,500	39,500
Research Attorney I	35,300	35,300
Briefing Attorney II	30,000	30,000
Briefing Attorney I	28,000	28,000

RECAPITULATION - ARTICLE IV
THE JUDICIARY

		GENERAL REVENUE	OTHER FUNDS	TOTAL
FIRST COURT OF APPEALS DISTRICT, HOUSTON	1990 \$	1,629,353	\$	1,629,353
	1991 \$	1,629,353	\$	1,629,353
SECOND COURT OF APPEALS DISTRICT, FORT WORTH	1990	1,290,886		1,290,886
	1991	1,276,886		1,276,886
THIRD COURT OF APPEALS DISTRICT, AUSTIN	1990	1,191,406		1,191,406
	1991	1,192,259		1,192,259
FOURTH COURT OF APPEALS DISTRICT, SAN ANTONIO	1990	1,224,981		1,224,981
	1991	1,220,981		1,220,981
FIFTH COURT OF APPEALS DISTRICT, DALLAS	1990	2,425,928		2,425,928
	1991	2,403,651		2,403,651
SIXTH COURT OF APPEALS DISTRICT, TEXARKANA	1990	624,295		624,295
	1991	626,955		626,955
SEVENTH COURT OF APPEALS DISTRICT, AMARILLO	1990	730,464		730,464
	1991	728,014		728,014
EIGHTH COURT OF APPEALS DISTRICT, EL PASO	1990	769,558		769,558
	1991	741,958		741,958
NINTH COURT OF APPEALS DISTRICT, BEAUMONT	1990	621,275		621,275
	1991	617,775		617,775
TENTH COURT OF APPEALS DISTRICT, WACO	1990	564,682		564,682
	1991	565,884		565,884
ELEVENTH COURT OF APPEALS DISTRICT, EASTLAND	1990	641,344		641,344
	1991	627,767		627,767
TWELFTH COURT OF APPEALS DISTRICT, TYLER	1990	626,343		626,343
	1991	609,782		609,782
THIRTEENTH COURT OF APPEALS DISTRICT, CORPUS CHRISTI	1990	1,144,568		1,144,568
	1991	1,124,818		1,124,818

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RECAPITULATION - ARTICLE IV
THE JUDICIARY
(Continued)

		GENERAL REVENUE	OTHER FUNDS	TOTAL
FOURTEENTH COURT OF APPEALS DISTRICT, HOUSTON	1990	1,645,539		1,645,539
	1991	1,646,539		1,646,539
SUPREME COURT OF TEXAS	1990	2,657,245	1,950,000	4,607,245
	1991	2,627,115	1,950,000	4,577,115
COURT OF CRIMINAL APPEALS	1990	2,532,058		2,532,058
	1991	2,513,858		2,513,858
STATE PROSECUTING ATTORNEY, OFFICE OF	1990	308,537		308,537
	1991	308,537		308,537
STATE LAW LIBRARY	1990	565,918	40,500	606,418
	1991	593,070	40,500	633,570
TEXAS JUDICIAL COUNCIL, OFFICE OF COURT ADMINISTRATION	1990	894,955	100,708	995,663
	1991	889,949	100,708	990,657
COURT REPORTERS CERTIFICATION BOARD	1990	98,205		98,205
	1991	93,205		93,205
STATE COMMISSION ON JUDICIAL CONDUCT	1990	324,624	86,132	410,756
	1991	323,774	86,132	409,906
JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT	1990	30,425,251	13,412,095	43,837,346
	1991	30,106,251	13,657,937	43,764,188
TOTAL, ARTICLE IV THE JUDICIARY*	1990 \$	52,937,415 \$	15,589,435 \$	68,526,850
	1991 \$	52,468,381 \$	15,835,277 \$	68,303,658
		=====	=====	=====

*Total does not include rider appropriations.

ARTICLE V

GENERAL PROVISIONS

The provisions set forth in this and all other Articles of this Act are limitations on the appropriations made in this Act. It is the purpose of the Legislature in enacting this bill only to appropriate funds and to restrict and limit by its provisions the amount and conditions under which the appropriations can be expended.

PROVISIONS RELATING TO THE POSITION CLASSIFICATION PLAN

Section 1. Except as otherwise specifically provided in this Act, expenditures of appropriations for the salaries of employees in classified positions in all affected agencies named in Article I, II, IV and the Central Education Agency and Schools for the Deaf and Blind in Article III of this Act, shall be governed by and be in conformity with the provisions of this Section, including the following list of position classification numbers, position titles, salary group allocations, and rates of pay in classification salary schedules hereinafter provided. As used with respect to salary ranges, "minimum" means the lowest rate in a salary range; "midpoint" means the rate designated as Step 4; and "maximum" means the rate designated as Step 8.

DETAILED LISTING OF ALL CLASSIFIED POSITIONS

Class Number	Position Title	Salary Group
0005	Switchboard Operator	04
0006	Switchboard Operator/Receptionist	05
0008	Switchboard Operator Supervisor	06
0011	Messenger	02
0051	Clerk I	02
0053	Clerk II	04
0055	Clerk III	06
0061	Clerical Supervisor I	06
0063	Clerical Supervisor II	07
0065	Clerical Supervisor III	09
0067	Clerical Supervisor IV	11
0103	Clerk Typist I	03
0106	Clerk Typist II	04
0126	Stenographer I	04
0127	Stenographer II	05
0128	Stenographer III	06
0131	Secretary I	05
0133	Secretary II	06
0135	Secretary III	07
0137	Legal Secretary I	09
0138	Administrative Secretary	09
0141	Hearings Reporter I	10
0142	Hearings Reporter II	12
0143	Hearings Reporter III	14
0146	Legal Secretary II	11
0201	Key Entry Operator I	04
0203	Key Entry Operator II	06
0205	Key Entry Operator III	08
0206	Key Entry Operator IV	10
0211	Key Entry Supervisor I	09
0213	Key Entry Supervisor II	11
0215	Key Entry Supervisor III	13
0221	ADP Equipment Operator I	07
0223	ADP Equipment Operator II	09
0225	ADP Equipment Operator III	11
0227	ADP Equipment Operator IV	14
0231	ADP Supervisor I	12
0232	ADP Supervisor II	14
0233	ADP Supervisor III	16
0234	ADP Supervisor IV	18
0239	ADP Programmer Apprentice	12
0240	ADP Programmer I	14
0241	ADP Programmer II	16
0242	ADP Programmer III	18
0243	ADP Programmer IV	20
0244	ADP Record Control Clerk I	05
0245	ADP Record Control Clerk II	07
0246	ADP Record Control Clerk III	09
0247	Magnetic Tape Librarian	08
0251	Programmer Analyst I	18
0252	Programmer Analyst II	20
0253	Programmer Analyst III	21
0254	Systems Support Specialist IV	16
0255	Systems Support Specialist I	10

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GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
0257	Systems Support Specialist II	12
0259	Systems Support Specialist III	14
0260	Systems Analyst I	16
0262	Systems Analyst II	18
0264	Systems Analyst III	20
0266	Systems Analyst IV	21
0268	Systems Programmer I	18
0269	Systems Programmer II	20
0270	Systems Programmer III	21
0273	Assistant Director of ADP	21
0274	Director of ADP I	19
0275	Director of ADP II	21
0277	Data Base Administrator I	16
0278	Data Base Administrator II	18
0279	Data Base Administrator III	20
0280	Data Base Administrator IV	21
0281	Telecommunications Specialist I	12
0282	Telecommunications Specialist II	14
0283	Telecommunications Specialist III	16
0284	Telecommunications Supervisor	18
0285	Telecommunications Administrator	20
0290	Word Processing Operator I	06
0292	Word Processing Operator II	08
0294	Word Processing Operator III	10
0306	Duplicating Machine Operator I	05
0308	Duplicating Machine Operator II	08
0309	Reproduction Equipment Operator I	09
0310	Reproduction Equipment Operator II	11
0311	Reproduction Equipment Operator III	13
0316	Reproduction Equipment Supervisor I	12
0317	Reproduction Equipment Supervisor II	14
0318	Reproduction Equipment Supervisor III	16
0320	Director of Reprographics	18
0325	Bindery Technician I	04
0326	Bindery Technician II	07
0327	Bindery Supervisor	11
0328	Bindery Technician III	09
0330	Photocomposer I	04
0332	Photocomposer II	06
0334	Photocomposer III	08
0336	Photocomposer Supervisor	11
0340	Microfilm Camera Operator I	06
0341	Microfilm Camera Operator II	08
0343	Micrographics Technician I	09
0344	Micrographics Technician II	11
0346	Micrographics Supervisor I	13
0347	Micrographics Supervisor II	15
0361	Photographer I	10
0363	Photographer II	12
0365	Photographer III	14
0367	Photographer IV	16

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
0382	Laminator Operator	07
0384	Laminator Supervisor	10
0386	Document Conservation Technician	08
0389	Document Conservation Supervisor	11
0411	Deputy Clerk, Court of Criminal Appeals	14
0515	Planning Assistant	16
0516	Planner I	17
0517	Planner II	19
0518	Planner III	20
0519	Planner IV	21
0520	Director, Program Planning	21
0540	Research Assistant I	11
0542	Research Assistant II	13
0544	Research Specialist I	15
0546	Research Specialist II	17
0548	Research Specialist III	18
0550	Director of Research	19
0552	Research Associate	19
0554	Chief of Research	21
1001	Accounting Clerk I	04
1002	Accounting Clerk II	06
1003	Accounting Clerk III	08
1046	Assistant Division Director, State Comptroller	20
1051	Hearings Examiner IV	21
1052	Hearings Examiner III	19
1053	Hearings Examiner II	17
1054	Hearings Examiner I	14
1056	Prehearing Examiner, Industrial Accident Board	20
1057	Senior Prehearing Examiner, Industrial Accident Board	21
1059	Taxpayer Compliance Officer I	11
1060	Taxpayer Compliance Officer II	12
1061	Taxpayer Compliance Officer III	14
1063	Taxpayer Compliance Supervisor I	16
1064	Taxpayer Compliance Supervisor II	17
1065	Regional Manager, Field Operations Division	20
1067	Senior Enforcement Officer I	16
1068	Senior Enforcement Officer II	18
1070	Senior Tax Auditor I	18
1071	Senior Tax Auditor II	21
1074	Financial Institutions Examiner I	11
1075	Financial Institutions Examiner II	13
1076	Financial Institutions Examiner III	15
1077	Financial Institutions Examiner IV	17
1078	Financial Institutions Examiner V	19
1079	Financial Institutions Examiner VI	21
1081	Accounts Examiner I	11
1082	Accounts Examiner II	13
1083	Accounts Examiner III	15
1084	Supervising Auditor I	18
1085	Supervising Auditor II	20
1086	Accounts Examiner IV	17

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
1087	Supervising Accounts Examiner	17
1088	Auditor I	12
1089	Auditor II	14
1090	Auditor III	16
1091	Assistant State Auditor I	13
1092	Assistant State Auditor II	15
1093	Assistant State Auditor III	17
1097	Supervising Assistant State Auditor I	19
1098	Supervising Assistant State Auditor II	21
1101	Insurance Examiner I	12
1102	Insurance Examiner II	14
1103	Insurance Examiner III	16
1107	Insurance Examiner IV	18
1108	Insurance Examiner V	20
1114	Assistant Chief Insurance Examiner	21
1120	EDP Audit Specialist I	14
1121	EDP Audit Specialist II	16
1122	EDP Audit Specialist III	18
1123	Supervisor of EDP Audits I	20
1124	Supervisor of EDP Audits II	21
1136	Assistant Director, Registration Division	21
1138	Assistant Director, Enforcement Division	21
1140	Dealer Registration Director	21
1141	Securities Investigator	15
1142	Senior Examiner	19
1144	Supervising Analyst	19
1145	Securities Analyst	15
1146	Senior Analyst	17
1147	Supervising Examiner	20
1150	Budget Examiner I	14
1151	Budget Examiner II	17
1152	Budget Examiner III	19
1153	Budget Examiner IV	21
1155	Budget Analyst I	14
1156	Budget Analyst II	17
1157	Budget Analyst III	19
1158	Budget Analyst IV	21
1161	Accountant I	11
1162	Accountant II	13
1163	Accountant III	16
1164	Chief Accountant I	17
1165	Chief Accountant II	19
1166	Chief Accountant III	20
1169	Director of Finance	20
1180	Assistant Investment Officer	21
1191	Receiver, General Land Office	12
1205	Assistant Director, Auditing and Tax Reporting	21
1206	Assistant Director of Auditing	19
1207	Director of Auditing	21
1208	Director of Accounting	21
1209	Management Audit Assistant	14

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
1211	Management Auditor I	15.
1213	Management Auditor II	17
1215	Supervising Management Auditor	19
1217	Management Audit Director	21
1220	Internal Auditor I	13
1222	Internal Auditor II	15
1224	Internal Auditor III	17
1226	Internal Auditor IV	19
1228	Internal Auditor V	20
1230	Internal Audit Director	21
1301	State Technical Operations Officer	14
1302	Emergency Information Planner	14
1303	Regional Liaison Officer	14
1308	State Operations Officer	15
1313	Emergency Resources Management Officer	16
1314	Emergency Resources Planning Officer	16
1327	Deputy State Coordinator	17
1329	State Coordinator, Defense and Disaster Relief	21
1408	Document Examiner I	07
1410	Document Examiner II	09
1412	Document Examiner III	11
1501	Administrative Technician I	08
1502	Administrative Technician II	11
1503	Administrative Technician III	13
1504	Administrative Technician IV	15
1506	Administrative Assistant	17
1513	Office Services Supervisor I	06
1514	Office Services Supervisor II	09
1515	Office Services Supervisor III	12
1545	Division Director	21
1549	Director of Records Service	18
1550	Staff Services Assistant	16
1551	Staff Services Officer I	19
1553	Staff Services Officer II	20
1554	Chief of Staff Services	21
1557	Director of Programs I	20
1558	Special Project Director	21
1559	Director of Programs II	21
1561	Operations Director	19
1562	Operations Director II	20
1563	Program Administrator I	17
1564	Program Administrator II	18
1565	Program Administrator III	19
1568	Staff Development Specialist I	17
1569	Staff Development Specialist II	19
1570	Staff Development Specialist III	21
1576	Time Distribution Specialist I	13
1577	Time Distribution Specialist II	15
1580	Field Records Analyst	09
1581	Methods and Procedures Specialist	16
1582	Technical Writer	15.

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
1584	Administrative Procedures Technician	16
1645	Assistant Executive Secretary, VLB	18
1656	Director of Business Management	18
1657	Business Manager I	17
1658	Business Manager II	19
1659	Business Manager III	21
1701	Personnel Clerk I	04
1702	Personnel Clerk II	06
1703	Personnel Clerk III	08
1711	Personnel Assistant I	11
1712	Personnel Assistant II	13
1721	Position Classification Analyst I	14
1722	Position Classification Analyst II	17
1723	Position Classification Analyst III	19
1724	Assistant Classification Officer	21
1726	Personnel Technician	16
1727	Personnel Management Specialist	18
1731	Personnel Officer I	15
1732	Personnel Officer II	16
1733	Personnel Officer III	17
1749	Assistant Personnel Director	16
1750	Personnel Director I	18
1751	Personnel Director II	19
1755	Director, Personnel and Staff Development	21
1763	Training Officer	15
1765	Training Specialist	14
1766	Director of Training and Staff Development	19
1767	Assistant Director of Training	15
1768	Director of Training	17
1795	Civil Rights Compliance Specialist	17
1801	Statistical Clerk I	04
1802	Statistical Clerk II	06
1803	Statistical Clerk III	08
1805	Land Inventory and Classification Analyst	12
1807	Nosologist I, Department of Health	08
1808	Nosologist II, Department of Health	10
1811	Statistician I	09
1812	Statistician II	12
1813	Statistician III	15
1815	Rate Statistician	17
1816	Assistant Director, Reports and Statistics	17
1817	Director, Reports and Statistics	19
1818	Assistant Chief of Economic Research and Analysis	18
1819	Chief of Economic Research and Analysis	21
1822	Director, Research Analysis and Statistics	21
1831	Traffic Recorder I	05
1832	Traffic Recorder II	06
1833	Traffic Recorder III	08
1834	Traffic Recorder IV	10
1845	Traffic Survey Supervisor	14
1853	Manager, Urban Traffic Studies	17

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
1855	Assistant Traffic Manager	16
1858	Traffic Manager.	18
1859	Journalist I	10
1860	Journalist II	12
1861	Coordinator, Informational Media	18
1862	Information Specialist I	14
1863	Information Specialist II	16
1864	Information Specialist III	18
1866	Research and Information Specialist	21
1867	Educational Writer	16
1868	Chief of Community Relations	19
1869	Chief of Media Relations	19
1873	Exhibit Technician I	10
1874	Exhibit Technician II	12
1875	Exhibit Technician III	14
1881	Travel Counselor I	03
1882	Travel Counselor II	05
1889	Supervisor, Instructional Media Laboratory	16
1890	Audio Visual Technician I	09
1891	Audio Visual Technician II	14
1892	Audio Visual Technician III	16
1895	Museum Curator	15
1898	Director of Graphics	18
1899	Audio Visual Director	16
1901	Stock Clerk I	02
1902	Stock Clerk II	04
1903	Stock Clerk III	06
1906	Methods Analyst	14
1911	Warehouse Supervisor	09
1915	Warehouse Superintendent	12
1925	Property Inventory Clerk I	03
1926	Property Inventory Clerk II	06
1929	Property Supervisor	09
1931	Property Manager	14
1935	Purchasing Clerk I	04
1936	Purchasing Clerk II	06
1937	Purchasing Clerk III	08
1940	Purchasing Assistant	10
1941	Purchaser I	13
1942	Purchaser II	16
1943	Purchaser III	19
1944	Senior Buyer	21
1946	Purchasing and Supply Officer I	12
1947	Purchasing and Supply Officer II	14
1951	Purchases Inspector I	11
1952	Purchases Inspector II	14
1953	Purchasing and Supply Officer III	16
1958	Specifications Chief	18
1960	Specifications Technician I	14
1961	Specifications Technician II	17
1963	Procurement Specialist, Highway Department.	15

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
1980	Chief, Purchasing and Supply Services	18
1981	Economist Assistant I	12
1983	Economist Assistant II	14
1985	Economist I	16
1986	Economist II	18
1987	Economist III	20
2000	Drafter I	08
2001	Drafter II	12
2002	Drafter III	15
2005	Superintendent, Graphic Arts	15
2009	Illustrator I	09
2010	Illustrator II	12
2011	Illustrator III	14
2050	Assistant Land Surveyor, GLO	17
2052	Senior Land Surveyor, GLO	20
2054	Assistant Chief Land Surveyor, GLO	21
2071	Manufacturing Process and Plant Inspector	15
2081	Material Analyst I	06
2082	Material Analyst II	09
2083	Material Analyst III	14
2117	Engineering Aide I	02
2118	Engineering Aide II	04
2119	Engineering Aide III	06
2120	Engineering Aide IV	08
2121	Engineering Technician I	08
2122	Engineering Technician II	10
2123	Engineering Technician III	12
2124	Engineering Technician IV	14
2125	Engineering Technician V	16
2127	Engineering Specialist I	17
2128	Engineering Specialist II	18
2129	Engineering Specialist III	19
2130	Engineering Specialist IV	20
2151	Engineering Assistant I	14
2153	Engineering Assistant II	15
2155	Engineering Assistant III	16
2156	Engineer I	17
2158	Engineer II	18
2159	Superintendent of Utilities	21
2160	Engineer III	19
2162	Engineer IV	20
2164	Engineer V	21
2170	Interactive Graphics Technician I	11
2172	Interactive Graphics Technician II	13
2174	Interactive Graphics Technician III	15
2176	Interactive Graphics Technician IV	17
2191	Utility Specialist I	17
2192	Utility Specialist II	19
2193	Utility Specialist III	20
2194	Utility Specialist IV	21
2251	Architect Assistant I	14

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
2253	Architect Assistant II	15
2254	Architect Assistant III	16
2255	Hydrologist Assistant III	16
2256	Architect I	17
2258	Architect II	18
2260	Architect III	19
2262	Architect IV	20
2264	Architect V	21
2270	Restoration Consultant	19
2351	Geologist Assistant I	14
2353	Geologist Assistant II	15
2355	Geologist Assistant III	16
2356	Geologist I	17
2358	Geologist II	18
2360	Geologist III	19
2362	Geologist IV	20
2364	Geologist V	21
2366	Chief of Building Engineering and Management	21
2451	Landscape Architect Assistant I	14
2453	Landscape Architect Assistant II	15
2456	Landscape Architect I	17
2458	Landscape Architect II	18
2460	Landscape Architect III	19
2462	Landscape Architect IV	20
2464	Landscape Architect V	21
2551	Hydrologist Assistant I	14
2553	Hydrologist Assistant II	15
2556	Hydrologist I	17
2558	Hydrologist II	18
2560	Hydrologist III	19
2562	Hydrologist IV	20
2564	Hydrologist V	21
2661	Chemist I	11
2662	Chemist II	13
2663	Chemist III	15
2664	Chemist IV	17
2665	Chemist V	19
2667	Chemist VI	21
2671	Chemist Toxicologist I	16
2672	Chemist Toxicologist II	17
2673	Chemist Toxicologist III	18
2675	Supervisor, Toxicology Laboratory	19
2720	Deputy State Fire Marshal Apprentice	11
2721	Deputy State Fire Marshal I	13
2722	Deputy State Fire Marshal II	15
2723	Deputy State Fire Marshal III	17
2724	Deputy State Fire Marshal IV	19
2725	Deputy State Fire Marshal V	21
2746	Fire and Safety Officer	15
2750	Occupational Safety Officer I	15
2751	Occupational Safety Officer II	17

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
2752	Occupational Safety Manager I	19
2753	Occupational Safety Manager II	21
2755	Safety Coordinator I, SDHPT	13
2756	Safety Coordinator II, SDHPT	15
2758	Safety Supervisor, SDHPT	16
2781	Hearings Officer, Board of Insurance	20
2785	Safety Services Inspector I	16
2787	Safety Services Inspector II	17
2789	Safety Services Inspector III	19
2791	Financial Examiner Trainee	16
2793	Assistant Financial Examiner	19
2795	Commissioned Financial Examiner	21
2800	Actuary I	19
2802	Actuary II	20
2804	Actuary III	21
2810	Loss Control Representative I	15
2811	Loss Control Representative II	17
2812	Loss Control Representative III	18
2815	Real Estate Appraiser	16
2816	Supervising Real Estate Appraiser	18
2823	Insurance Technician I	08
2824	Insurance Technician II	10
2825	Insurance Technician III	12
2826	Insurance Technician IV	14
2827	Insurance Technician V	15
2828	Insurance Technician VI	16
2829	Insurance Technician VII	17
2830	Insurance Technician VIII	18
2841	Insurance Specialist I	12
2842	Insurance Specialist II	14
2843	Insurance Specialist III	16
2844	Insurance Specialist IV	17
2845	Insurance Specialist V	18
2880	Insurance Director I	19
2883	Insurance Director II	20
2885	Insurance Director III	21
2910	Retirement Analyst I	08
2911	Retirement Analyst II	10
2912	Retirement Analyst III	12
2917	Senior Retirement Analyst I	14
2919	Senior Retirement Analyst II	16
3001	Interviewing Clerk	08
3003	Youth Program Supervisor	16
3005	Employment Interviewer I	10
3006	Employment Interviewer II	11
3007	Employment Interviewer III	12
3009	Employment Interviewer IV	13
3011	Supervising Interviewer	13
3020	Counselor Interviewer	12
3021	Employment Counselor I	13
3022	Employment Counselor II	14

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
3023	Employment Counselor III	15
3026	Employment Specialist	12
3030	Interviewer/Veterans Employment Representative	12
3031	Veterans Employment Representative I	13
3032	Veterans Employment Representative II	14
3033	Veterans Employment Representative III	15
3034	Equal Employment Opportunity Representative	14
3036	Employment Security Labor Representative	15
3038	Senior Employment Security Labor Representative	17
3039	Employment Security Labor Representative Coordinator	18
3041	Employment Supervisor I	14
3042	Employment Supervisor II	15
3043	Employment Supervisor III	16
3044	Monitor/Advocate I	17
3045	Monitor/Advocate II	19
3051	Area Manager I	14
3052	Area Manager II	15
3053	Area Manager III	16
3054	Area Manager IV	17
3061	Employment Security Field Assistant	17
3071	Employment Security Assistant District Director	18
3075	Area Manager V	18
3081	Employment Security District Director I	19
3082	Employment Security District Director II	20
3083	Employment Security District Director III	21
3101	Employment Technician I	13
3102	Employment Technician II	14
3103	Employment Technician III	16
3108	Supervisor of Technical Services	17
3121	Placement Specialist I	15
3122	Placement Specialist II	16
3123	Supervisor, Placement Field Services	17
3129	Chief of Job Service Operations, TEC	21
3135	District Trainer I	13
3136	District Trainer II	14
3141	Labor Market Analyst I	12
3142	Labor Market Analyst II	13
3143	Labor Market Analyst III	15
3148	Supervising Labor Market Analyst	16
3151	Unemployment Insurance Claims Examiner I	10
3152	Unemployment Insurance Claims Examiner II	12
3153	Unemployment Insurance Claims Examiner III	13
3158	Supervising Unemployment Insurance Claims Examiner	14
3171	Unemployment Insurance Specialist I	15
3172	Unemployment Insurance Specialist II	16
3174	Supervisor, Unemployment Insurance Field Service	17
3184	Unemployment Insurance Supervisor	17
3190	Appeals Referee I, TEC	14
3191	Appeals Referee II, TEC	15
3192	Appeals Referee III, TEC	17
3193	Assistant Supervisor of Appeals, TEC	19

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GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
3194	Supervisor of Appeals, TEC	21
3195	Unemployment Tax Supervisor, TEC	16
3197	Assistant Chief of Unemployment Insurance, TEC	18
3198	Chief of Unemployment Insurance, TEC	21
3199	Assistant Chief of Tax, TEC	18
3200	Chief of Tax, TEC	21
3201	Deputy Assistant Administrator	21
3202	Associate Chief of Employment Service	19
3206	Premises Specialist	14
3207	Assistant Supervisor of Premises, TEC	17
3208	Supervisor of Premises	19
3209	Associate Chief of Unemployment Insurance	19
3211	Unemployment Tax Specialist I	15
3212	Unemployment Tax Specialist II	16
3214	Supervisor, Unemployment Tax Field Service	17
3221	Employment Security Program Advisor	19
3225	Confidential Assistant to Commissioner, TEC	19
3425	Supervising Inspector	16
3451	Inspector I, Labor and Standards	10
3452	Inspector II, Labor and Standards	12
3453	Inspector III, Labor and Standards	14
3461	Investigator I, Labor and Standards	10
3462	Investigator II, Labor and Standards	12
3463	Investigator III, Labor and Standards	14
3470	Nuclear Power Plant Inspector	18
3471	Pressure Vessel Plant Inspector	16
3501	Legal Examiner	21
3510	Director of Hearings	21
3511	Assistant Director of Hearings	19
3534	Attorney I	14
3535	Attorney II	15
3536	Attorney III	17
3537	Attorney IV	18
3538	Attorney V	19
3539	Attorney VI	21
3550	Deputy Clerk I	09
3552	Deputy Clerk II	11
3554	Deputy Clerk III	14
3556	Deputy Clerk IV	17
3560	Appellate Secretary I	09
3562	Appellate Secretary II	11
3564	Appellate Secretary III	13
3570	Legal Assistant I	12
3572	Legal Assistant II	14
3574	Legal Assistant III	16
3605	Legal Counselor	19
3606	Assistant General Counsel	18
3607	General Counsel	21
3637	Legal Consultant, Department of Health	19
3643	Investigator I	12
3644	Investigator II	14

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
3645	Investigator III	16
3646	Supervising Investigator	18
3701	Right of Way Appraiser I	13
3702	Right of Way Appraiser II	15
3705	Right of Way Appraiser III	19
3721	Right of Way Agent I	12
3722	Right of Way Agent II	14
3723	Right of Way Agent III	16
3726	Right of Way Agent IV	18
3741	Right of Way Utility Agent I	11
3742	Right of Way Utility Agent II	13
3743	Right of Way Utility Agent III	16
3746	Right of Way Utility Agent IV	18
3776	Senior Investigator-Examiner	17
3780	Right of Way Attorney I	14
3781	Right of Way Attorney II	15
3783	Right of Way Attorney III	19
3797	Superintendent of Contracts	18
3802	Claims Officer I	09
3803	Claims Officer II	11
3804	Claims Officer III	13
3806	Claims Officer IV	15
3900	Appraiser I	13
3901	Appraiser II	15
3902	Appraiser III	17
3903	Supervising Appraiser	19
3904	Chief Appraiser	21
4001	Nutritionist I	11
4002	Nutritionist II	13
4003	Nutritionist III	15
4004	Nutritionist IV	18
4005	Nutritionist V	20
4021	Medical Records Clerk	06
4041	Visual Education Specialist	11
4052	Specialist, Child Health I	15
4053	Specialist, Child Health II	17
4054	Specialist, Child Health III	19
4055	Health Program Specialist I, Department of Health	17
4056	Health Program Specialist II, Department of Health	19
4060	Environmental Quality Specialist I	11
4061	Environmental Quality Specialist II	13
4062	Environmental Quality Specialist III	15
4063	Environmental Quality Specialist IV	17
4064	Environmental Quality Specialist V	19
4065	Environmental Quality Specialist VI	21
4070	Public Health Technician I	11
4072	Public Health Technician II	13
4074	Public Health Technician III	15
4076	Public Health Technician IV	17
4081	Epidemiologist I	15
4082	Epidemiologist II	17

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
4083	Epidemiologist III	19
4084	Epidemiologist IV	21
4108	Sanitation Inspector I	07
4109	Sanitation Inspector II	11
4111	Sanitarian I	11
4112	Sanitarian II	13
4113	Sanitarian III	15
4114	Sanitarian IV	17
4115	Sanitarian V	19
4116	Sanitarian VI	21
4121	Meat Inspector I	08
4122	Meat Inspector II	11
4123	Meat Inspector III	13
4124	Veterinarian I	17
4125	Veterinarian II	19
4127	Veterinarian III	21
4141	Inspector I	09
4142	Inspector II	11
4143	Inspector III	13
4158	Consultant Hospital Administration I	17
4159	Consultant Hospital Administration II	19
4160	Consultant Hospital Administration III	21
4174	Assistant Director, Nursing and Convalescent Homes	21
4191	Investigator, Medical Practices I	13
4192	Investigator, Medical Practices II	15
4195	Assistant Executive Director, Dental Board	21
4199	Investigator, Dental Board	16
4203	Laboratory Technician I	03
4204	Laboratory Technician II	05
4206	Laboratory Technician III	07
4207	Laboratory Technician IV	09
4208	Laboratory Technician V	11
4211	Rabies Laboratorian	12
4212	Infection Control Practitioner I	16
4213	Infection Control Practitioner II	18
4216	Medical Technologist I	12
4217	Medical Technologist II	15
4218	Medical Technologist III	18
4219	Microbiologist I	11
4220	Microbiologist II	13
4221	Microbiologist III	15
4222	Microbiologist IV	17
4223	Microbiologist V	19
4224	Microbiologist VI	21
4227	Entomologist I	12
4228	Entomologist II	15
4229	Entomologist III	18
4257	Laboratory Consultant	18
4290	X-Ray Assistant	03
4291	X-Ray Technician I	06
4292	X-Ray Technician II	08

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
4293	X-Ray Technician III	11
4298	Electroencephalograph Technician	09
4340	Orthopedic Equipment Assistant	06
4342	Orthopedic Equipment Technician I	08
4344	Orthopedic Equipment Technician II	10
4348	Therapist Technician I	02
4349	Therapist Technician II	04
4350	Therapist Technician III	05
4351	Therapist Technician IV	07
4352	Therapist Technician V	09
4354	Registered Therapist I	12
4355	Registered Therapist II	14
4356	Registered Therapist III	16
4357	Registered Therapist IV	18
4358	Registered Therapist V	19
4359	Registered Therapist Assistant I	09
4360	Registered Therapist Assistant II	11
4370	Medical Aide I	02
4372	Medical Aide II	04
4373	Medical Aide III	05
4376	Medical Aide IV	07
4377	Medical Technician I	09
4378	Medical Technician II	11
4379	Medical Technician III	13
4383	Advanced Nurse Practitioner	17
4384	Nurse I	12
4385	Nurse II	14
4386	Nurse III	16
4387	Nurse IV	18
4388	Nurse V	20
4389	Assistant Director, Departmental Nursing	21
4390	Director of Nursing Services, Department of Health	21
4391	MHMR Aide	03
4392	MHMR Services Assistant	05
4393	MHMR Specialist I	06
4394	MHMR Specialist II	07
4395	MHMR Supervisor	09
4401	Psychiatric Security Technician I	04
4402	Psychiatric Security Technician II	06
4403	Psychiatric Security Technician III	07
4404	Psychiatric Security Supervisor I	09
4405	Psychiatric Security Supervisor II	11
4411	Licensed Vocational Nurse I	08
4412	Licensed Vocational Nurse II	10
4413	Medical Assistant I	11
4414	Medical Assistant II	12
4423	Physician Assistant	19
4424	Pulmonary Physiology Technician	09
4426	Respiratory Care Practitioner I	07
4427	Respiratory Care Practitioner II	09
4428	Respiratory Care Practitioner III	11

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
4429	Respiratory Care Practitioner IV	13
4465	Director, Student Life and Training	18
4466	Assistant Director, Student Life and Training	13
4467	Associate Director of Vocational Nurse Education	20
4468	Director of Vocational Nurse Education	21
4469	Nursing Consultant	20
4470	Educational Secretary/Deputy Director, Nurse Examiners	21
4481	Dental Assistant I	04
4482	Dental Assistant II	06
4483	Dental Assistant III	08
4484	Dental Lab Technician	12
4488	Dental Hygienist I	13
4489	Dental Hygienist II	16
4490	Pharmacist I	15
4491	Pharmacist II	17
4492	Pharmacist III	19
4497	Pharmacy Technician I	06
4498	Pharmacy Technician II	08
4499	Pharmacy Technician III	10
4501	Correctional Officer I	07
4502	Correctional Officer II	09
4503	Correctional Officer III	11
4530	Sergeant of Correctional Officers	13
4535	Lieutenant of Correctional Officers	14
4536	Captain of Correctional Officers	15
4537	Major of Correctional Officers	17
4550	Assistant Warden	19
4556	Warden I	19
4558	Warden II	21
4560	Counsel Substitute I	11
4561	Counsel Substitute II	13
4562	Counsel Substitute III	15
4607	Assistant Superintendent of Canning Plant	13
4608	Superintendent, Canning Plant	15
4617	Assistant Superintendent of Packing Plant	13
4618	Superintendent, Packing Plant	15
4634	Marketing Agent, Department of Corrections	17
4640	Sales Coordinator, Department of Corrections	14
4646	Industrial Supervisor I	11
4647	Industrial Supervisor II	12
4648	Industrial Supervisor III	13
4649	Industrial Supervisor IV	14
4650	Industrial Supervisor V	16
4651	Industrial Supervisor VI	18
4658	Superintendent of Gins	15
4667	Assistant Manager, Livestock and Poultry Production	17
4668	Manager, Livestock and Poultry Production	18
4671	Unit Agriculture Supervisor I	12
4672	Unit Agriculture Supervisor II	13
4673	Unit Agriculture Supervisor III	14
4679	Superintendent of Harvesting Equipment	15

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GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
4681	Assistant Manager, Field Crops	17
4682	Assistant Manager, Edible Crops	17
4683	Manager, Edible Crops	18
4684	Manager, Field Crops	18
4685	Farm Manager I	15
4686	Farm Manager II	16
4688	Agricultural Planning Engineer, Department of Corrections	15
4702	Assistant Recreation Supervisor	09
4703	Recreations Supervisor	11
4731	Instructor, Vocational Education	10
4735	Education Consultant	14
4739	Correctional Medication Aide	09
4741	Alcoholism Counselor I	13
4742	Alcoholism Counselor II	14
4744	Supervising Alcoholism Counselor	14
4751	Commissary Manager	07
4752	Canteen Manager I	10
4753	Canteen Manager II	13
5001	Social Service Worker I	11
5002	Social Service Worker II	12
5003	Social Service Worker III	13
5004	Human Services Specialist	15
5006	Social Service Supervisor	15
5008	Social Service Training Specialist I	16
5009	Social Service Training Specialist II	17
5011	Social Service Case Analyst I	14
5012	Social Service Case Analyst II	16
5014	Social Service Program Consultant	17
5017	Adult Protective Services Specialist	14
5019	Adult Protective Services Supervisor	16
5020	Institutional Licensing Representative	15
5023	Child Protective Services Specialist I	12
5024	Child Protective Services Specialist II	14
5025	Child Protective Services Specialist III	15
5026	Child Protective Services Specialist IV	16
5027	Child Protective Services Supervisor I	16
5028	Child Protective Services Supervisor II	17
5031	Social Service Program Director I	16
5032	Social Service Program Director II	17
5033	Social Service Program Director III	18
5035	Income Assistance Specialist I	11
5036	Income Assistance Specialist II	12
5037	Income Assistance Specialist III	13
5038	Income and Medical Assistance Specialist I	12
5039	Income and Medical Assistance Specialist II	13
5041	Social Service Administrator I	18
5042	Social Service Administrator II	19
5043	Social Service Administrator III	20
5044	Social Service Administrator IV	21
5055	Disability Examiner I	15
5057	Disability Examiner II	16

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
5058	Disability Examiner III	17
5059	Rehabilitation Technician I	11
5060	Rehabilitation Technician II	13
5061	Disability Determination Officer	16
5062	Vocational Rehabilitation Counselor I	15
5063	Vocational Rehabilitation Counselor II	16
5066	Director, Vocational Rehabilitation	21
5068	Vocational Rehabilitation Counselor III	17
5070	Rehabilitation Services Technician I	07
5071	Rehabilitation Services Technician II	09
5072	Rehabilitation Services Technician III	11
5073	Rehabilitation Services Technician IV	13
5078	Chaplaincy Services Assistant I	09
5079	Chaplaincy Services Assistant II	11
5080	Chaplaincy Services Assistant III	12
5081	Chaplain I	13
5082	Chaplain II	16
5083	Chaplain III	18
5105	Veterans Assistance Counselor I	14
5106	Veterans Assistance Counselor II	15
5107	Veterans Assistance Counselor III	16
5108	Veterans Assistance Supervisor I	17
5109	Veterans Assistance Supervisor II	18
5116	Regional Director, Texas Veterans Commission	20
5118	Rehabilitation Interviewing Clerk	09
5150	Parole Analyst	16
5151	Parole Officer I	13
5152	Parole Officer II	15
5153	Parole Supervisor	17
5165	Parole Regional Supervisor	19
5181	Director, Division of Parole Supervision	21
5190	Youth Activities Supervisor I	07
5191	Youth Activities Supervisor II	08
5192	Youth Activities Supervisor III	09
5193	Youth Activities Supervisor IV	10
5201	Houseparent I	06
5203	Houseparent II	08
5204	Houseparent III	11
5205	Director of Recreation	17
5206	Workshop Program Director	18
5211	Caseworker I	09
5212	Caseworker II	12
5213	Caseworker III	15
5214	Chief of Case Work Services	20
5215	Medical Caseworker/Psychiatric Caseworker	18
5216	Caseworker Assistant	06
5218	Clinical Social Work Assistant	08
5220	Clinical Social Worker I	11
5221	Clinical Social Worker II	13
5222	Clinical Social Worker III	15
5223	Clinical Social Worker IV	17

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GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
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Class Number	Position Title	Salary Group
5224	Clinical Social Worker V	18
5226	Chief of Clinical Social Work Services	20
5231	Assistant Volunteer Coordinator I	11
5232	Assistant Volunteer Coordinator II	13
5233	Coordinator for Volunteer Services I	15
5234	Coordinator for Volunteer Services II	17
5242	Assistant Chief of Volunteer Services	18
5243	Chief of Volunteer Services	19
5249	Clinical Psychologist Intern	05
5250	Psychologist	16
5251	Clinical Psychologist	17
5252	Psychological Assistant	12
5253	Associate Clinical Psychologist I	15
5254	Associate Clinical Psychologist II	16
5255	Associate Clinical Psychologist III	17
5256	Associate Clinical Psychologist IV	18
5268	Research Technician I	06
5269	Research Technician II	12
5351	Rehabilitation Teacher I	10
5352	Rehabilitation Teacher II	12
5354	Rehabilitation Caseworker	14
5377	Supervisor, Field Operations, Commission for the Blind	18
5378	Coordinator of Rehabilitation	16
5401	Program Coordinator, Commission on Alcohol and Drug Abuse	14
5411	District Director, Commission on Alcohol and Drug Abuse	17
5412	Prevention Specialist, Commission on Alcohol and Drug Abuse	15
5416	Industrial Consultant, Commission on Alcohol and Drug Abuse	15
5501	Community Service Aide I	02
5502	Community Service Aide II	04
5503	Community Service Aide III	06
5504	Social Services Technician I	07
5505	Social Services Technician II	09
5508	Office Support Clerk	05
5510	Regional Director	21
5511	Assistant Regional Director	20
5512	Program Specialist I	18
5513	Program Specialist II	19
5514	Chief of Program Evaluation	19
5515	Vocational Rehabilitation Supervisor I	18
5516	Vocational Rehabilitation Supervisor II	19
5520	Quality Control Reviewer	14
5521	Quality Control Supervisor	16
5522	Quality Control Section Director	18
5523	Aging Program Specialist I	17
5524	Aging Program Specialist II	18
5525	Aging Program Specialist III	19
5530	Child Development Specialist I	09
5531	Child Development Specialist II	11
5532	Child Development Specialist III	13
5533	Child Development Specialist IV	15
5534	Child Development Specialist V	17

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
5540	Child Support Officer I	09
5541	Child Support Officer II	11
5542	Child Support Officer III	13
5543	Child Support Officer IV	15
5600	Contract Technician I	09
5602	Contract Technician II	11
5604	Contract Technician III	13
5606	Contract Specialist I	15
5607	Contract Specialist II	16
6070	Criminalist I	13
6071	Criminalist II	14
6072	Criminalist III	15
6073	Criminalist IV	16
6074	Criminalist V	17
6075	Criminalist VI	18
6076	Supervising Criminalist I	18
6077	Supervising Criminalist II	19
6080	Training Coordinator, Forensic Serology	18
6095	Communications Center Shift Leader	09
6099	Communications Center Specialist	07
6100	Police Communications Operator I	09
6103	Police Communications Operator II	10
6104	Police Communications Operator III	11
6105	Supervisor, Police Communications Facility	14
6109	Regional Supervisor, Police Communications	16
6110	Headquarters Communication Center Supervisor	16
6111	Polygraph Examiner I	13
6112	Polygraph Examiner II	15
6121	Fingerprint Expert I	09
6122	Fingerprint Expert II	11
6126	Latent Fingerprint Expert	14
6130	Crime Laboratory Evidence Technician	11
6131	Assistant Manager, Alcohol Breath Testing	20
6132	Assistant Field Laboratory Manager	20
6133	Manager of Laboratories, Public Safety	20
6141	Handwriting Expert I	11
6142	Handwriting Expert II	12
6145	Handwriting Expert III	15
6148	Composite Artist	14
6151	Firearms Expert I	10
6152	Firearms Expert II	12
6153	Firearms Expert III	15
6159	Modus Operandi Section Supervisor	16
6161	Evaluator I	10
6162	Evaluator II	12
6163	Evaluator III	14
6166	Manager, Driver Improvement and Control	16
6173	Manager, License Issuance and Driver Records	17
6176	Manager, Safety Responsibility	18
6201	Regional Adjutant	14
6211	Inspector, Department of Public Safety	18

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GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
6212	Chief, Inspection and Planning Division, DPS	21
6213	Chief, Crime Records Division, DPS	21
6220	Records Technician-I, DPS	07
6221	Records Technician II, DPS	09
6222	Records Technician III, DPS	10
6225	Drivers License Examiner	09
6301	Port of Entry Inspector I	08
6302	Port of Entry Inspector II	10
6308	Port of Entry Supervisor	13
6316	Supervisor, Licenses and Permits, ABC	17
6600	Assistant Rate Director, RRC	21
6601	Transportation Analyst I	12
6602	Transportation Analyst II	17
6603	Transportation Analyst III	19
6638	Assistant Director, Production and Proration	18
6675	Secretary, Railroad Commission	12
6705	Chief Investigator, Motor Vehicle Division	18
6706	Motor Vehicle Title Specialist	07
6707	Supervisor, Motor Vehicles Section	17
6711	Chief of Vehicle Titles	18
6715	Motor Vehicle Transfer Analyst	12
6721	Chief of Vehicle Registration	18
6745	Field Representative I	13
6746	Field Representative II	15
6805	Assistant Superintendent	21
6900	State Capitol Security Police Officer	10
6901	State Capitol Security Police Sergeant	11
6902	State Capitol Security Police Lieutenant	12
6905	State Capitol Security Police Captain	15
6910	Chief of Capitol Security Police	20
7005	Educational Program Director	19
7009	Director, Instructional Media Division	20
7010	Consultant, Instructional Services	17
7013	Instructional Media Technician	14
7015	Administrative Program Specialist I	17
7016	Administrative Program Specialist II	18
7017	Education Guidance Specialist I	17
7018	Education Guidance Specialist II	18
7019	Education Research Specialist I	17
7020	Education Research Specialist II	18
7021	Education Specialist I	17
7022	Education Specialist II	18
7023	Fiscal Program Specialist I	17
7024	Fiscal Program Specialist II	18
7025	Occupational Education Specialist I	17
7026	Occupational Education Specialist II	18
7027	Special Education Specialist I	17
7028	Special Education Specialist II	18
7032	Archaeologist Assistant	11
7039	Program Officer I	17
7040	Program Officer II	19

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
7041	Program Officer III	21
7138	Director, Administrative Services	21
7304	Archaeologist I	13
7306	Archaeologist II	15
7308	Archaeologist III	17
7310	State Archaeologist	21
7401	Librarian I	11
7402	Librarian II	13
7403	Librarian III	15
7404	Library Consultant/Administrator	16
7405	Archivist I	11
7407	Archivist II	13
7409	Archivist III	15
7413	Translator, Spanish	10
7415	Library Assistant I	05
7416	Library Assistant II	07
7417	Library Assistant III	09
7420	Law Librarian I	14
7421	Law Librarian II	16
7450	Medical Librarian	05
7451	Medical Records Technician	08
7452	Registered Records Administrator	14
7453	Senior Registered Records Administrator	17
7500	Fish and Wildlife Technician I	07
7501	Fish and Wildlife Technician II	09
7502	Fish and Wildlife Technician III	11
7517	Captain Game Warden	18
7528	Fish Hatchery Superintendent	13
7542	Biologist I, Conservation	12
7543	Biologist II, Conservation	14
7549	Biologist III, Conservation	16
7550	Field Manager for Fish and Wildlife	18
7610	Agricultural Supervisor	08
7617	Assistant Agriculture Inspector I	06
7618	Assistant Agriculture Inspector II	08
7619	Assistant Agriculture Inspector III	10
7620	Agriculture Inspector I	12
7621	Agriculture Inspector II	14
7622	Agriculture Inspector III	16
7623	Agriculture Inspector IV	18
7650	Animal Health Inspector I	06
7651	Animal Health Inspector II	08
7652	Animal Health Inspector III	10
7653	Animal Health Inspector IV	12
7654	Animal Health Inspector V	14
7655	Animal Health Area Supervisor	16
7701	Seed Analyst I	08
7702	Seed Analyst II	10
7703	Seed Analyst III	12
7704	Seed Analyst IV	14
7705	Seed Analyst V	16

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
7730	Agronomist I	12
7731	Agronomist II	15
7732	Agronomist III	18
7733	Apprentice Marketing Specialist	10
7734	Marketing Specialist I	12
7735	Marketing Specialist II	14
7736	Marketing Specialist III	16
7737	Marketing Specialist IV	18
7741	Soil Conservationist	17
7742	Assistant Executive Director, Soil Conservation Board	21
7805	Operations and Maintenance Supervisor	18
7816	Park Ranger I	05
7817	Park Ranger II	07
7818	Park Ranger III	09
7821	Park Superintendent I	11
7823	Park Superintendent II	14
7825	Park Superintendent III	15
7826	Park Superintendent IV	16
7830	Interpretation Planner	15
7832	State Park Coordinator	18
8001	Building Custodian I	02
8009	Building Custodian II	03
8010	Building Custodian III	05
8011	Housekeeping Manager I	11
8012	Housekeeping Manager II	13
8013	Housekeeping Manager III	15
8015	Building Superintendent	08
8031	Groundskeeper I	02
8032	Groundskeeper II	03
8033	Groundskeeper III	05
8034	Arborist	07
8035	Elevator Operator	02
8050	Security Officer I	08
8051	Security Officer II	10
8052	Security Officer III	12
8060	Security Worker I	02
8061	Security Worker II	03
8063	Security Worker III	05
8065	Security Worker IV	07
8102	Food Service Worker I	02
8103	Food Service Worker II	03
8115	Cook I	02
8116	Cook II	03
8117	Head Cook I	04
8118	Head Cook II	06
8149	Assistant Food Service Manager	09
8150	Food Service Manager I	13
8151	Food Service Manager II	16
8153	Chief of Food Service Management	18
8158	Dietetic Technician	09
8159	Dietetic Assistant	07

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GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
8160	Dietitian I	11
8161	Dietitian II	13
8165	Chief Dietitian	15
8180	Meat Processing Supervisor I	11
8181	Meat Processing Supervisor II	13
8202	Sewing Room Worker	02
8203	Sewing Room Supervisor	06
8249	Washer	05
8251	Laundry Worker I	02
8252	Laundry Worker II	03
8255	Laundry Supervisor	06
8260	Laundry Manager I	09
8261	Laundry Manager II	11
8262	Laundry Manager III	14
8263	Manager, Laundry and Linen Services	16
8301	Barber I	05
8302	Barber II	06
8310	Cosmetologist I	05
8311	Cosmetologist II	06
9001	Helper, Maintenance and Construction	03
9003	Laborer	02
9004	Helper, Furniture Refinisher	06
9005	Furniture Refinisher I	08
9006	Furniture Refinisher II	09
9020	Elevator Maintenance Supervisor	18
9034	Air Conditioning and Boiler Operator I	05
9035	Air Conditioning and Boiler Operator II	07
9036	Air Conditioning and Boiler Operator III	09
9037	Air Conditioning and Boiler Operator IV	12
9039	Chief Air Conditioning and Boiler Operator	15
9041	Maintenance Mechanic I	06
9042	Maintenance Mechanic II	08
9043	Maintenance Mechanic III	09
9044	Maintenance Mechanic IV	11
9046	Maintenance Mechanic V	13
9047	Electrical and Air Conditioning Mechanic I	11
9048	Electrical and Air Conditioning Mechanic II	12
9049	Electrical and Air Conditioning Mechanic III	14
9050	Chief Electrical and Air Conditioning Mechanic	16
9051	Maintenance Supervisor I	10
9052	Maintenance Supervisor II	12
9053	Maintenance Supervisor III	14
9054	Maintenance Supervisor IV	15
9059	Fire and Safety Assistant	08
9060	Fire and Safety Inspector	10
9085	Plant Maintenance Manager I	14
9086	Plant Maintenance Manager II	16
9087	Plant Maintenance Manager III	18
9088	Plant Maintenance Manager IV	20
9089	Plant Maintenance Superintendent	21
9090	General Construction Inspector	18

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GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
9091	Chief, Construction and Inspection	20
9094	Building Manager	14
9096	Clerk of the Works I	15
9097	Clerk of the Works II	18
9099	Superintendent of Building and Equipment, Department of Corrections	15
9122	Locksmith	10
9201	Tunnel Guard I	07
9202	Tunnel Guard II	09
9204	Tunnel Machinery Operator	09
9206	Tunnel Supervisor	12
9208	Tunnel Superintendent	14
9221	Deckhand	09
9223	Oiler	09
9226	Ships Carpenter	09
9228	Maintenance Welder, Ferry	09
9230	Assistant Marine Maintenance Technician	10
9231	Chief Marine Maintenance Technician	13
9232	Pilot	10
9234	Master and Pilot	13
9236	Assistant Ferry Manager	14
9238	Ferry Manager	15
9239	Assistant Ferry Operations Manager	18
9240	Ferry Operations Manager	19
9241	Bridge Tender	07
9243	Chief Bridge Tender	10
9251	Marine Supervisor I	09
9252	Marine Supervisor II	12
9256	Marine Superintendent	14
9258	Senior Marine Superintendent	16
9278	Core Drilling Supervisor	14
9287	Maintenance Construction Chief I	09
9288	Maintenance Construction Chief II	12
9289	Maintenance Construction Chief III	14
9291	Maintenance Construction Supervisor I	14
9292	Maintenance Construction Supervisor II	15
9293	Maintenance Construction Supervisor III	16
9295	Maintenance Construction Superintendent I	16
9296	Maintenance Construction Superintendent II	17
9305	Roadway Maintenance Supervisor I	13
9306	Roadway Maintenance Supervisor II	15
9307	Roadway Maintenance Supervisor III	16
9308	Roadway Maintenance Supervisor IV	17
9309	Roadway Maintenance Supervisor V	18
9312	District Roadway Maintenance Superintendent I	17
9313	District Roadway Maintenance Superintendent II	18
9314	District Roadway Maintenance Superintendent III	19
9401	Truck Driver I	02
9402	Truck Driver II	05
9403	Truck Driver III, Heavy Vans	07
9411	Motor Vehicle Service Worker	02
9416	Motor Vehicle Mechanic I	06

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
9417	Motor Vehicle Mechanic II	08
9418	Motor Vehicle Mechanic III	10
9421	Motor Vehicle Repair, Supervisor	14
9451	Tire Maintenance Specialist	14
9510	Machinist I	10
9512	Machinist II	12
9514	Machinist III	14
9516	Welder, Combination	08
9518	Welding Technician	16
9531	Sign Supervisor	12
9533	Sign Superintendent	15
9541	Shop Supervisor I	09
9542	Shop Supervisor II	12
9543	Shop Supervisor III	13
9544	Shop Supervisor IV	15
9548	Equipment and Services Superintendent	17
9602	Railroad Technician	13
9604	Railroad Engineer	13
9620	Aircraft Pilot I	15
9622	Aircraft Pilot II	17
9624	Aircraft Pilot III	19
9626	Chief Pilot	20
9630	Aircraft Mechanic Apprentice	10
9632	Aircraft Mechanic I	13
9634	Aircraft Mechanic II	15
9636	Line Chief	17
9638	Senior Aircraft Mechanic and Inspector	19
9640	Airframe and Power Plant Chief	19
9642	Chief of Aircraft Maintenance	21
9650	Avionics Apprentice	13
9652	Avionics Technician	16
9654	Avionics Manager	19
9708	Communications Procedures Specialist	15
9709	Ammunition Loader	09
9711	Radio Mechanic I	09
9712	Radio Mechanic II	11
9713	Radio Tower Technician I	11
9714	Radio Specialist	11
9715	Radio Tower Technician II	13
9716	Communications Electronic Technician I	12
9718	Communications Electronic Technician II	14
9722	Communications Superintendent I	12
9723	Communications Superintendent II	14
9724	Communications Superintendent III	17
9726	Assistant Communications Officer	12
9727	Communications Officer	14
9729	Instrument and Office Machine Repairer I	09
9732	Instrument and Office Machine Repairer II	11
9733	Instrument and Office Machine Repairer III	13
9735	Assistant Supervisor, Office Machine Repair	15
9736	Supervisor of Office Machine Repairs	16

GENERAL PROVISIONS

DETAILED LISTING OF ALL CLASSIFIED POSITIONS
(Continued)

Class Number	Position Title	Salary Group
9738	Service Manager, Office Machine Repairs	18
9740	Metrologist I	12
9742	Metrologist II	15
9743	Metrologist III	17
9751	Traffic Recorder Technician I	09
9752	Traffic Recorder Technician II	12
9755	Traffic Signal Repair Technician I	09
9756	Traffic Signal Repair Technician II	12
9757	Traffic Signal Repair Technician III	14

CLASSIFICATION SALARY SCHEDULE
(For the Year Beginning September 1, 1989)

Salary Group	1	2	3	4	5	6	7	8
02	11292	11628	11976	12336	12684	13056	13428	13824
03	11976	12336	12684	13056	13428	13824	14256	14676
04	12684	13056	13428	13824	14256	14676	15120	15576
05	13428	13824	14256	14676	15120	15576	16080	16620
06	14256	14676	15120	15576	16080	16620	17148	17688
07	15120	15576	16080	16620	17148	17688	18228	18840
08	16080	16620	17148	17688	18228	18840	19464	20124
09	17148	17688	18228	18840	19464	20124	20772	21468
10	18228	18840	19464	20124	20772	21468	22188	22932
11	19464	20124	20772	21468	22188	22932	23700	24492
12	20772	21468	22188	22932	23700	24492	25296	26160
13	22188	22932	23700	24492	25296	26160	27012	27924
14	23700	24492	25296	26160	27012	27924	28836	29832
15	25296	26160	27012	27924	28836	29832	30828	31848
16	27012	27924	28836	29832	30828	31848	32928	34032
17	28836	29832	30828	31848	32928	34032	35160	36324
18	31848	32928	34032	35160	36324	37524	38796	40092
19	34032	35160	36324	37524	38796	40092	41460	42816
20	36324	37524	38796	40092	41460	42816	44268	45768
21	38796	40092	41460	42816	44268	45768	47280	48888

CLASSIFICATION SALARY SCHEDULE
(For the Year Beginning September 1, 1990)

Salary Group	1	2	3	4	5	6	7	8
02	11292	11628	11976	12336	12684	13056	13428	13824
03	11976	12336	12684	13056	13428	13824	14256	14676
04	12684	13056	13428	13824	14256	14676	15120	15576
05	13428	13824	14256	14676	15120	15576	16080	16620
06	14256	14676	15120	15576	16080	16620	17148	17688
07	15120	15576	16080	16620	17148	17688	18228	18840
08	16080	16620	17148	17688	18228	18840	19464	20124
09	17148	17688	18228	18840	19464	20124	20772	21468
10	18228	18840	19464	20124	20772	21468	22188	22932
11	19464	20124	20772	21468	22188	22932	23700	24492
12	20772	21468	22188	22932	23700	24492	25296	26160
13	22188	22932	23700	24492	25296	26160	27012	27924
14	23700	24492	25296	26160	27012	27924	28836	29832
15	25296	26160	27012	27924	28836	29832	30828	31848
16	27012	27924	28836	29832	30828	31848	32928	34032
17	28836	29832	30828	31848	32928	34032	35160	36324
18	31848	32928	34032	35160	36324	37524	38796	40092
19	34032	35160	36324	37524	38796	40092	41460	42816
20	36324	37524	38796	40092	41460	42816	44268	45768
21	38796	40092	41460	42816	44268	45768	47280	48888

SALARY PROVISIONS

1. SALARY RATES FOR CLASSIFIED POSITIONS. For each fiscal year of the biennium beginning September 1, 1989, within the limitation of funds available for salaries of classified positions, annual salary rates for classified positions shall be in accordance with the above Classification Salary Schedules. Except as specifically provided by other provisions of this Act, salaries of state employees who in August 1989 are in classified positions shall be converted to the salary schedule set forth in this Act as follows:
 - a. For the fiscal year beginning September 1, 1989 the salary of an employee who in August 1989 is paid at a numbered salary step in salary groups 2 through 21, shall be converted to the salary schedule for fiscal year 1990 in this Act at the same numbered salary step in the same salary group in which paid in August 1989. All employees shall receive a 5% salary increase on September 1, 1989.
 - b. For the fiscal year beginning September 1, 1990 the salary of an employee, who in August 1990 is paid at a numbered salary step in salary groups 2 through 21, shall be converted to the salary schedule for fiscal year 1991 in this Act at the same numbered salary step in the same salary group in which paid in August 1990.
2. SALARY WHEN AN EMPLOYEE CHANGES SALARY STATUS. An employee who moves, within an agency or transfers from one agency to another, from an exempt or line-item position to a classified position, shall receive an annual salary rate in the proper salary group not to exceed the salary step equal to the current salary or the next higher salary step rate.
3. ADJUSTMENTS TO SALARY RATES FOR REALLOCATED OR RECLASSIFIED POSITIONS.
 - a. Reallocation to a higher salary group -- an employee whose classified position is reallocated by this Act to a higher salary group shall receive the step 1 rate in the higher salary group or the rate which he would have received had his classified position not been reallocated, whichever rate is higher. Provided, however, an employee whose classified position is reallocated by this Act to a higher salary group, may have his salary adjusted not more than two steps higher than otherwise provided by this section. Such additional adjustment shall be for the purpose of maintaining desirable salary relationships among employees in the affected positions. However, in no case shall the employee advance to a step number in the new salary group higher than the step number held prior to the reallocation.
 - b. Reallocation to a lower salary group -- an employee whose classified position is reallocated by this Act to a lower salary group shall receive the annual rate which he would have received had the position not been reallocated, not to exceed the step 8 rate of the lower salary group.
 - c. Reclassification of positions on September 1 -- all state agencies subject to the Classification Act shall review individual job assignments on September 1 each fiscal year and on a regular basis thereafter to insure that each position is properly classified.

If it is determined that, in compliance with the Classification Act, and not contrary to the specific classification and position limitations in this Act, a position should be reclassified to a classification: (a) in a higher salary group the salary rate of the employee shall be

determined in the same manner as prescribed above for reallocation to a higher salary group, or (b) in a lower salary group the salary rate of the employee shall be determined in the same manner as prescribed above for reallocation to a lower salary group. Nothing in this subsection shall have the effect of increasing or decreasing the specific classified positions authorized each agency by the Act.

Each agency shall report to the Classification Officer the approach used to comply with this provision and in the event the approach taken is determined by the Classification Officer to be inadequate, he shall undertake spot audits to determine if positions are properly classified.

4. **MERIT SALARY INCREASES.** It is expressly provided that agency administrators may grant merit salary increases to classified employees whose job performance and productivity is consistently above that normally expected or required. Such merit increases shall be subject to the following restrictions:
 - a. The source of funds shall be the items of appropriation in this Act for "Merit Salary Increases," or specific items of appropriation for classified salaries and wages, or appropriation items for particular programs or purposes which include salaries of classified positions.
 - b. For each fiscal year of the biennium beginning September 1, 1989, the maximum monthly rate of expenditure for merit salary increases shall not exceed: (a) An amount equal to 3.4% of the total amount specifically appropriated in such fiscal year in appropriation items for salaries of classified positions divided by twelve, (b) where this Act appropriates in each fiscal year a sum or estimated amount in an appropriation item for a particular program or purpose, the maximum monthly expenditure for such merit salary increases shall not during the first year of the biennium exceed 3.4% of the average monthly payroll of the salaries of employees in classified positions for the six-month period March 1, 1989 through August 31, 1989; nor during the second year of the biennium exceed 3.4% of such average monthly payroll for the six-month period March 1, 1990 through August 31, 1990, or (c) the amount specifically appropriated for "Merit Salary Increases" divided by twelve. It is the intent of the Legislature that the maximum rates of expenditures for merit salary increases be computed separately for each year of the biennium and that such merit salary increases as may be awarded in the first fiscal year of the biennium shall not count against the maximum monthly rate of expenditure for such increases in the second fiscal year of the biennium.
 - c. The Comptroller shall prescribe such accounting and reporting procedures as are necessary to insure that expenditures for merit salary increases shall not exceed the amounts authorized herein for that purpose.
 - d. All departments and agencies shall file a report with the Governor and the Legislative Budget Board at the close of each fiscal year detailing the utilization of merit funds.

- e. It is the intent of the Legislature that merit salary increases be applied throughout the classified salary groupings authorized an agency.
- f. For an employee to be eligible for a merit salary increase, the following additional criteria must be met: (a) the employee must have been employed by the agency in a classified position for at least six continuous months prior to the award, (b) at least six (6) months must have elapsed since the employee's last promotion, demotion, or merit increase, and (c) agency criteria for granting merit salary increases must include specific criteria and documentation to substantiate the granting of more than a one step merit increase.
- g. Agency administrators may award lump sum incentive payments to employees under the following conditions:
 - 1) the employee must have been employed by the agency in a classified position for at least 12 continuous months and must not have received a promotion or merit raise for a minimum of 12 months prior to the award;
 - 2) the employee's high level of job performance must be documented by a performance appraisal system;
 - 3) the lump sum award may be no more than 6.8% of the employee's annual base rate of pay;
 - 4) twelve months must have elapsed since the employees last lump sum incentive payment; and
 - 5) funding for such increases will be made only from the overall limits specified under paragraph (2) above.
- 5. PROMOTIONS. A promotion means a change in duty assignment of an employee within an agency from a position in one classification to a position in another classification in a higher salary group requiring higher qualifications such as a greater skill or longer experience, and involving a higher level of responsibility. When an employee is promoted to a position in a higher salary group, he will receive at least a rate one increment higher than his salary rate before promotion or the minimum rate of the new salary range, whichever is higher, and may, at the discretion of the agency administrator, receive an annual rate up to and including the rate designated by the same step number which designated his former rate.
- 6. DEMOTIONS. Demotion means a change in duty assignment of an employee from a position in one classification to a position in another classification in a lower salary group. An employee who is demoted shall have his salary reduced at least to a rate one increment below the rate he received before demotion.
- 7. SALARY REDUCTION FOR DISCIPLINARY REASONS. If a classified employee's performance so warrants, the executive head may reduce his salary for disciplinary reasons to a step rate in the designated salary group no lower than the minimum step rate. The employee's pay may be restored to any step rate in the range up to and including his prior rate as such employee's performance improves.

8. SALARY RATE DETERMINATION BY INTERAGENCY TRANSFERS. If, by agreement between the employee, the head of the agency presently employing him, and the head of another agency desiring the employee's services, an employee is transferred from one state agency to another, his salary rate will be subject to the following conditions:
 - a. If the new assignment is in a position in the same designated salary group as the one from which he leaves, no increase in salary may be granted by virtue of the transfer. This provision shall also apply to intra-agency transfers.
 - b. Where the new position is in a lower designated salary group, the employee shall be paid at a rate determined by the subsection above relating to "Demotions."
 - c. Where the new position is in a higher salary group, the employee shall be paid at a rate determined by the subsection above related to "Promotions."
9. SALARY LIMITED TO MAXIMUM STEP RATE. No salary adjustment authorized by this section shall result in an employee receiving an annual salary rate in excess of the maximum rate of the salary group to which his classified position is allocated.
10. HIRING POLICIES.
 - a. New employees will normally be hired on step 1 of the salary range to which the position is allocated, with the following exception that department heads may make appointments at rates below step 1 either for periods of training or to meet prevailing salaries of localities in Texas encountered by the agency in salary groups 2 through 8; provided, however, that such rates below step 1 shall not exceed six months, and all such employees paid at rates below step 1 will be brought to step 1 of the designated salary range by the end of the six months period. The Comptroller of Public Accounts is directed to withhold all payment of funds for classified salaries of any agency violating this provision as long as the agency remains in violation of the terms of this provision.
 - b. An employee who leaves state employment may, at the discretion of the department head, be reinstated to a vacancy in the same agency and the same position classification held immediately prior to leaving provided that the employee had not previously returned to regular full time classified employment with the state since last leaving the agency. In such case, the employee may be paid at a step rate no higher than the same salary step number that designated his annual salary rate prior to his separation, provided, however, that no employee may be reinstated at a rate higher than the maximum salary step of the designated salary group.
11. TEMPORARY ASSIGNMENT. To facilitate the work of the state agencies any classified employee may, during emergencies or other special circumstances, be temporarily assigned to other duties for periods not to exceed three months.
12. EMOLUMENTS. For the purpose of conforming to the Position Classification Plan and prescribed salary ranges, boards, commissions or other executive state agencies shall set a fair value on any emoluments granted. Each institution or agency granting emoluments shall maintain with the State Comptroller a current record showing name, job title, and amount of each

employee's emoluments. Unless otherwise specifically provided in this Act, the designated value of emoluments shall be deducted from the gross salary rate in determining the net monetary remuneration to which the employee is entitled.

Without any additional cost to the state, agencies employing chaplains are authorized to designate part of the salary of chaplains as "Housing Allowance."

13. RECLASSIFICATIONS.

- a. As provided in the Position Classification Act of 1961, a position may be reclassified to another class of work in the Classification Plan as a result of classification audits or of program reorganizations by executive heads, or to a new classification properly established by the Classification Officer. Reclassification shall not be interpreted to mean a change in the employee's duty assignment, but only shall mean the proper definition of duties and classification of the position based upon duties actually performed by the employee; hence, a position shall be reclassified for the sole purpose of complying with the requirements of the Classification Act.
- b. If classification audits determine that positions are classified higher than is warranted by actual duty assignment, the employees occupying such positions may be subject to salary reduction under such policies and procedures as the Legislative Audit Committee may prescribe.

14. PART-TIME EMPLOYEES. Regular full-time positions paid out of funds appropriated may also be filled by part-time employees except for line item exempt salaries not designated as part-time. In computing the salaries of these employees, the rates of pay shall be proportional to the rates authorized for full-time classified employment. It is further provided that part-time employees as described in this subsection shall be subject to all of the provisions of this section.

15. HOURLY EMPLOYEES. It is the intent of the Legislature that hourly employees shall receive per hour rate increases proportionate to those provided in this Act for full-time salaried classified employees.

16. PAYROLL AFFIDAVIT. The Comptroller may not issue warrants for payment of salaries out of appropriations which include salaries of classified positions until, as part of the payroll affidavit required in Article 4359, V.A.C.S., there is a statement to the effect that all classified employments have been made in accordance with the Position Classification Act of 1961 or the specific classification and position limitations prescribed in this Act.

17. SALARY SUPPLEMENTATION.

- a. No employee holding a position classified in this Act under the authority of the Position Classification Act of 1961 or a line item or exempt position for which the salary is specifically set in this Act may receive a salary supplement from any source unless a specific grant of authority is provided in the agency's appropriation pattern in this Act, or as provided by law.

- b. None of the funds appropriated to departments and agencies covered in Articles I through IV of this Act shall be expended for payment of salary to any person whose classified or individual line item exempt salary is being supplemented from other than appropriated funds until a report showing the amount and sources of salary being paid from other sources has been reported to the Secretary of State and Comptroller of Public Accounts.

18. POSITION CLASSIFICATION. Agencies covered by Section 1. of this article which employ personnel out of appropriation items other than those designated "Salaries of Classified Positions" shall make such employments in accordance with the provisions of the Position Classification Plan and the provisions of this article related to classified positions. Where there is a "Schedule of Classified Positions" following an agency appropriation, such employments will be limited to such schedule in the same manner as described elsewhere in this section.

19. SCHEDULE OF CLASSIFIED POSITIONS. Except as specifically authorized elsewhere in this Act, appropriations which include salaries of classified positions shall be expended by an agency to employ personnel only in those positions listed in the "SCHEDULE OF CLASSIFIED POSITIONS" which follows the agency appropriation. Each position title authorizes one full-time position except that: (1) an arabic numeral following the title indicates the total number of positions authorized in that title; (2) when (UL) follows the position title, an unlimited number of positions is authorized within available appropriations; and (3) when the heading is "SCHEDULE OF CLASSIFIED POSITIONS (UL)," an unlimited number of positions is authorized for each position title.

EXEMPTION OF POSITIONS BY THE GOVERNOR. Appropriations may be used to pay the salaries of positions exempted from the Classification Plan by the Governor under authority granted in Section 2. of the Position Classification Act of 1961 with the limitation that appropriations may be used only to pay the salaries of bonafide new positions that are established to carry out duties in relation to programs, functions, etc., that were not anticipated and therefore, not authorized for funding under this Act. It is expressly provided that this authorization does not extend to the use of appropriations to adjust the salary of any line item or exempt position retitled solely for the purpose of adjusting salaries that have already been established by the Legislature in this Act and any position exempted from the Position Classification Plan by the Governor shall contain a certification that the exemption is for a bonafide new position. No payment of funds for a position exempted by the Governor shall be made by the Comptroller of Public Accounts until formal notification of the action of the Governor to exempt the position has been filed with the State Classification Officer and the Legislative Budget Board. If a position is exempted by the Governor in the first year of this biennium the position established may be continued and the NTE rate established for the position may be adjusted the second year of the biennium at no higher than the same rate as adjustments set forth in this Act for classified positions.

Agencies having no "SCHEDULE OF CLASSIFIED POSITIONS" following their appropriation may expend funds to employ personnel in accordance with the provisions of the Position Classification Act in only those classified position titles listed in this section or positions established by the State Classification Officer.

Agencies authorized one full-time position for each position title or a specified number of positions authorized in that title by this subsection may exceed the number of authorized positions only under the following conditions: (1) for the purpose of hiring and training of new personnel while the position is currently occupied, (2) the position number limitation may be exceeded for no more than thirty (30) days per year per position, (3) reporting such exceptions will be made in such manner as prescribed for payroll reporting procedures.

20. PERSONNEL AND PAYROLL REPORTING PROCEDURES. To facilitate pre-audit of payrolls and classification audits to assure conformity with the provisions of this Act, and to provide the Legislative Audit Committee with current information on employment and wage rate practices in the state government, the Comptroller and the State Auditor shall jointly promulgate and issue uniform procedures for personnel and payroll reporting for all state agencies.
21. CORRECTION OF ERRORS. In the event of obvious typographical errors in listings of classified positions in this Act the Classification Officer shall, after consultation with the Legislative Appropriations Committees' staff and with the approval of the Legislative Audit Committee, make and give notice of such corrections as may be necessary to accomplish the purposes of the Classification Act and of this Act. Where legislative intent cannot be determined from work papers and other appropriation committee records, the Classification Officer's recommendation to the Legislative Audit Committee shall be based upon job audits.

OTHER EMPLOYMENT POLICIES AND PROVISIONS

Sec. 2. METHOD OF SALARY PAYMENTS.

1. All annual salaries appropriated by this Act are for full-time employment unless specifically designated as part-time or other and shall be paid in twelve (12) equal monthly installments, except as otherwise provided in Article II of this Act. Except for patrolmen and other law enforcement positions in the Department of Public Safety which shall be paid only at the annual rates stipulated in the particular language accompanying the appropriations therefor, this paragraph shall not be construed so as to prevent the head of any other agency of the state from paying less than the maximum salary rates specified in this Act for line item positions, or the employment of part-time employees to fill regular positions provided for in this Act, so long as the salary rates for such part-time employees are proportional to the regular rates for full-time employment. The equivalent monthly rate of pay for annual employees maintaining a 40-hour work week and covered under Article 5165a, Vernon's Civil Statutes, as amended, shall be determined by dividing the annual salary by twelve (12). The hourly rate for a given month shall be determined by dividing the monthly rate by the number of working hours in that month. This basis applies to partial pay and other special situations. When a full-time or regular part-time employee is on leave without pay, compensation for that particular pay period shall be reduced at the equivalent hourly rate of pay times the number of work hours lost by leave without pay.

Should the Legislature provide funding for a statewide payroll system authorized by H.B. 1785, Seventieth Legislature, Regular Session and the Uniform Statewide Accounting System Committee determines it is in the best interest of the state to alter the state's hourly rate calculation, then the following language shall prevail.

The equivalent monthly rate of pay for annual employees maintaining a 40-hour work week and covered under Article 5165a, Vernon's Civil Statutes, as amended, shall be determined by dividing the annual salary by twelve (12). The hourly rate shall be determined by dividing the annual rate by the number two thousand eighty (2,080). This basis applies to partial pay and other special situations. When a full-time or regular part-time employee is on leave without pay, compensation for that particular pay period shall be reduced at the equivalent hourly rate of pay times the number of work hours lost by leave without pay.

Facilities of the Texas Department of Mental Health and Mental Retardation in Article II and the agencies of higher education, and the schools for the blind and deaf in Article III of this Act which make contracts for less than a twelve-month period may pay salaries in equal monthly payments for the period contracted for.

2. Agencies having a SCHEDULE OF EXEMPT POSITIONS following their appropriation may expend funds to employ those positions designated as exempt at rates not to exceed the rates shown. Each title authorizes one position unless the title is followed by a number indicating the number of positions authorized or by "UL" which authorizes an unlimited number of positions for such position title.

The number of authorized positions in a title shown in the Schedule of Exempt Positions may be exceeded only under the following conditions: (1) for the purpose of hiring a replacement in a key management position as certified by the agency head, (2) the current incumbent of the position must have formally resigned or otherwise announced irrevocable plans to vacate the position, (3) the position number limitation may be exceeded for no more than thirty (30) days per year per position, (4) reporting such exceptions will be made in such manner as prescribed for payroll reporting procedures.

3. No deduction shall be made from the salary or wages of any state employee who is called for jury service; nor shall such employee be required to account to the state for any fee or compensation received for jury service.
4. None of the moneys appropriated under this Act shall be used for the payment of salaries to any employee who accepts witness fees in contravention of the following provisions:

Any state official or employee called to appear in his official capacity in any judicial action or legislative investigation shall neither accept nor receive any witness fees for such a governmental appearance;

But if the appearance as a witness is not in an official capacity but is to testify from personal knowledge concerning matters related to the inquiry, then such employee or official shall be entitled to any customary witness fees;

And any state employee or official appearing as an expert witness shall be entitled to accept compensation for his appearance only when such appearance shall be made on his own time;

But this prohibition against accepting compensation shall not extend to any mileage or per diem allowance tendered to the state employee or official for expenses incurred while serving as a witness, unless the state official or employee has also made a claim for such expenses against the state, and in no instance shall there be double reimbursement for expenses.

5. OVERTIME.

- a. Employees Subject to FLSA. An employee who is subject to the overtime provisions of the Fair Labor Standards Act of 1938, 29 U.S.C. Secs. 201 et seq., (FLSA) is entitled to compensation for overtime as provided by that Act and this subdivision.

An employee who is required to work hours in excess of 40 hours in a workweek is entitled to compensation for the excess hours either by:

- 1) the agency allowing (or requiring) the employee to take compensatory time off at the rate of 1-1/2 hours off for each hour of overtime; or
- 2) at the discretion of the employing agency, in cases in which granting compensatory time off is impractical, the employee receiving pay for the overtime at the rate equal to 1-1/2 times the employee's regular rate of pay.

Any paid leave or holidays taken are not counted as hours worked in determining overtime hours under the preceding paragraph.

Each employee may accumulate overtime credit of not more than 240 hours, except that an employee engaged in a public safety activity, an emergency response activity, or a seasonal activity may accumulate not more than 480 hours. Employees must be paid for overtime worked in excess of the limits on accumulation, at the rate equal to 1-1/2 times the employee's regular rate of pay.

In situations in which the employee has not worked more than 40 hours in a workweek but the total of hours worked and hours of paid leave or paid holidays exceeds 40 hours, the employee shall be allowed equivalent compensatory time off for the excess hours. In situations in which the employee has worked more than 40 hours in a workweek and the total of hours worked and hours of paid leave or paid holidays exceeds 40 hours after subtracting FLSA overtime hours worked, the employee shall be allowed equivalent compensatory time off for such excess hours. The compensatory time must be taken during the 12-month period following the end of that workweek. Compensatory time under this paragraph may not be carried forward past the end of the 12-month period and an employee may not be paid for the unused time. As an exception to the provisions in this paragraph, however, employees of institutions of higher education may be paid for compensatory time hours on a straight-time basis when the taking of compensatory time off would be disruptive to normal teaching, research, and other critical functions.

Exceptions to the workweek overtime calculation for hospital, fire protection, and law enforcement activities (including security personnel in the correctional institutions) shall be made in accordance with the FLSA.

- b. Employees Not Subject to FLSA. An employee who is not subject to the overtime provisions of the FLSA may be allowed compensatory time off for hours in excess of 40 hours in a workweek in which the combination of hours worked, paid leave, and holidays exceeds a total of 40 hours.

An employee who is exempt as an executive, professional, or administrative employee under 29 U.S.C. Sec. 213 (FLSA), may be allowed compensatory time off during the 12-month period following the end of the workweek in which the overtime was accrued, at a rate not to exceed equivalent time.

- An employee who is not subject to the FLSA because of 29 U.S.C. Sec. 203(e) (2) (C), as a staff member, appointee, or immediate adviser of an elective officeholder, may be allowed compensatory time off under the terms and conditions determined by the officeholder.

Employees covered by this subdivision may not be paid for any unused compensatory time.

- c. No employee, whether or not subject to FLSA, shall accrue state compensatory time during any week unless the combination of paid leave and hours worked exceeds 40 hours.
- d. Article VI Employees. Subdivisions (a), (b) and (c) of this subsection do not apply to an employee compensated from funds appropriated under Article VI of this Act. Consistent with the requirements of the FLSA, overtime pay and compensatory time off for employees of the House or Senate shall be determined by the presiding officer of the respective houses, and for all other employees shall be determined by the administrator of the agency involved or the employing officeholder.

Sec. 3. SALARY PAYMENT, WITHHOLDINGS, DEDUCTIONS, AND MATCHING CONTRIBUTIONS. The disbursement of moneys appropriated in this Act for salaries and wages shall be subject to the provisions of Public Law No. 68, Seventy-eighth Congress, known as the Current Tax Payment Act of 1943, and any amendments thereto. The officers and employees of agencies for which appropriations are made in this Act also are authorized to make retirement deductions in accordance with the Teachers Retirement or Employees Retirement or Judiciary Retirement Acts on payroll forms prescribed by the State Comptroller, and the Comptroller is directed to issue warrants accordingly. The Comptroller shall also prescribe rules and procedures for agencies to follow in making adjustments to payrolls for periods following the period in which an inaccurate payment, deduction or other error occurred.

In each instance in which an operating fund or account is created and named by statute, the responsible officials of the state are authorized to transfer into such operating fund or account sufficient moneys from treasury funds or local and federal funds to pay proportionally the costs of matching state employees' retirement contributions and the state's share of Old Age and Survivors Insurance.

Sec. 4. PER DIEM OF BOARD OR COMMISSION MEMBERS.

1. As authorized by Section 2 of Article 6813f, Texas Revised Civil Statutes Annotated, the per diem of state board and commission members shall consist of (1) compensatory per diem at \$30 per day; (2) actual expenses for meals and lodging not to exceed \$75 per day; and (3) transportation.
2. If a law enacted after Article 6813f authorizes per diem for members of a particular state board or commission, but does not specify the amount of the per diem, then the amount of the per diem shall be as listed in the preceding paragraph.
3. Agencies having a SCHEDULE OF EXEMPT POSITIONS AND PER DIEM OF BOARD (OR COMMISSION) MEMBERS following their appropriation may expend appropriations for board or commission member compensatory per diem in an amount not to exceed amounts shown in such schedule for each respective fiscal year.
4. No full time employee paid from funds appropriated by this Act shall be paid both a salary and compensatory per diem for concurrent service as a state employee and as a board or commission member.

Sec. 5. POLITICAL AID AND LEGISLATIVE INFLUENCE PROHIBITED. None of the moneys appropriated by Articles I, II, III, and IV of this Act, regardless of their source or character, shall be used for influencing the outcome of any election, or the passage or defeat of any legislative measure. This prohibition shall not be construed to prevent any official or employee of the state from furnishing to any Member of the Legislature or committee upon request, or to any other state official or employee or to any citizen information in the hands of the employee or official not considered under law to be confidential information. Any action taken against an employee or official for supplying such information shall subject the person initiating the action to immediate dismissal from state employment.

No funds under the control of any state agency or institution, including but not limited to state appropriated funds, may be used directly or indirectly to hire employees or in any other way fund or support candidates for the legislative, executive, or judicial branches of government of the State of Texas or the government of the United States.

None of the funds appropriated in this Act shall be expended in payment of the salary for full-time employment of any state employee who is also the paid lobbyist of any individual, firm, association or corporation. None of the funds appropriated in this Act shall be expended in payment of the partial salary of a part-time employee who is required to register as a lobbyist by virtue of the employee's activities for compensation by or on behalf of industry, a profession or association related to operation of the agency or institution for which the person is employed. A part-time employee may serve as a lobbyist on behalf of industry, a profession or association so long as such entity is not related to the agency with which he or she is employed.

No employee of any state agency shall use any state-owned automobile except on official business of the state, and such employees are expressly prohibited from using such automobile in connection with any political campaign or any personal or recreational activity.

None of the moneys appropriated by this Act shall be paid to any official or employee who violates any of the provisions of this section.

The head or heads of each agency of the state shall furnish each employee of such agency with a copy of the five (5) paragraphs immediately preceding this one, and shall take a receipt therefor from each employee. The preceding sentence shall not be construed to mean that new receipts are to be obtained each year from continuing employees who have previously receipted for copies of identical provisions prohibiting political aid and legislative influence. The receipts shall be kept accessible for public inspection.

It is provided, however, that nothing in this section shall be construed as prohibiting the payment of reasonable dues to an organization that is designed to represent student interests in the state legislature or federal congress from that portion of mandatory student service fee collections that is allocated to the student government organization at an institution of higher education. Nothing herein shall be construed to permit such mandatory student service fees to be used to influence the outcome of any election.

Sec. 6. PUBLICITY OF INDIVIDUALS RESTRICTED. None of the moneys appropriated under this Act shall be used by any agency of the state government for the purpose of publicizing or directing attention to any individual official or employee of any agency of the state government.

It is also provided that none of the moneys appropriated under this Act shall be used by any agency of the state government for maintaining any publicity office or department, or for the employment of any person who has the title or the duties of a public relations agent, or press agent, or for paying any public relations firm or agent.

The policy and restrictions set out in this section shall not be interpreted to prevent the head of any agency of the state, when he deems it necessary or desirable in the public interest, to issue through any of such agency's officials or employees any statement or information respecting the work, legal responsibilities, or activities of such agency. Such statement shall be issued, or such information imparted, in the name of the agency of the state and shall have attached thereto the name of the official or employee authorized to issue the same.

It is also provided that any agency of higher education may continue to maintain and operate a news and information service for the benefit of the public which has been specifically authorized and approved by the governing board of such agency of higher education.

Sec. 7. EMPLOYEE WORKING HOURS AND HOLIDAYS. It is further provided that moneys appropriated for salaries and wages in this Act shall be expended only in accordance with the following conditions and limitations, and pursuant to Article 5165a, Vernon's Civil Statutes, as amended.

1. State offices shall remain open during the noon hours each working day with at least one person on duty to accept calls, receive visitors, or transact business.

2. Agencies may stagger the work day of their personnel. All agencies shall be open between the hours of 8:00 A.M. and 5:00 P.M. and shall maintain the eight-hour day and 40-hour week as provided in Article 5165a, Vernon's Civil Statutes, as amended.
3. Except as provided elsewhere in this Article, holidays for state employees including hourly wage workers for each year covered by this Act shall be those specified in Article 4591, Vernon's Civil Statutes, as amended.

For institutions and agencies of higher education, a regular employee is defined as one who is employed to work at least 20 hours per week for a period of at least four and one-half months, excluding students employed in positions which require student status as a condition for employment. Only regular employees of institutions of higher education shall be eligible for paid holidays.

Each state agency and institution and agencies of higher education will, during the biennium, have on hand enough personnel to carry on the activities of each institution or agency so that the public business can be carried on during that period. Those employees who are working during that holiday period will be allowed compensatory time off during the twelve-month period following the date of the holiday worked. The supervisor in charge may require the employee to give reasonable notice in advance of taking compensatory time off but may not require that the employee specify the reason for which the compensatory time is to be taken. As an exception to the provisions in this paragraph, however, employees of institutions of higher education may be paid for compensatory time hours on a straight-time basis when the taking of compensatory time off would be disruptive to normal teaching, research, and other critical functions. The following holidays will not be included in this paragraph, for they are holidays that follow traditional national celebrated holidays:

New Year's Day - January
 Washington's Birthday - February
 Memorial Day - May
 Independence Day - July
 Labor Day - September
 Columbus Day - October
 Veterans Day - November
 Thanksgiving Holidays - November
 Christmas Holidays - December

Agencies who have work schedules other than provided in Article 5165a, Section 2, will insure that employees working these schedules observe the equivalent number of holidays each year as employees working normal office hours.

A state employee is entitled to observe Martin Luther King, Jr., Day, Rosh Hashanah, Yom Kippur, and Good Friday in lieu of any holiday or holidays on which the employee's agency or institution is required by this provision to be open and staffed to conduct the public business.

It is specifically provided, however, that the benefit provisions of this section apply to the employees of the House of Representatives and Senate only at the discretion of the presiding officer or the administration committee of each house.

4. Other provisions of this Act notwithstanding, state agencies shall not observe the following holidays:
 - a. The second Monday in October
 - b. Every day on which an election is held throughout the state provided however, employees shall be allowed sufficient time off without deduction from pay or leave time accrued to vote.
5. Each state agency and institution and agencies of higher education shall adjust the work schedule of any employee who is a member of the National Guard or any Reserve Component of the Armed Forces so that two of the employee's non-work days per month coincide with two days of military duty to be performed by the employee, it being the intent of the Legislature to facilitate participation in military duties by state employees.

Sec. 8. EMPLOYEES VACATIONS AND LEAVES.

1. Other than faculty with appointments of less than twelve months at institutions of higher education and other than instructional employees with contracts for periods of less than twelve months at the Texas School for the Blind and the Texas School for the Deaf, employees of the state shall, without deduction in salary be entitled to a vacation in each fiscal year. Part-time employees will accrue vacation leave on a proportionate basis and the maximum carryover will also be proportionate. Such entitlement shall be earned in accordance with the following schedule:

Employees With Total State Employment Of:	Hours Accrued Per Month for Full-time Employment	Maximum Hours to Carry Forward From One Fiscal Year to Next Fiscal Year For a Full-time Employee
0 but less than 2 years	7	168
2 but less than 5 years	8	232
5 but less than 10 years	9	256
10 but less than 15 years	10	280
15 but less than 20 years	12	328
20 and over years	14	376

An employee will earn vacation entitlement beginning on the first day of employment with the state and terminating on the last day of duty. Vacation entitlement is accrued at the applicable rate cited above. Credit for one month's accrual will be given for each month or fraction of a month of employment with the state and will be posted to each employee's leave record on the first day of employment with the state and on the first of each succeeding month of employment thereafter. Vacation with pay may not be granted until the employee has had continuous employment with the state for six (6) months, although credit will be accrued during that period.

Credit for the higher rate of accrual as shown on the chart above shall be given on the first calendar day of the month if the employee's anniversary date falls on the first calendar day of the month; otherwise, the increase will occur on the first calendar day of the following month.

The net balance of unused accumulated leave not to exceed the maximum cited above may be carried forward for any employee from fiscal year 1989 to fiscal year 1990 and from fiscal year 1990 to fiscal year 1991.

In computing vacation time taken, time during which any employee is excused from work because of holidays shall not be charged against the employee's vacation.

A state employee who resigns, is dismissed, or separated from state employment shall be entitled to be paid for all vacation time duly accrued at the time of separation from state employment, provided the employee has had continuous employment with the state for six (6) months.

2. Employees of the state shall, without deduction in salary, be entitled to, in addition to leave provided in this section, vacation or leave time on the Friday immediately following the fourth Thursday in November, and December 24 and December 26.

Eligibility for these leave days without a deduction in salary shall be the same as for eligibility to take holidays with pay as set forth in Section 7, Employee Working Hours and Holidays.

Employees who are required to work on any of these additional leave days will be allowed compensatory time off during the twelve-month period following the date of such leave day worked.

3. Employees of the state shall, without deduction in salary, be entitled to sick leave subject to the following conditions:

An employee will earn sick leave entitlement beginning on the first day of employment with the state and terminating on the last day of duty. Credit for one month's accrual will be given for each month or fraction of a month of employment with the State and will be posted to each employee's leave record on the first day of employment with the State and on the first day of each succeeding month of employment thereafter.

Sick leave entitlement shall be earned at the rate of eight (8) hours for each month or fraction of a month employment, and shall accumulate with the unused amount of such leave carried forward each month. Sick leave accrual shall terminate on the last day of duty.

Sick leave with pay may be taken when sickness, injury, or pregnancy and confinement prevent the employee's performance of duty or when the employee is needed to care and assist a member of his immediate family who is actually ill. For purposes relating to regular sick leave, immediate family is defined as those individuals related by kinship, adoption, marriage or foster children who are so certified by the Department of Human Services who are living in the same household or if not in the same household are totally dependent upon the employee for personal care or services on a continuing basis. An employee who must be absent from duty because of illness shall notify his supervisor or cause him to be notified of that fact at the earliest practicable time.

To be eligible for accumulated sick leave with pay during a continuous period of more than three (3) working days, an employee absent due to illness shall send to the administrative head of his employing agency a doctor's certificate showing the cause or nature of the illness, or some other written statement of the facts concerning the illness which is acceptable to such administrative head.

Upon return to duty after sick leave the employee concerned shall, without delay, complete the prescribed application for sick leave and submit the same through proper channels to the appropriate approving authority for his consideration.

Exceptions to the amount of sick leave an employee may take may be authorized by the administrative head or heads of any agency of the state provided such exceptions are authorized on an individual basis after a review of the merits of such particular case. A statement of any such authorized exceptions or the reasons for them shall be attached to the state agency's duplicate payroll voucher for the payroll period affected by such authorized exceptions. Agencies are required to have a written statement filed with the State Auditor covering the policies and procedures to be used for the extension of leave in this manner and shall make this statement available to all employees. Faculty members at institutions of higher education must submit prescribed leave forms for all sick leave even though no classes were missed if the absence occurred during the normal workday for regular employees.

A terminating employee may, with the agreement of the employing agency, be allowed to remain on the payroll to utilize vacation leave in lieu of being paid in a lump sum, providing that such employee will not be eligible to use paid sick leave prior to final separation from employment.

Faculty members who were employed on or after September 1, 1985, and have been continuously employed since that time shall be credited with the appropriate amount of sick leave from September 1, 1985 through August 31, 1986. All time off due to illness during the time period shall be charged against this accrual of sick leave.

4. The administrative head of an agency shall grant an emergency leave to an employee because of a death in the employee's family. The death of the employee's spouse, or the employee's or spouse's parents, brothers, sisters, grandparents, grandchildren and children shall constitute adequate need for emergency leave. The administrative head of the agency may make a determination on other reasons for emergency leaves and shall grant an emergency leave, when in his determination, the employee shows good cause.

For institutions and agencies of higher education, a regular employee is defined as one who is employed to work at least 20 hours per week for a period of at least four and one-half months, excluding students employed in positions which require student status as a condition for employment. Only regular employees of institutions and agencies of higher education shall be eligible for paid vacation and leave as provided herein.

5. A leave of absence with full pay shall be provided any state employee who is called to active duty with the National Guard by the Governor of Texas.

Employees shall be entitled to leave of absence from their respective duties without loss of time or efficiency rating or vacation time or salary on all days during which they shall be engaged in authorized training or duty ordered or authorized by proper authority, for not to exceed fifteen (15) days in any one calendar year as provided in Article 5765, Section 7, V.A.C.S.

An employee called to active duty during a national emergency by a reserve branch of the United States Armed Forces shall have a leave of absence. The employee shall not lose the ability to accrue state service credit while on active duty but shall not accrue vacation or sick leave. However, the employee shall retain any accrued vacation or sick leave and shall be credited with such balances upon return.

State employees who are volunteer firemen shall also be granted a leave of absence with full pay to attend training schools conducted by state agencies provided such leave does not exceed five (5) working days in any one fiscal year. The leave of absence, authorized by this subsection, shall in no way be charged against the employee's vacation or sick leave privileges provided by this Act.

6. A state employee who transfers directly from one State agency to another, shall be given credit by the receiving agency for the unused balance of this accumulated vacation and sick leave, provided that his employment with the state is uninterrupted.

Pregnancies or adoption of a child under three years of age shall be treated as any other temporary disability. Each case shall be evaluated on its own merit.

7. Funds appropriated in this Act may be used to pay the estate of an employee when the employee dies while employed by the State of Texas for: (1) all of the employee's accumulated vacation leave and (2) one-half of the employee's accumulated sick leave, or for 336 hours of sick leave, whichever is less.

8. In addition to maintaining an official personnel file on each employee containing an application for employment and other records normally placed in a personnel file, the administrative head or heads of each agency of the state shall require time and attendance records, a record of the vacation and sick leave accrual and absences of each employee, and the reasons therefor whether from sickness, vacation, other paid leave, or leave of absence without pay. Such records shall be available for public inspection.

9. The State Auditor shall provide a uniform interpretation of the provisions herein contained on employee vacations and leaves, and shall report to the Governor and the Legislature any exceptions practiced by the various entities of the state government.

10. It is specifically provided, however, that the benefit provisions of this section apply to employees of the House of Representatives and Senate only at the discretion of the presiding officer of each House.

11. An employee laid off under a formal reduction-in-force policy shall have his sick leave balance restored if reemployed by the state within twelve months of termination.
12. Agencies may grant employees leave without pay or leave of absence without pay subject to the following provisions:
 - a. Except for disciplinary and workers compensation situations all accumulated paid leave entitlements must be exhausted before granting such leaves, with the additional provision that sick leave must be exhausted only in those cases where the employee is eligible to take sick leave, as provided in Section 8., 3., above. Such leaves will be limited in duration to twelve (12) months.
 - b. Subject to fiscal constraints, approval of such leaves constitutes a guarantee of employment for a specified period of time.
 - c. The administrative head of an agency may grant exceptions to these limitations for such reasons as interagency agreements or educational purposes.
 - d. Except in the case of an employee returning to state employment from military leave without pay, any full calendar month (i.e., from the first day of a month through the last day of a month, inclusive) in which an employee is on leave without pay, shall not be counted in the calculation of total state service for purposes of longevity pay or vacation leave entitlements. No employee shall accrue vacation or sick leave for such month. Further, any such full calendar month of leave without pay shall not constitute a break in continuity of employment but shall not be included in the calculation of the six continuous months of employment set forth in the Act under both the merit salary provisions, Section 1., 4., f., (a) and under Employees Vacations And Leaves, Section 8., 1., last paragraph.
13. A state employee who is blind is entitled to a leave of absence with full pay for the purpose of attending a training program to acquaint the employee with a seeing-eye dog to be used by the employee. The leave of absence provided by this subsection may not exceed 10 working days in a fiscal year. The leave of absence provided by this subsection is in addition to other leave to which an employee is entitled, and an employee continues to accrue vacation and sick leave while on leave as provided by this subsection. For purposes of this subsection, "blind" has the meaning assigned by Section 91.002(2), Human Resources Code.

Sec. 9. DUAL EMPLOYMENT WITH THE STATE. Employees who are legally employed in two positions within Texas State government are subject to the following provisions and are to be informed of these provisions prior to being placed in such dual employment status: (1) completely separate leave records will be maintained for each employment; (2) time worked in one position may not be used as additional tenure credit for purposes of longevity or annual leave accrual for other positions; (3) upon termination of one employment, the leave balances accrued under that employment may not be transferred to the remaining employment; (4) the state contribution towards the employee's portion of social security tax liability will be subject to the overall limit specified elsewhere in this Act. The Comptroller shall prescribe such uniform accounting and reporting procedures as necessary to ensure that expenditures for this purpose do not exceed this limit; (5) the total state contribution towards the employee's group insurance will be limited to no more than the amount specified elsewhere in this Act for full-time active employees; (6) the employee will be

entitled to receive longevity payment for no more than one employment; (7) overtime compensation will accrue to each employment totally independent of the other except that when an employee works in a dual employment capacity where the employee is subject to the overtime provisions of the Fair Labor Standards Act of 1938, 29 U.S.C. Secs. 201 et seq., (FLSA) in either employment, the employing agency or agencies must consider all combined time worked in excess of 40 hours per week as overtime and compensate the employee in accordance with the FLSA provisions applicable to joint employment relationships. In cases where the dual employment is with two separate agencies, the two agencies shall coordinate in order to determine which agency shall have the responsibility to assure that the employee is properly compensated in accordance with such provisions.

Where dual employment cases involve two legislative agencies and both employments are less than full-time, provision numbers (1) above, except for accrual of leave, and (3) above, will not apply and the legislative employee may utilize paid leave from leave balances in both employments. Where combined employments total at least forty hours per week, the employee will be treated as a full-time employee for longevity purposes. Upon termination of one legislative employment, unused leave balances accrued under that employment shall be transferred to the remaining legislative employment.

All state employees are to be informed of their obligation and responsibility to inform both initial and second employers of their intent to accept an additional employment with the state.

A university system having employees with multiple component assignments shall enter into necessary agreements designating the principal employer to maintain personnel and leave records in compliance with provisions of this section.

Sec. 10. USE OF ALCOHOLIC BEVERAGES. None of the moneys appropriated under this Act shall be used for the payment of salaries to any employee who uses alcoholic beverages while on active duty. None of the funds appropriated under this Act for travel expenses may be expended for alcoholic beverages.

Sec. 11. LIMITATIONS ON USE OF APPROPRIATED FUNDS. Funds appropriated in Articles I, II, and IV of this Act, or for the Central Education Agency in Article III of this Act, shall be expended only for items set out in the Comptroller's Manual of Accounts, Expenditure Classification insofar that agencies expending said appropriated funds shall have existing statutory authority for such expenditures and that such expenditures are not limited or prohibited elsewhere in this Act.

It is also provided that any agency of the state specified in this Act is authorized to pay the premiums for bonding employees. Such bonds shall be of either individual position or blanket position type, as provided by House Bill No. 18, Fifty-sixth Legislature, Regular Session.

As compensation in addition to that otherwise provided by this Act, departments and agencies covered by this Act in Articles I through VI, are authorized to purchase and present to their respective employees at periodic intervals under such rules and regulations as have been or may be adopted by the respective agencies named hereinabove, service award pins and certifications for longevity of service and safety award pins and certificates for safe operation of state equipment and awards for such special professional achievement and other outstanding service. Such awards will be limited to lapel pins, tie clasps, plaques, loving cups, engraved certificates or other awards of a similar nature and shall be purchased through the State Purchasing and General Services Commission, the cost of which shall not be in excess of seventy-five dollars (\$75) per employee.

TRAVEL REGULATIONS

Sec. 12. DEFINITIONS.

The following words and terms, when used in Sections 12-18 of this Article, shall have the following meanings.

1. Commercial lodging establishment - a motel, hotel, inn, apartment, or similar entity that furnishes lodging to the general public for pay.
2. Commercial transportation company - an entity that offers transportation of people or goods to the general public for pay.
3. Designated headquarters - the area within the city limits of the incorporated area in which a state employee's place of employment is located. If an employee's place of employment is located within an unincorporated area, then the area within a five mile radius of the employee's place of employment is his designated headquarters. If a city, town, or unincorporated area is completely surrounded by the city or town in which an employee's place of employment is located, then the employee's designated headquarters includes the surrounded area.
4. Duty point - the location, other than an employee's place of employment, to which a state employee travels in order to conduct official state business.
5. Head of agency - this term includes elected state officials, excluding members of the Legislature; appointed state officials, including officials whose appointment is still subject to confirmation by the Senate; first assistants, chief deputies, and chief clerks who are specifically authorized by law to act for their superiors; directors of legislative interim committees or boards; heads of state institutions of higher education; heads of state hospitals and special schools; and, for each state agency that is governed by a part-time board or commission, the person who has the day-to-day responsibility for managing the agency's operations.
6. Incidental expenses - those necessary and reasonable expenses incurred by a state employee while traveling on official state business. The term include applicable taxes except for taxes on meals. The term does not include expenses for meals, lodging, or transportation; expenses of a personal nature; expenses that would be incurred by the employee regardless of whether he were traveling on official state business; and, tips and gratuities.
7. Key officials - this term encompasses heads of agencies and persons holding exempt positions as indicated in this Act or by action of the Governor in accordance with the Position Classification Act of 1961.
8. Lease - a long-term contract giving the lessee the exclusive possession and use of property or equipment although the lessor retains ownership throughout the duration of the contract. A contract is "long-term" only to the extent that its duration is on at least a month-to-month basis.

9. Place of employment - the office or location at which a state employee routinely conducts official state business.
10. Rented or public conveyance - a motor vehicle, train, or aircraft that a state employee either rents or pays a fare to use on a short-term basis while traveling on official state business.
11. State agency - a unit of state government that uses funds appropriated in this Act to pay for the transportation, meals, lodging, and other travel expenses of its state employees.
12. State employee - a person employed by a state agency. This term includes key officials except to the extent that specific provisions in this Article indicate otherwise.

Sec. 13. GENERAL TRAVEL PROVISIONS.

1. The amounts appropriated in this Act to each state agency for the payment of transportation, meals, lodging, and incidental expenses shall be the maximum amounts to be expended by those agencies. None of the moneys appropriated by this Act may be expended for those expenses unless the travel and the resulting requests for payment or reimbursement comply with the conditions and limitations in this Article.
2. Heads of agencies shall conserve the funds appropriated in this Act by maximizing economy and efficiency when planning the travel of state employees under their authority. In this connection, heads of agencies are responsible for ensuring that the expenses of transportation, meals, lodging, and incidental items are the lowest possible considering all relevant circumstances.
3. Necessary and reasonable expenses for transportation, meals, lodging, and incidental expenses may be paid or reimbursed from the funds appropriated in this Act only when the purposes of the travel clearly involve official state business, are consistent with the legal responsibilities of the state agency represented, and, for the travel outside the State of Texas, the travel is approved in advance in accordance with the policy of the employing state agency.

None of the funds appropriated in this Act shall be used to pay or reimburse expenses for transportation, meals, lodging, and incidental expenses unless the travel voucher submitted to the Comptroller identifies persons contacted, places visited, or otherwise describes the nature of the official state business performed.

4. A state employee may claim extra travel time for the purpose of calculating reimbursement for meals, lodging, rental cars, parking, and other reimbursable expenses in order to take advantage of lower airfares if: (a) the cost of the additional expenses plus the lower airfare is less than or equal to the average coach airfare between the employee's designated headquarters and duty point, (b) the rental car was rented during the period of time when the employee conducted official state business, and (c) it is in the employing state agency's interest to allow the employee to be absent from headquarters for an additional period of time.

5. Requests for advance written approval for travel outside of the United States and its possessions shall be submitted to the Governor as provided in TEX. REV. CIV. STAT. ANN. art. 6823a (Vernon).
6. State employees from one state agency who provide services to another state agency may be reimbursed for their transportation, meals, lodging, and incidental expenses from the funds of the agency being served.
7. A traveling state employee may be reimbursed for his incidental expenses in addition to his expenses for meals, lodging, and transportation. The Comptroller shall promulgate specific rules for the effective and efficient administration of this sub-section.
8. When this Article authorizes state agencies to directly pay commercial lodging establishments or commercial transportation companies, agencies may instead directly pay credit card issuers or travel agencies for the lodging or transportation. The same documentation that would be required for a direct payment to a commercial lodging establishment or commercial transportation company is required for a direct payment to a credit card issuer or travel agency.
9. The Comptroller shall establish rules and procedures for the effective and efficient administration of the travel regulations in this Article.

Sec. 14. TRANSPORTATION EXPENSES.

1. State employees' use of personally owned or leased motor vehicles:
 - a. Mileage reimbursement rate. The rate of reimbursement for state employees' use of their personally owned or leased motor vehicles shall be 24 cents per mile. Once each fiscal year, the Comptroller shall adjust this rate to equal the maximum fixed mileage allowance specified in the revenue rulings issued by the Internal Revenue Service in accordance with section 1.274-5(f) of the federal income tax regulations. The adjusted mileage reimbursement rate shall be effective for travel commencing on September 1 and shall be based upon the IRS' maximum fixed mileage allowance as of the previous August 1. The adjusted mileage reimbursement rate may be neither less than 21 cents per mile nor more than 25 cents per mile. Except for the cost of airport parking or other parking fees incurred while employees are away from their places of employment, no additional expenses incidental to the operation of such motor vehicles shall be reimbursed.
 - b. Computing distances. The reimbursement authorized in this subsection for travel within the State of Texas shall be based upon the shortest route between points. For the purpose of computing the shortest route, farm-to-market roads shall be included.
 - c. Travel between a residence and the airport. State employees traveling in a personally owned or leased motor vehicle between their residence and the nearest airport may be reimbursed for mileage at the rate specified in section 14(1)(a) of this Article subject to the following provisions.

- 1) If the travel occurs during working hours, the reimbursement may not exceed the reimbursement that would be due had the employee traveled between a place of employment and the airport.
 - 2) A state employee may be reimbursed for the mileage incurred by another person while transporting the employee between his residence and the nearest airport during working or non-working hours so long as the employee demonstrates that the reimbursement would be less than the cost of parking a personally owned or leased motor vehicle at the airport.
- d. Travel between a residence and a duty point. State employees who travel in a personally owned or leased motor vehicle between their residence and their duty point may be reimbursed for mileage at the rate specified in Section 14(1) (a) of this Article subject to the following provisions.
- 1) If the travel occurs during working hours, the reimbursement may not exceed the mileage that would have been paid had the employee traveled from his place of employment to his duty point.
 - 2) If the travel occurs before working hours on a working day, the reimbursement may not exceed the reimbursement that would be due had the employee traveled from a place of employment to a duty point. The preceding limitation does not apply if the employee is required to travel because of an unforeseen emergency that is related to official state business.
- e. Travel between a residence and a place of employment. A state employee may not be reimbursed for his mileage when he travels in a personally owned or leased motor vehicle between his residence and his place of employment unless (1) the travel is necessitated by extraordinary circumstances, and (2) the travel occurs during non-working hours.
- f. Mileage rate for travel outside of the State of Texas. State employees traveling alone may be reimbursed at the standard mileage rate for the use of their personally owned or leased motor vehicles while traveling outside the State of Texas in accordance with this paragraph. The reimbursement may not exceed either of the following: (a) the amount the employees would have received had they flown the average coach airfare below first class plus the expenses necessary to complete such flight or (b) the reimbursement calculated at the standard mileage rate for the actual miles traveled. Mileage, calculated at the standard mileage rate, between an employee's place of employment and the airport plus other necessary and reasonable expenses that would have been incurred at the airport had the employee flown, including parking fees, shall be considered as expenses necessary to complete a flight for the purpose of this paragraph.
- g. Travel by a group of state employees outside of the State of Texas. When two or more state employees travel together outside the State of Texas in a motor vehicle that is owned or leased by one of those employees, the reimbursement for the use of that vehicle shall be based upon the total miles between the motor vehicle owner's place of employment and the employees' destination at the standard mileage rate authorized elsewhere in this Article. However, this reimbursement shall not exceed the total cost had each employee flown the average coach airfare below first class plus the expenses necessary to complete the flight as specified in section 14(1) (f) of this article.

- h. Travel to points outside of the State of Texas that are not served by commercial airlines. State employees traveling either alone or with other state employees to duty points outside of the State of Texas that are not directly served by commercial airlines shall be reimbursed for their mileage. This reimbursement cannot exceed the sum of the following: (a) average coach airfare below first class to the nearest city served by air to the destination, (b) mileage between the nearest city served by air and the destination, and (c) the expenses necessary to complete the flight as specified in Section 14(1)(f) of this Article.

2. Transportation in personally owned or leased aircraft:

- a. The rate of reimbursement to key officials, members of boards and commissions, and members of the Legislature for travel in their personally owned or leased aircraft within and without the boundaries of the State of Texas shall be thirty-five cents (35¢) per highway mile when traveling in single-engine aircraft, fifty-five cents (55¢) per highway mile when traveling in twin-engine aircraft, and one dollar (\$1.00) per highway mile when traveling in turbine-powered aircraft.

When additional key officials, members of boards and commissions, or members of the Legislature are conveyed on trips within or without the boundaries of the State of Texas in privately owned or leased aircraft, they each shall receive as a mileage reimbursement an amount equal to that which would have been paid had they traveled by average coach airfare below first class. The Comptroller shall develop procedures whereby these multiple reimbursements can be aggregated into a single payment and paid either to the individual owning or leasing the aircraft or to the vendor providing a leased aircraft; however, the total reimbursement shall not exceed the actual cost of the trip.

Key officials, members of boards and commissions, and members of the Legislature may lease aircraft from a proprietorship, partnership, or corporation in which they have an interest. Reimbursement shall be at the rates established for travel by personally owned or leased aircraft.

- b. The rate of reimbursement for state employees when they travel in their personally owned or leased aircraft within and without the boundaries of the State of Texas shall be thirty-five cents (35¢) per highway mile when traveling in single-engine aircraft and fifty-five cents (55¢) per highway mile when traveling in twin-engine aircraft.

3. Travel by rented or public conveyance:

a. When a state employee travels by rented or public conveyance, the actual cost of transportation is payable from funds appropriated in this Act subject to the following limitations.

- 1) The cost of commercial air transportation between an employee's designated headquarters and his duty point must be equal to the lowest rate available. First class airfare may be paid only if it is the only available airfare.
- 2) The cost of transportation by limousine may be paid only if it is the lowest cost transportation considering all relevant circumstances.

b. State agencies may pay the expenses associated with state employees traveling by rented or public conveyance in either of two ways at the option of each head of agency.

- 1) When state employees pay for authorized travel by rented or public conveyance with their personal funds, they shall be reimbursed for that travel in accordance with this Article. Receipts for such transportation, excluding receipts for bus, taxi, or limousine fares, shall be submitted to the Comptroller as attachments to the employee's travel voucher.
- 2) A head of agency may request a commercial transportation company to furnish transportation to designated state employees of such agency. The cost of the transportation services shall be billed monthly to the agency. The Comptroller may issue a warrant payable to a commercial transportation company only upon the submission by a state agency of a voucher showing the purpose of travel and the necessary approval by the agency. An official receipt from the commercial transportation company showing the details of the transportation must be attached to the voucher.

To facilitate auditing of billings from commercial transportation companies, such companies shall list on their billings the point of origin and point of destination of each trip and shall also show the taxes charged. In addition, on each purchase voucher submitted to the Comptroller for processing, state agencies shall specify in detail the official state business conducted on each trip.

4. State agencies may directly pay commercial transportation companies prior to the travel of their employees if the companies required the payments to be made in advance in order to obtain lower rates. Cancellation charges are payable if they are incurred because of a business-related reason. The Comptroller shall promulgate rules for the effective and efficient implementation of this paragraph.

5. Return from personal leave: Employees on personal leave at a location outside of their designated headquarters who are required by their heads of agencies to return to their designated headquarters may be reimbursed for the cost of their transportation to headquarters as provided in this section.

Sec. 15. EXPENSES FOR MEALS AND LODGING.

1. General provisions:

- a. Heads of agencies shall conserve funds by authorizing less than the maximum reimbursements for meals or lodging, or both, when conditions warrant. However, reductions in the amount of reimbursements for meals or lodging, or both, may be authorized only if the affected state employees are notified of those reductions before they incur any expenses. Employees whose living costs are unusually low when traveling, such as those camping out, shall not be reimbursed for their meals and lodging at the maximum rates.
- b. When a state employee stays at a commercial lodging establishment, the head of his employing state agency may request the lodging establishment to directly bill the agency for the cost of the lodging. The Comptroller may issue a warrant payable to the commercial lodging establishment only upon the submission of a voucher showing the name and designated headquarters of the employee, the room rate for a single occupancy, and the lodging charges on a daily basis. An official receipt from the commercial establishment must be attached to the voucher.
- c. Each state employee who travels with one or more additional employees in a motor vehicle that is owned or leased by one of those employees shall be reimbursed for the meals and lodging incurred during the trip subject to the limitations contained in this section.
- d. No reimbursements for meals and lodging may be paid to state employees when they travel within the confines of their designated headquarters or when they are away from their designated headquarters for fewer than six consecutive hours.
- e. State employees, except for heads of agencies, must attach the actual receipts for lodging expenses to their travel vouchers when requesting reimbursement of those expenses.
- f. Travel to foreign countries, except for Canada and Mexico, must be approved by the Governor in advance of the travel in accordance with the Travel Regulations Act of 1959. A copy of the Governor's approval must be attached to each travel voucher.
- g. A state agency may reimburse a state employee for a state, county, or local hotel occupancy tax or any similar tax imposed by a law of this state or another state. If a state agency directly pays a commercial lodging establishment instead of reimbursing an employee, then the agency may directly pay the tax to the commercial lodging establishment.
- h. A state agency may reimburse a state employee for apartment rental expenses. The comptroller shall adopt rules to facilitate a state agency's conservation of state funds by renting an apartment in lieu of using another type of commercial lodging establishment.

2. Travel within the State of Texas:

- a. State employees who travel within the State of Texas shall be reimbursed for the actual cost of lodging and meals. However, the reimbursements may not exceed \$55.00 per day per location for lodging and \$25.00 per day for meals.
- b. At the discretion of each head of agency, a state employee whose duties require him to travel outside his designated headquarters without an overnight stay away from his headquarters may be reimbursed for the actual cost of his meals not to exceed \$25.00 per day.

3. Travel outside the State of Texas but within the continental United States:

- a. State employees who travel outside the State of Texas but within the continental United States shall be reimbursed for their actual expenses for lodging and meals. However, these reimbursements may not exceed the locality-based rates specified in the Federal Travel Regulations unless the Comptroller determines, in advance of travel, that local conditions necessitate a change in the lodging rate for a particular location. If an employee travels to a location where a locality-based allowance has not been set in the Federal Travel Regulations, the Comptroller shall establish a rate for that location. This rate cannot exceed the lowest locality-based allowance for that state unless the Comptroller determines, in advance of travel, that local conditions necessitate a higher lodging rate.
- b. Reimbursements for meals to employees whose travel does not require an overnight stay away from their designated headquarters may not exceed \$26.00 per day.

4. Travel outside the continental United States: State employees may receive reimbursements of their actual expenses for meals and lodging when traveling outside the continental United States.

Sec. 16. TRAVEL BY EMPLOYEES OF INSTITUTIONS OF HIGHER EDUCATION.

- 1. For the purpose of this section, official state business includes, but is not limited to, the formal presentation of original research by a state employee before a regional, state, national, or international learned society.
- 2. The governing board of each institution of higher education may delegate to its president, chief executive, vice presidents, deans, or fiscal officers the authority to approve travel and the resulting payments and reimbursements. However, such delegations of authority shall specify the kind of travel that may be approved and the termination date of the delegated authority. The delegation of authority shall be entered in the official minutes of each governing board, and a copy of those minutes shall be filed with the Comptroller.

Sec. 17. SPECIAL PROVISIONS AND EXCEPTIONS.

1. Applicability of this section: The provisions of this section apply only to the extent that they are inconsistent with or supplementary to the provisions of Sections 13, 16 and 18 of this Article.
2. General exception: Judicial officers, heads of agencies, the Executive Director of the Legislative Council, and the Secretary of the Senate shall be reimbursed for their actual expenses for meals and lodging either inside or outside the State of Texas. Expenses concerning personally owned or leased motor vehicles and other transportation expenses shall be reimbursed as provided under other sections of this Article.
3. Representation of the Governor: Employees of the Governor's Office, other state employees, and key officials who are designated by the Governor to represent him at governmental meetings or conferences held outside the State of Texas shall be reimbursed for their actual expenses for meals, lodging, and incidentals. These reimbursements may be paid out of the appropriations for the state agencies at which the employees or key officials are employed.
4. Travel by members of the Legislature:
 - a. General provisions:
 - 1) Except as otherwise provided in this Act, members of the Legislature shall be reimbursed for their actual expenses for meals, lodging and incidentals when traveling either inside or outside the State of Texas. This provision also applies to the meals, lodging, and incidental expenses members of the Legislature incur while serving on boards, councils, committees, and commissions.
 - 2) When traveling either inside or outside the State of Texas, members of the Legislature shall be reimbursed for their use of personally owned or leased motor vehicles and for their use of rented or public conveyances on the same basis as is provided in this Article for state employees. The rate of reimbursement for a member of the Legislature's use of a personally owned or leased aircraft shall be as specified elsewhere in this Article. The preceding rates of reimbursement shall apply even though a member of the Legislature's trip does not include travel to or from the City of Austin.
 - b. Exceptions for travel during regular and called sessions of the Legislature: Article III, Section 24 of the Texas Constitution requires that members of the Legislature be reimbursed for the transportation expenses they incur when traveling during regular or called sessions on the same mileage basis as is provided for state employees.
5. Travel by employees of the Legislature:
 - a. When traveling outside the State of Texas, employees of the Legislature may be reimbursed for their actual expenses for meals and lodging.
 - b. When traveling inside the State of Texas, employees of the Legislature may be reimbursed for their actual expenses for meals and lodging in accordance with TEX. GOV'T CODE ANN., SEC. 301.030(a) (Vernon).

6. Designation of state employees:

- a. When a member of the Legislature, judicial officer, head of agency, Executive Director of the Legislative Council, the Secretary of the Senate, or member of a board or commission is unable to personally attend a meeting or conference, they may designate one of their employees to represent them at the meeting or conference. The designated employee may receive reimbursement of his actual expenses for meals and lodging while attending the meeting or conference. The designations authorized in this sub-section must occur on a trip-by-trip basis.
- b. Members of the Legislature, judicial officers, heads of agencies, the Executive Director of the Legislative Council, the Secretary of the Senate, and members of state boards and commissions may authorize state employees traveling with them to receive reimbursement of their actual expenses for meals and lodging.

7. Aircraft pilots: Aircraft pilots shall be reimbursed for their actual expenses for meals and lodging on the same basis as provided in this Article for state employees. However, aircraft pilots are not subject to the requirement of being away from their designated headquarters for at least six consecutive hours in order to qualify for reimbursements of their meals.

8. Prior-written approval required: None of the funds appropriated by this Act may be used to reimburse actual expenses as authorized in sub-sections 3 and 6 of this section unless the head of the agency gives advance written approval and indicates the approximate cost of such travel.

9. Members of state boards and commissions:

- a. As authorized by TEX. REV. CIV. STAT. ANN. Art. 6813f (Vernon), members of state boards and commissions shall receive the following from the state when conducting official state business:

- 1) compensation of \$30 per day;
- 2) reimbursement of their actual expenses for meals and lodging when traveling outside of the State of Texas and reimbursement of their actual expenses for meals and lodging not to exceed \$75 per day when traveling inside the State of Texas; and
- 3) reimbursement of their transportation and incidental expenses at the rates specified in this Act for state employees.

- b. If a law enacted after Article 6813f authorizes the payment of compensation or the reimbursement of meals and lodging expenses, or both, to members of a particular state board or commission, but does not specify the rate of that payment or reimbursement, then the rates specified in this sub-section shall apply.

- c. State agencies that have a "Schedule of Exempt Positions and Per Diem of Board Members" following their appropriations may pay compensation to their board or commission members in an amount not to exceed the amount specified in the schedule for each fiscal year.

- d. None of the funds appropriated in this Act may be used to pay compensation to a member of a state board or commission to the extent that the member provided services to the board or commission during the period of time when the member is customarily required to provide services as a state employee to his employing state agency.
- e. When members of boards or commissions who are entitled to be reimbursed for their actual expenses incur expenses for meals or lodging while attending official meetings, the reimbursements may be claimed by the submission to the Comptroller of a single travel voucher. However, this voucher must itemize expenses for each board or commission member. The board or commission shall designate the appropriate employee or officer of the agency to be responsible for approval of these vouchers.

10. Travel by disabled persons:

- a. Notwithstanding any other provision of this Article, state agencies may reimburse disabled state employees and disabled members of the Legislature for attendant care and other necessary expenses incurred when they travel inside or outside their designated headquarters. However, disabled persons may not be reimbursed for the expenses incurred when traveling from their residences to their places of employment except as provided in this Act for state employees.
- b. First class airfare for the disabled and their attendants may be reimbursed so long as that airfare is medically necessary.
- c. None of the reimbursements authorized in this sub-section may be paid until the employing state agency has established policies and procedures for the travel of disabled persons. The reimbursements authorized in this sub-section shall be in addition to the reimbursements authorized elsewhere in this Article.

Sec. 18. MOVING EXPENSES OF TRANSFERRING STATE EMPLOYEES.

- 1. State agencies included in Articles I through IV of this Act may use appropriated funds to pay the reasonable, necessary, and resulting costs of moving the household goods and effects of employees who are transferred from one permanent station to another so long as the agencies determine that the best interests of the State will be served by such transfer.
- 2. State-owned equipment shall be used to move the household goods and effects of transferring state employees. However, when such equipment is unavailable, state agencies may pay for the services of a commercial transportation company or for self-service vehicles to make the move.
- 3. The use of appropriated funds as authorized in this Section is expressly conditioned upon presentation to the Comptroller of bona fide receipts or invoices showing the applicable charges.
- 4. Transferring state employees may be reimbursed at the standard mileage rate for reasonable and necessary moving-related travel by personally owned or leased motor vehicle.

5. State employees who will be required to live in state-owned housing may be reimbursed for the storage expenses incurred when the housing is not available at the time the employing state agency requires the move to be made.
6. The authority granted by this section shall not extend to new state employees.

Sec. 19. PASSENGER AND OTHER VEHICULAR EQUIPMENT (EXCLUDING AIRCRAFT).

1. Only the following agencies are authorized the use of appropriated funds for the purchase, operation, and maintenance of passenger cars and other vehicles designed for passenger transportation (excluding aircraft): Texas Youth Commission, Adjutant General's Department, Alcoholic Beverage Commission, Department of Agriculture, Attorney General, State Purchasing and General Services Commission, Department of Corrections, Department of Highways and Public Transportation, Historical Commission, General Land Office, Parks and Wildlife Department, Railroad Commission, Department of Public Safety, Water Commission, Water Development Board, Department of Banking, Board of Plumbing Examiners, Board of Pharmacy, Board of Pardons and Paroles, Low-Level Radioactive Waste Disposal Authority, Credit Union Department, Office of Consumer Credit Commission, and Savings and Loan Department.
2. For the purposes of the above limitation, the following vehicular equipment shall not be construed to be passenger cars and other vehicles designed for passenger transportation and may be purchased, operated, and maintained by an agency through appropriated funds: panel, pickup and delivery trucks and trucks required for the conveyance of special equipment; motorcycle delivery units; dual control automobiles used exclusively for driver training; passenger cars equipped with two-way radios when such equipment is a direct requirement of the user's primary responsibility; motorcycles, jeeps, and boats needed and used for fire prevention, fire fighting and other activities for safeguarding public safety, public property, or for criminal law enforcement; ambulances or other passenger vehicles specifically equipped and regularly used for ambulance services; buses, sedans, vans and station wagons regularly used for the mass transportation of numbers of people and essential to the efficient management of the operating agency of the state as certified by a report filed with the Governor's Budget and Planning Office and the Legislative Budget Office prior to acquisition.
3. It is the intent of the Legislature that agencies authorized to purchase passenger vehicles and/or other general use ground transportation vehicles shall purchase economical, fuel efficient vehicles assembled in the United States of America when the purchase of such vehicles would have no significant detrimental effect on the public service being performed. Each agency purchasing vehicles as authorized in this Act shall file, as a part of the annual report required elsewhere in this Article, a report listing each passenger vehicle purchased, make and model, purchase price, assigned type of use and fuel efficiency as expressed by the manufacturer fuel efficiency rating.

4. No funds appropriated by this Act may be expended by any agency or employee or state official to use a state car for personal use or for commuting to or from work, except when such commuting may be necessary to ensure vital agency functions are performed. Exceptions and reasons therefore shall be certified by individual name and job title by the administrative head of each affected agency and reports of such exceptions shall be filed in the annual report of the agency.

Sec. 20. AIRCRAFT.

1. This subsection shall apply only to state-owned aircraft and shall be the only appropriation authority therefor.
 - a. No purchase of aircraft shall be made from appropriated funds except as authorized in this section.
 - b. Agencies authorized to expend appropriated funds for the maintenance and operation of state-owned aircraft or replacements authorized below are: Texas A&M University System, Department of Mental Health and Mental Retardation, Department of Corrections, Governor's Office, Department of Highways and Public Transportation, Parks and Wildlife Department, Department of Public Safety, Comptroller of Public Accounts, Railroad Commission, Department of Human Resources, Texas Tech University, Texas Tech University Health Sciences Center, University of Texas System, Texas State Technical Institute, Texas Forest Service, and Aircraft Pooling Board. Notwithstanding any other provision of this Act, all state-owned aircraft (including aircraft forfeited to or seized by a particular agency) are subject to the authority of the Aircraft Pooling Board under Article 4413(34b), V.A.C.S.
 - c. Expenditure of appropriated funds for replacement of the above aircraft with aircraft of comparable quality may be made contingent upon approval of the Aircraft Pooling Board and a finding of fact by the Governor that a report has been filed with his office showing:
 - 1) That the aircraft to be replaced has been destroyed or has deteriorated to an extent that continued operation presents a serious hazard or that the aircraft to be replaced can no longer meet the mission requirements of the principal user state agency.
 - 2) That other state-owned aircraft cannot be effectively utilized in lieu of a replacement aircraft.
 - d. It is the intent of the Legislature that state-owned aircraft be utilized by all agencies of the state. To determine the extent to which this intent is being met, agencies operating state-owned aircraft shall file an annual report with the Legislative Budget Office detailing utilization by other agencies and the methods used to increase the utilization. Statewide-elected officials shall be given priority in the scheduling of aircraft, however, the State Aircraft Pooling Board may require a twelve (12) hour notice by an official in order to accomplish such priority scheduling.
 - e. The Aircraft Pooling Board shall purchase liability insurance to protect the officers and employees of state agencies operating state-owned aircraft. Expenditures necessary to purchase such insurance shall be made on a pro rata basis, as determined by the Aircraft Pooling Board, from appropriations authorized to each agency operating a state-owned

aircraft. The comptroller shall transfer such necessary amounts from agencies operating aircraft to the Aircraft Pooling Board for the purchase of liability insurance and expenditure of such funds by the board is hereby authorized.

- f. All state agencies operating aircraft based in Austin shall use State Aircraft Pooling Board facilities for storage, maintenance, and fueling of these aircraft to the extent that State Aircraft Pooling Board facilities are available. As soon as the State Aircraft Pooling Board facilities authorized by the Seventieth Legislature are completed, all Austin-based aircraft shall be housed in the Board's facilities. These agencies shall provide the State Aircraft Pooling Board with at least 12 hours notice of their intention to use Austin-based aircraft.
- g. All agencies using State Aircraft Pooling Board services shall reimburse the State Aircraft Pooling Board for providing services within 30 days from the date of billing.
- h. Any reimbursements received by an agency of the state for authorized aircraft services rendered to any other agency of the state are hereby reappropriated to the agency receiving such reimbursements, and shall be credited to the agency's appropriation item(s) for aircraft expenses.
- i. All rates charged for interagency aircraft services shall be approved by the Aircraft Pooling Board and shall be set at levels adequate for recovery, to the extent possible, of all direct costs (including the pro-rata share of major maintenance, overhauls, and pilots' salaries) for the services provided.
- j. Except for appropriations made to the State Aircraft Pooling Board and the Comptroller of Public Accounts, no appropriations made in this act may be expended for lease or operation of aircraft, unless used only for transportation which meets the following criteria:
 - 1) the purpose of the trip is official state business;
 - 2) all passengers are state officers or employees, or are persons in the care or custody of state officers or employees, or are persons whose transportation furthers the official state business purpose of that flight;
 - 3) the destination is not served by commercial carriers, or the time required to use such a carrier interferes with other obligations, or the number of state officers and employees traveling makes the use of state aircraft cost effective;
 - 4) any speeches to be given by passengers are related to official state business;
 - 5) events attended by passengers are not sponsored by a political party or for its promotion;

- 6) no fees or honorariums are received by passengers, unless travel costs are reimbursed to the state;
 - 7) no money is raised for private or political purposes; and
 - 8) audiences are not charged to see or hear any of the passengers.
2. This subsection shall apply to expenditure of funds in connection with aircraft not owned by the state.
- a. In the event that a need arises and no state-owned aircraft are available through the Aircraft Pooling Board, or if the board determines that long or short-term lease or rental of aircraft would reduce the cost of transportation to the State of Texas, the board shall authorize state agencies to expend funds for such lease or rental of aircraft or helicopters.
 - b. Other than mileage reimbursements provided for in this Act, no other state agency in Articles I through IV may expend appropriated funds for the lease or rental of aircraft.

OTHER PROVISIONS

Sec. 21. ACCEPTANCE OF GIFTS OF MONEY. All bequests and gifts of money to state agencies named in this Act who have specific authority to accept gifts are hereby appropriated to the agency designated by the grantor and for such purposes as the grantor may specify, subject to the following:

- 1. All such bequests and gifts of moneys, unless exempted by specific statutory authority, shall be deposited into the State Treasury and shall be expended in accordance with the provisions of this Act.
- 2. No gifts or bequests to a state agency shall be transferred to a private or public development fund or foundation, unless written permission for the transfer is given by the donor of the gift or representative of the estate. An account of all such letters of written permission and transfers of gifts and bequests shall be kept by the agency and shall be reported to the State Auditor.

Sec. 22. FEDERAL FUNDS.

- 1. All funds received from the United States government by state agencies and institutions named in this Act are hereby appropriated to such agencies for the purposes for which the federal grant, allocation, aid, payment or reimbursement was made subject to the following:

- a. Federal funds including unexpended balances shall be deposited to and expended from the specific program identified under each agency's appropriation bill pattern.

No federal funds may be expended for programs or activities other than those which have been reviewed by the Seventy-first Legislature and authorized by specific language in this Act or encompassed by an agency's program structure as established by this Act.

- b. Federal reimbursements received for expenditures previously made or services performed on behalf of federal programs from state funds shall be credited by the Comptroller to the fund from which the expenditure was originally made. The credit shall be to the agency's current appropriation item or accounts from which the expenditures of like character were originally made and are hereby reappropriated. Reimbursements received from employee benefits paid from General Revenue Fund appropriations of other administering agencies shall be deposited to the unappropriated General Revenue Fund.
 - c. All agencies receiving federal funds shall utilize those funds to the maximum extent possible to reduce expenditures of state funds appropriated for use. It is the intent of the Legislature that reductions in state funds be returned to the State Treasury.
 - d. It is the intent of the Legislature that any position created for administration of federal grant programs shall be phased out upon discontinuance of the particular federal grant for which it was authorized.
 - e. Annual reports showing federal funds received and their intended usage shall be filed by the Governor's Budget and Planning Office with the presiding officers of both houses of the Legislature for referral to appropriate standing committees for review.
2. Agencies subject to the Position Classification Act of 1961 will make federal grant employment in accordance with the provisions of that Act in positions listed in Article V of this Act.
 3. In order to maximize the amount of federal alcohol and drug abuse funds which might become available to the Texas Commission on Alcohol and Drug Abuse, it is the intent of the Legislature that state funds used by any state agency to provide alcohol and drug abuse services may be counted towards any required state matching contribution for such federal funds.

Sec. 23. EARNED FEDERAL FUNDS. Earned federal funds are defined as all moneys received in connection with each entitlement period of a federally funded contract, grant or program excluding reimbursements as defined in Section 22. 1., b., which are not required by the governing agreement to be disbursed thereon. Typically, they arise from recoveries of costs previously paid from a nonfederal fund source, interagency contracts paid from another agency's federal funds, indirect cost allocations, interest earned on federal funds, and minor sources such as the sale of fixed assets purchased with federal funds. Except for state agencies of higher education and their affiliated agencies, the expenditure of funds received and/or earned in accordance with this definition by state agencies is limited to the appropriation authority granted to each agency. Any such excess funds remaining at the end of the biennium for each agency are to be carried forward as a funding source available for appropriations of the subsequent biennium.

Sec. 24. PRISON-PRODUCED GOODS. In order that all state agencies and institutions covered by this Act fully utilize funds herein appropriated, it is the intent of the Legislature that such agencies and institutions, shall purchase goods produced by the Texas prison system when such goods are equal to or lower in price than goods of a comparable quality when purchased on the open market.

Sec. 25. ACQUISITION OF PROPERTY. In order to conserve the moneys appropriated by this Act, the State Purchasing and General Services Commission and the governing boards of the state institutions of higher learning either acting directly or through the State Purchasing and General Services Commission or through any other state agency in behalf of their respective institutions, are hereby authorized to negotiate purchases of commodities and supplies of any kind or character whatsoever needed by any state agency with the duly authorized agencies of the federal government. However, any such commodities or supplies so purchased shall be obtained at a price not to exceed the prevailing market value thereof, and if there be no market value then at the real or intrinsic value.

It is further provided that only for the purposes of the expenditures authorized in the preceding paragraph, the State Purchasing and General Services Commission and the governing boards of the state institutions of higher learning may waive the requirement of bidder's bond and performance bonds, otherwise required, in negotiating such purchases with the duly authorized representatives of the federal government.

Except as specifically authorized to do so by existing statutes, none of the agencies for which appropriations are made in this Act shall accept the donation of real property or expend any of the moneys appropriated herein for the purchase of real property without the expressed permission and authorization of the Legislature. It is further provided that the institutions of higher education are specifically authorized to accept gifts or devises of real property from private sources for the establishment of scholarships, professorships, or other trusts for educational purposes, provided such property will not hereafter require appropriations by the Legislature for operation, maintenance, repair, or the construction of buildings.

Sec. 26. SURPLUS PROPERTY. Receipts to any agency of the state government specified in this Act which are received from the sale of surplus property, equipment, livestock, commodities, or salvage pursuant to the provisions of House Bill No. 1673, Chapter 773, Acts, Sixty-sixth Legislature, 1979, are hereby appropriated to such State agency for expenditure during the fiscal year in which such receipts are received. Receipts from such surplus and salvage sales are to be credited to the appropriation item from which like property, equipment, livestock, or commodities would be purchased.

Sec. 27. EXCESS OBLIGATIONS PROHIBITED. No department or agency specified in this Act shall incur an obligation in excess of the amounts appropriated to it for the respective objects or purposes named unless the State Purchasing and General Services Commission has determined that a proposed installment purchase arrangement is cost effective and has so certified in response to an agency request except for obligations incurred for the purchase or lease of automated information system equipment; however, only if such department or agency has filed with the Automated Information and Telecommunications Council (AIRC) a long-range automated information system plan and such plan has been approved by AIRC. In the event this provision is violated, the State Auditor shall certify the fact and the amount of over-obligation to the comptroller, and the comptroller shall deduct an amount or amounts equivalent to such over-obligation from the salary or other compensation due the responsible disbursing or requisitioning officer or employee, and apply on the payment of the obligation. This provision is specified pursuant to Section 10, Article XVI, of the Constitution of Texas.

Sec. 28. DEFINITION OF "U.B." In this Act, the term "unexpended balance" or the abbreviation "U.B." means the unobligated balance remaining in any appropriation, i.e., only that part of an appropriation, if any, that has not been set apart by the incurring of an obligation, commitment, or indebtedness by the state agency authorized to spend the appropriation. A reference in this Act to "unexpended balance" or "U.B." is a reference to the unobligated balance of an amount appropriated for the fiscal year ending August 31, 1989, by S.B. 1, Acts of the Seventieth Legislature, Second Called Session, 1987.

Sec. 29. REIMBURSEMENTS AND PAYMENTS. Any reimbursements received by an agency of the state for authorized services rendered to any other agency of the state government, and any private sources and any payments to an agency of the state government made in settlement of a claim for damages, are hereby appropriated to the agency of the state receiving such reimbursements and payments for use during the fiscal year in which they are received.

The reimbursements and payments received shall be credited by the comptroller to the agency's current appropriation items or accounts from which the expenditures of like character were originally made, or in the case of damage settlements to the appropriation items or accounts from which repairs or replacements are made; provided, however, that any refund of less than fifty dollars (\$50) to an institution of higher education for postage, telephone service, returned books and materials, cylinder and container deposits, insurance premiums and like items, shall be deposited to the current fund account of the institution in the State Treasury and such funds are hereby reappropriated.

Sec. 30. REFUNDS OF DEPOSITS.

1. Any money deposited into the State Treasury which is subject to refund as provided by law shall be refunded from the fund into which such money was deposited, transferred, or otherwise credited, and so much as is necessary for said refunds is hereby appropriated.
2. Unless another law, or section of this Act, provides a period within which a particular refund claim must be made, funds appropriated herein may not be used to pay a refund claim made under this section after four years from the latest date on which the amount collected or received by the state was due, if the amount was required to be paid on or before a particular date. If the amount was not required to be paid on or before a particular date, a refund claim may not be made after four years from the date the amount was collected or received. A person who fails to make a refund claim within the period provided by law, or this provision, shall not be eligible to receive payment of a refund under this provision.
3. As a specific limitation to the amount of refunds paid from funds appropriated in this Act during the 1990-1991 biennium, the Comptroller shall not approve claims or issue warrants for refunds in excess of the amount of revenue estimated to be available from the tax, fee, or other revenue source during the biennium according to the Biennial Revenue Estimate of the Comptroller of Public Accounts used for certification of this Act. Any claim or portion of a claim which is in excess of this limitation shall be presented to the next legislature for a specific appropriation in order for payment to be made. This limitation shall not apply to any taxes or fees paid under protest.

4. The State Comptroller of Public Accounts shall establish accounting procedures for suspense fund refund transactions in which all agencies will eliminate the delayed clearance of moneys from the suspense fund, reduce accounting paperwork, and maximize revenues to the General Revenue Fund and other state funds.

Sec. 31. DORMANT ACCOUNTS. As provided in Tex. Govt. Code Ann., Sec. 403.091 the State Comptroller of Public Accounts shall, with the consent of the State Auditor and the State Treasurer, transfer the balances in any dormant account to the General Revenue Fund.

Sec. 32. SALES OF LISTS. The proceeds of all sales of lists which are prepared by state agencies for which appropriations are made in this Act shall be deposited to the credit of the appropriation item out of which the costs of preparation are made and are hereby appropriated to the agency.

Sec. 33. AUDITS. None of the appropriations herein made shall be used to employ any firm or person to audit the books of any department, board, commission, institution or state agency, this being the duty of the State Auditor; provided, however, that in any instances where the funds available to said State Auditor are not, in his judgment, sufficient for any requested or contemplated audit, the department head or heads having authority to disburse the appropriations herein made are hereby authorized to direct the state comptroller to transfer from any appropriations to the appropriation herein made for the State Auditor the amount which in the judgment of the State Auditor is necessary for the purpose of making such audit.

Any amount so transferred to the State Auditor shall be used by him for the actual costs of the specified audit, and any balances of such funds remaining at the end of any fiscal year are hereby appropriated to the State Auditor for the purpose of completing the audit or audits for which the funds were transferred. On the completion of any such audits any excess funds remaining shall be transferred by the State Auditor back to the department, board, commission, institution or agency from which transferred.

The provisions of this section notwithstanding, supplemental audits of funds received from the United States Government by agencies of the state named in this Act, which are required as a condition of the receipt of such funds, may be made in addition to the auditing performed by the State Auditor when funds for such purpose are provided by the federal grant, allocation, aid or payment.

Notwithstanding other provisions of this Act, any state agency providing grants or operating funds for governmental programs to local governmental units, private corporations, or other organizations other than a state agency or department, may require, as a condition to granting or providing such funds, that the receiving entity have a yearly independent audit performed and transmitted to the state agency. If sufficient personnel are available, the state agency may have its internal audit staff make a yearly inspection visit to the local entity. The state agency shall take action on exceptions noted in the independent audits and provide documentation of that action to the State Auditor, Legislative Audit Committee, Legislative Budget Board and the Governor's Office. Notice of such action shall be given at the board meeting of the state agency and shall be announced on the agenda of that meeting.

Sec. 34. INTERPRETATION OF ESTIMATES. In the event the amounts of federal funds, local funds, or funds other than appropriations from the General Revenue Fund, have been estimated in this Act in sums greater than are actually received by the respective agencies of the state, this Act shall not be construed as

appropriating additional funds from General Revenue to make up such differences. Wherever the language of this Act appropriates all receipts and balances from a specified source but uses an estimated amount to inform the Legislature and the public, the estimated figure is not to be construed as a limitation on the amount appropriated.

Sec. 35. PETTY CASH REVOLVING FUNDS. This provision and related petty cash revolving fund provisions in other articles of this Act are contingent upon the failure of passage of Senate Bill No. 984 or Senate Bill No. 985, Seventy-first Legislature, Regular Session. From any item of appropriations containing other expenses, departments and agencies may expend funds for the purpose of creating a Petty Cash Revolving Fund under the conditions hereinafter set out:

1. A need for a Petty Cash Revolving Fund is determined by the department or agency.
2. The Petty Cash Revolving Fund shall be an amount not to exceed one thousand dollars (\$1,000); however, the Texas Department of Health, Department of Human Resources, Commission for the Blind, Texas Youth Commission, the State Department of Highways and Public Transportation, and the Department of Public Safety may establish a Petty Cash Revolving Fund in regional headquarter offices and other offices approved by the Comptroller of Public Accounts not to exceed five hundred dollars (\$500) per office.
3. Whenever the determination is made that a Petty Cash Revolving Fund is desirable for a particular department or agency, the Comptroller of Public Accounts shall draw a warrant payable to the department or agency for deposit in a local bank on vouchers issued by the department or agency. Such petty cash revolving fund in the local bank may be expended by checks signed by a bonded employee of the department or agency designated by the head of the department or agency to administer such fund. Disbursements from the petty cash revolving fund shall be reimbursed from appropriations made for the purposes for which the expenditure was made, and each expenditure from the petty cash revolving fund be supported by a cash disbursement voucher. The Comptroller of Public Accounts shall inform the State Auditor of all petty cash funds so created and the State Auditor shall report to the Legislature any abuse or unwarranted use thereof.

The provisions contained in this section for establishing and operating Petty Cash Revolving Funds shall not apply or affect those petty cash revolving funds otherwise provided for in this Act, except that the contingency related to Senate Bill No. 984 and Senate Bill No. 985, as stated above, shall apply to all petty cash revolving funds authorized by this Act.

Sec. 36. SALE OF HEARINGS TRANSCRIPTS. Proceeds from the sale of transcripts made by hearings reporters who are state employees shall be deposited in the State Treasury in all cases where the copies of the transcript are made on state time or using state supplies or equipment. State agencies allowing employees to retain proceeds from the sale of transcripts shall develop procedures for assuring that neither state equipment nor supplies are used in preparing copies of transcripts.

Sec. 37. VENDING MACHINES AUTHORIZED. Except in those areas which are now served by vendors operating under supervision of the Blind Commission, vending machines may be placed on state-owned or leased property or in state-owned or leased buildings only with the approval of the governing boards or commissions and such approval shall be recorded in the minutes of the body. A copy of the contract shall be filed with the State Purchasing and General Services Commission showing the location within the agency and the terms of the contract.

Proceeds, net revenues, rentals or commissions received shall be accounted for as state revenue and the amount so collected is hereby appropriated to the institution, board, commission or agency for use as directed by the board or commission authorizing the installation. The amount of such proceeds, net revenues, rentals or commissions and disposal of such funds shall be included in the annual report of the state agency as required elsewhere in this Act. Vending machines located in areas or buildings now being serviced by vendors under the supervision of the Blind Commission must be operated under a joint contract with the machine owners and the vendors operating under the supervision of the Blind Commission.

Sec. 38. PAY STATION TELEPHONES AUTHORIZED. Pay station telephones may be located in the capitol area only with the approval of the State Purchasing and General Services Commission and the net proceeds of such installations shall be collected and deposited to General Revenue Fund by the State Purchasing and General Services Commission. In other areas pay telephones may be located in state-owned or leased buildings or on state-owned land only with the approval of the governing board or commission and the net proceeds shall be collected and accounted for as state revenue and the amount so collected is hereby appropriated for use by the agency as determined by the governing board or commission. The amount of net proceeds and disposal of such funds shall be included in the annual report of the state agency as required elsewhere in this Act.

Sec. 39. CENTRAL SUPPLY STORE AND REVOLVING FUND. The legislative intent in establishing a Central Supply Store to serve state agencies is to obtain maximum efficiency and economy of operations and convenience to state agencies. To this end the revolving fund previously established in the amount of Seven Hundred Thousand Dollars (\$700,000) is hereby reappropriated. Transfer of agency funds to reimburse this revolving fund for purchases made by the using agency shall be accomplished by the most efficient and expeditious procedure possible including the elimination of warrant issuance when feasible.

Sec. 40. PURCHASES OF POSTAGE. Appropriated funds may be expended for purchasing postage stamps or paying post office box rent only upon warrants made payable to a United States Post Office. Each warrant shall be endorsed by the postmaster from whom the purchase of postage stamps was made or to whom the post office box rent was paid. However, the preceding limitations do not apply to any reimbursement authorized under either Section 29 of this Article, or Section 7., 4., Article III of this Act; to reimbursements to any authorized petty cash fund; or, to reimbursements to state employees for emergency purchases of postage stamps and emergency payments of post office box rent. The Comptroller of Public Accounts shall adopt rules and procedures to implement this section.

If the expenditures for postage by any agency, other than the Legislature or an agency of higher education, exceed Four Thousand Dollars (\$4,000) for the fiscal year, such agency shall install a postage meter machine and have all purchases of postage recorded on that postage meter machine, excepting purchases of stamps for field offices or traveling employees. The installation cost and rental of the postage meter machine shall be paid from appropriations in this Act which include general operating, current and recurring operating expense, other operating, maintenance, miscellaneous, or contingent expenses.

All sums received by an agency, in refund of postage used by the agency shall be deposited in the fund to the credit of the appropriation from which postage for said agency is paid and are hereby reappropriated for postage use.

Sec. 41. COURT REPRESENTATION AND OUTSIDE LEGAL COUNSEL. Except as otherwise provided by the Constitution or general or special statutes, the Attorney General shall have the primary duty of representing the State of Texas in the trial of civil cases. Funds appropriated in this Act may not be expended by any agency of the state government (other than those included in Article VI of this Act) to initiate a law suit or defend itself against any legal action without the consent of the Attorney General. Absent this consent, such agency shall be represented in that particular action by the Attorney General or a member of his staff. Where the Attorney General, District Attorney, Criminal District Attorney, County Attorney, or other lawyer is required by constitutional or statutory provision to represent a state agency, state official, state board or state department, no compensation shall be paid from any appropriation made in this Act to any other attorney for representing the State of Texas in the trial of a civil law suit in Constitutional Courts except in those cases where the Attorney General consents to such representation or the District Attorney, Criminal District Attorney, County Attorney or other lawyer has requested that the attorney or attorneys employed by the particular state agency, state official, state department or state board assist with the trial of the particular law suit. This provision shall not, however, restrict a state agency, state official, state department or state board in the investigation and assembling of evidence in connection with a pending or prospective civil suit. Further, this provision shall not prohibit the foregoing state officials, state agencies, state boards or state departments and their employees from investigating, filing or presenting a claim, owing to the State of Texas, when such claim is filed with or presented to an individual, association, corporation, guardian, administrator, executor, receiver, trustee, legal representative, or probate court.

This provision was not intended and shall not restrict the Attorney General from employing special assistants to assist in the trial of civil suits to be paid from the appropriations therefor made to the Attorney General's Office.

Prior to expenditure of funds for retaining outside legal counsel, agencies and departments other than those included in Article VI of this Act shall request the Attorney General to perform such services. If the Attorney General cannot provide such services, he shall so certify to the requesting agency who may then utilize appropriated funds to retain outside counsel. It is specifically provided that no agency shall initiate the process of selecting outside legal counsel prior to receiving the approval of the Attorney General to retain outside counsel.

It is the intent of the Legislature that when the Attorney General is called upon by a state agency to take legal action in court against another state agency that the Attorney General give special consideration to permitting one of the agencies to employ, from the permitted agency's funds, outside counsel to represent that agency in that action in order to avoid a conflict of interest by the Attorney General in the representation of both agencies.

In the event that the Attorney General should initiate legal action against another state agency in behalf of the Attorney General rather than another agency, the Legislature determines that a conflict of interest exists and the agency against which the Attorney General takes action is hereby authorized to expend appropriated funds for outside legal counsel to represent that agency without the prior approval or consent of the Attorney General.

Sec. 42. ARCHITECTURAL FEES. Architectural fees paid from funds appropriated in this Act shall be governed by the following schedule and provisions:

1. The schedule of basic fees to be paid an architect or architects for all professional services as set out below, based on the total cost of the work, shall not exceed:

Construction Cost of Project	Dormitories, Garages, and Warehouses	Classroom, Office and Other Bldgs.	Health, Research, Special Education Facilities
Over \$15,000,000	-	6.0%	6.0%
\$200,000 to \$15,000,000	6.5%	7.0%	7.5%
Up to \$200,000	7.5%	8.0%	8.5%

Basic fee for remodeling and alterations shall be one-third greater than scheduled above. Alterations and remodeling is defined as any change, architectural, structural, mechanical or electrical, made to an existing structure and includes portions of that structure changed as a result of additions or extensions to a structure.

2. When one building design is used in two or more locations within the same project, the fees to be paid shall be:
 - a. For the first building of such design, a basic fee calculated according to the schedule above.
 - b. For the second and subsequent buildings utilizing such design, the basic fee shall be reduced 35%. Such fee shall include changes required by site conditions including foundation redesign; partition changes; mechanical and electrical changes; necessary program changes; other architectural services normal under such circumstances; and inspection of the construction.
3. Architectural fees shall include:
 - a. The necessary conferences, and the preparation of preliminary studies and final designs.
 - b. The production of complete architectural, mechanical and structural drawings and specifications including their proper correlation.
 - c. Construction contract administration and all other normal architectural services.

- d. Payment of all fees to consulting engineers and landscape architects for their services in connection with the building design and construction when employed by the architect.
4. The architect shall inspect the construction of the work to such an extent as may be necessary to ascertain whether the work is being executed in conformity with his working drawings or specifications or directions; make recommendations on materials and equipment; check and report on contractor's proposals in connection with changes in the contract; and approve certificates of payment. When continuous field supervision or a clerk of the works is deemed necessary by the state, the cost of such supervisory personnel shall be borne by the state in addition to the basic fee.
5. The maximum fee specified shall include the cost of all professional services rendered by an architect or architects, and the aggregate contract price for services rendered by a consulting architect and an associate architect shall never exceed the applicable fee limitation except as set forth in subsection "d" hereof.
6. The state will furnish the architect a limited consulting service consisting of a complete survey, soil analysis, and a program of the work outlining in detail the space requirements, their general relationships and the standards of types of construction.

Sec. 43. MINUTES OF BOARD MEETINGS.

1. The appropriations made in this Act are contingent upon adherence to the following procedure: in order that the Governor and the Legislature may be more adequately informed about the disposition and use of appropriations authorized from all funds, the governing bodies of the institutions, schools, and agencies of the executive branch of the government shall cause to be filed with the Governor and the Legislative Budget Board, immediately upon transcription, certified copies of the minutes of board meetings. Any changes or subsequent corrections of minutes filed with the governor and the Legislative Budget Board shall be similarly filed.
2. In addition, the appropriations to the agencies and systems of higher education in this Act are made contingent upon the filing, by said agencies and systems, of additional copies of minutes of board meetings and copies of budget requests with the Legislative Reference Librarian in the same manner as prescribed in the paragraph immediately above.

Sec. 44. STATE TELEPHONE SYSTEM USE. It is the intent of the Legislature that policy manuals of state agencies and institutions of higher education contain the directive that state employees be advised that an employee may be held liable for the cost difference between a non-State Telecommunications System (STS) call and an STS call, unless the non-STS call meets the following standards: (1) the executive head certifies to the comptroller that an emergency exists; (2) the State Purchasing and General Services Commission determines the non-STS call is most cost effective; or (3) the STS network is not available at the location.

Sec. 45. INTERCITY TELECOMMUNICATIONS. It is the intent of the Legislature that state agencies utilize the State Telecommunications System (STS) to the fullest extent possible. Funds appropriated in this Act to state agencies as defined in Section 1.02(2), Article 601b, V.T.C.S., shall not be expended for the acquisition of intercity telecommunications until a determination has been made by the Telecommunications Services Division of the State Purchasing and

General Services Commission that the agency requirement for intercity telecommunications cannot be met by the STS network. Existing facilities of the STS network will be utilized to the maximum extent possible to meet the intercity telecommunications needs of each agency.

Sec. 46. TELECOMMUNICATION REVOLVING ACCOUNT. All moneys paid into this account in accordance with the provisions of Article 10 of Article 601b, Vernon's Texas Civil Statutes, are hereby appropriated and may be expended for the purposes set out in Article 10. The balance in this account as of August 31, 1989, is hereby reappropriated and may be expended for those same purposes.

Sec. 47. CENTRALIZED CAPITOL COMPLEX TELEPHONE SYSTEM. This section shall apply to state departments and agencies in the Capitol Complex area utilizing the state-owned Centralized Telephone Service of the State Purchasing and General Services Commission.

Upon certification by the State Purchasing and General Services Commission as to the pro rata share of the system for each using agency, a reimbursement to the State Purchasing and General Services Commission shall be accomplished by the most efficient and expeditious procedure possible including the elimination of warrant issuance when feasible. Funds applicable to the state-owned Centralized Telephone Service shall be maintained in the Telecommunication Revolving Account but specifically identified. The Telecommunication Revolving Account shall be utilized as the depository for specific appropriations, reimbursements from using agencies, and shall be a source of funds to purchase, installment purchase, lease or otherwise acquire services, supplies, and equipment and to pay salaries, wages, and other costs directly attributable to the provisions and operations of the system.

All moneys paid into this account are appropriated for stated purposes and the balance at August 31, 1989, is reappropriated for the 1990 fiscal year and the balance at August 31, 1990, is reappropriated for fiscal year 1991. Notwithstanding other provisions in this Act, the State Purchasing and General Services Commission is authorized to enter into a lease-purchase or installment purchase agreement for equipment and related telephone lines, etc. for a state-owned Centralized Telephone System.

Sec. 48. USE OF TEX-AN NETWORK. The Legislature instructs state agencies to use the Texas Agency Network (TEX-AN) to the fullest extent possible. Funds appropriated in this Act to state agencies as defined in Section 1.02(2), Article 601b, V.T.C.S., shall not be expended for the acquisition of intercity telecommunications facilities or services until a determination has been made by the Telecommunications Services Division of the State Purchasing and General Services Commission and the Automated Information and Telecommunications Council (AITC) or its successor agency that the agency requirement for intercity telecommunications cannot be met by the TEX-AN network. State agencies shall not enter into or renew contracts with carriers or other providers of intercity telecommunications facilities or services without obtaining waivers from the Telecommunications Services Division and AITC certifying that the requested intercity telecommunications requirements cannot be provided at reasonable costs on the TEX-AN network. Waiver requests will be evaluated by the Telecommunications Services Division and AITC based on cost-effectiveness to the entire State of Texas. Waivers may be granted for specific periods of time and automatically expire upon the expiration date unless an extension is approved by the Telecommunications Services Division and AITC. Contracts for services obtained under waiver shall not extend beyond the expiration date of the waiver.

Sec. 49. UNLISTED TELEPHONE NUMBERS PROHIBITED. None of the funds appropriated by this Act shall be expended by any state agency, official or employee thereof, for the payment or rental or toll charges on telephones which are not listed or available from "Information Operators" at telephone exchanges. This section shall not prohibit unlisted telephone numbers used in providing access to computers, telephone system control centers, long distance networks, elevator control systems, and other tone controlled devices where restricted access to the telephone number is justified for security or other purposes, or in narcotic undercover operations or in detection of illegal sales of securities under the Securities Act.

Sec. 50. INTERPRETATION OF LEGISLATIVE INTENT. It is the intent of the Legislature that funds appropriated in this Act be expended, as nearly as practicable, for the purposes for which they were appropriated. In the event departments and agencies cannot determine legislative purpose from the pattern of appropriations they shall seek to determine that purpose from the proceedings of the legislative committees responsible for proposing appropriations for the State of Texas.

It is further provided that the Comptroller shall not refuse to pass for payment a legal claim, factually justified, for which a valid appropriation has been made.

Sec. 51. BUDGETING AND REPORTING. As a limitation and restriction upon appropriations made by this Act, all agencies covered under Article I through Article IV shall expend funds only if there is compliance with the following provisions:

1. On or before November 1 of each fiscal year, an itemized budget covering the operation of that fiscal year shall be filed with the Governor's Office of Budget and Planning, the Legislative Budget Office, the Treasury Department and Legislative Reference Library in the format prescribed jointly by both budget offices. The operating budget submitted shall include a cash flow analysis in a format determined by the State Treasurer. Such analysis shall be required of any agency by the State Treasurer only if the Treasurer has determined that revenue benefits will accrue to the state as a result of the analysis.
2. All subsequent amendments to the original budget shall be filed with the Governor's Office of Budget and Planning and the Legislative Budget Board within thirty (30) days of approval of such amendments unless such reporting requirement is waived.
3. Those agencies given authority in this Act to transfer among sub-items within a program item shall file semi-annual reports with the Legislative Budget Office and the Governor's Office of Budget and Planning detailing such transfers and the necessity for making such transfers.
4. Each agency shall file semi-annual reports to the Legislative Budget Office and Governor's Office under guidelines developed by the Legislative Budget Board showing performance and workload measures for each line item program or activity for the fiscal year. The report shall also contain a comparison to estimated performance and workload measures forecast in the budget request, and explanations for any major variance by measure.

Sec. 52. ANNUAL REPORTS AND INVENTORIES. None of the moneys appropriated in this Act in Articles I, II, IV, and to the Central Education Agency; the special schools under the State Board of Education; the Higher Education Coordinating Board; the Teacher Retirement System; the Natural Fibers and Food Protein

Commission; and Rural Medical Education Board in Article III of this Act, may be expended after a period of one hundred (100) days following the close of the fiscal year, unless there has been filed with the Governor, the State Auditor, the Legislative Budget Board, and Comptroller of Public Accounts an annual report as of August 31 of the preceding fiscal year by the executive head of each department or agency specified in this Act, showing the use of appropriated funds. The annual report shall include the following:

1. An annual financial report including a statement of assets, liabilities and fund balances and showing the true condition of all funds and accounts balances for which the department or agency head is responsible, and reflecting the actual cash on hand and on deposit in banks and in the State Treasury accounts, and moneys due the department or agency from all sources; values of consumable supplies and postage; values of inventories of movable equipment and other fixed assets; investments of bonds, notes, and other securities owned by any special funds under the jurisdiction of the department or agency; all other assets; and all sums of which the department or agency is liable for services rendered or goods received; and all outstanding commitments. The report shall also contain summaries by sources of all revenues collected or accruing to the state through the department or agency for the fiscal year immediately preceding; and a summary of appropriations, expenditures, bona fide encumbrances and all other disbursements of the department or agency for the fiscal year. The Comptroller of Public Accounts is to approve all reports as to form and content.
2. A list of all bonded employees showing name, title, and amount of surety bond, together with the name of the surety company.
3. An analysis of space occupied by the department or agency showing the number of square feet rented and the number of square feet occupied in state-owned buildings; giving the location of such space by building name or address and the number of square feet devoted to office, warehouse or other designated uses, indicating the cost per square foot, cost per month, annual cost and lessor of all rented space, and such other information as may be of assistance in describing the space utilized by each state department or agency.
4. An itemized statement of all professional and/or consulting fees paid out of appropriations made in this Act. The statement shall include the name of each person, partnership, corporation or other business entity receiving such fees and for what purposes the fees were paid. Except as otherwise provided by this Act, the statement shall include the services of licensed professionals, as defined in V.A.C.S., Article 666-4, and the personal services of individuals or entities under an independent contract to study or advise the agency as defined in V.A.C.S., Article 6252-11c.
5. A summary of the costs of operating and the use made of state-owned aircraft or aircraft operated under long-term lease or rental. The summary shall be in a format specified by the Legislative Budget Board and the State Aircraft Pooling Board and shall include aircraft description, date purchased or leased, cost, hours flown, operating costs, number of flights and destination, number, names and destination of passengers, date of each flight and a detailed and specific description of the official business purpose of each flight. Aircraft flight logs required by this section shall be provided on a monthly basis to the State Aircraft Pooling Board.

6. A list of purchases made in accordance with Article 601b, Section 3.09, V.A.C.S., to which the State Purchasing and General Services Commission has taken exception. Each item in the list should contain the following information: product purchased, vendor and purchase amount.
7. It is further provided that the State Auditor is to certify to the Comptroller of Public Accounts any and all departments which have not filed the required annual report within the specified time, and the Comptroller of Public Accounts is to withhold any salary warrants or expense reimbursement warrants to the heads or any employees of such departments or agencies as are on this certified list until such time as the State Auditor shall notify the Comptroller that such delinquent reports have been filed. The words "heads of departments or agencies" as used in this Section shall mean the elected and appointed officials, members of commissions, boards, etc., and the chief administrative officer of such department, board, commission, bureau, office, or agency of the state for which appropriations are made in this Act.

The Texas State Technical Institute and institutions of higher education listed in Article III of this Act, excluding junior colleges, must file by January 1 an annual report, as of August 31 of the preceding year, in accordance with guidelines established by the Comptroller of Public Accounts.

All departments, institutions of higher education, agencies, officers and employees or agents of the state shall, in addition to those estimates and reports now provided by law relating to appropriations, submit a binding encumbrance report by appropriation account relating to prior years non-construction appropriations within sixty days after the close of a fiscal year to the Comptroller of Public Accounts, State Auditor and the Legislative Budget Office. The Comptroller of Public Accounts, upon receiving the report, will promptly lapse any excess prior year appropriation authority. If an agency submits a valid claim after sixty days against a prior year appropriation account, the Comptroller of Public Accounts may re-open the account sufficient to pay the claim. The Comptroller of Public Accounts is to approve all reports as to form and content.

Sec. 53. BOOKKEEPING ERRORS. Should clerical or bookkeeping errors result in any moneys being expended, transferred, or deposited into incorrect funds in or with the State Treasury or any moneys being cleared from a trust and suspense fund to other than the proper fund, such erroneously expended, transferred, deposited, or cleared moneys may be transferred to the correct funds or accounts or trust and suspense account within the State Treasury upon request of the administering department with the concurrence of the State Comptroller, and so much as is necessary for said transfer is hereby appropriated.

Sec. 54. COST ALLOCATIONS. For the purpose of more effective and efficient identification and allocation of costs, and to effect timely payments to employees and vendors, agencies may temporarily charge salary and/or operating costs to appropriations most applicable for the expense being incurred. Upon receipt of more specific information such as personnel-time allocation information for payrolls, or allocation of office supplies or other goods and services, agencies may reimburse the original paying cost centers and appropriations by transfer from the cost center and appropriation to which the expenditure should have been charged. Such transfers must be accomplished within twelve months in a manner which records appropriate expenditures to the borrowing cost center and negative expenditures to the lending cost center.

These transfers may be in summary amounts in a manner approved by the Comptroller of Public Accounts. Each agency must maintain adequate detailed records to support summary transfer amounts.

Sec. 55. TORT CLAIMS ACT. None of the funds appropriated in this Act may be expended for the purpose of purchasing policies of insurance covering claims arising under the Texas Tort Claims Act.

Payments for outside legal counsel employed by any agency or board of the State of Texas shall not exceed the sum of \$100,000 in any single lawsuit unless and until expenditure of amounts in excess of said \$100,000 is specifically approved by the Governor.

Sec. 56. DISCRIMINATORY PRACTICES. None of the funds appropriated in this Act shall be expended by agencies which practice discrimination based on race, creed, sex or national origin. The State Attorney General shall be specifically responsible for the enforcement thereof upon the request of the Governor.

Sec. 57. REIMBURSEMENTS FOR UNEMPLOYMENT BENEFITS.

1. At the close of each calendar quarter, the Texas Employment Commission shall prepare a statement reflecting the amount of unemployment benefits paid to all former state employees based on wages earned from state employment and present it to the Comptroller of Public Accounts, who is hereby directed to pay by warrant out of funds appropriated from the General Revenue Fund such amount to the Unemployment Compensation Benefit Account to reimburse it for such payments.

The heads of state agencies, institutions, departments, commissions, boards, divisions, or other units of state government are directed to determine the proportionate amount of the reimbursement or payment due from funds other than General Revenue Funds and to present the Comptroller of Public Accounts a purchase or transfer voucher requesting reimbursement from such funds to General Revenue, and shall reimburse the General Revenue Fund with a check for funds not in the State Treasury. Such transfers and payments as are authorized under law shall be made within thirty (30) days from receipt of the statement of payments due. The Comptroller of Public Accounts may prescribe accounting procedures and regulations to implement this section.

2. An agency, institution, department, commission, board, division, or other unit of state government is authorized to allocate funds to a revolving account created on its books to receive contributions from funds other than General Revenue based on a percentage-of-payroll assessment to be determined by such unit of government for the purpose of reimbursing the General Revenue Fund for unemployment benefits paid.
3. The State Auditor shall review in his audit of respective agencies compliance with the provisions of this section.

Sec. 58. DISTRIBUTION OF REPORTS. No unit of government covered under Articles I through IV of this Act shall expend funds for the purpose of distributing reports, pamphlets or other printed matter to Members of the Legislature and other state officials unless they have complied with the following provisions:

1. Agencies designated above shall deposit copies of all printed matter prepared for distribution with the Legislative Reference Library.
2. Agencies desiring to make distribution to members of the Legislature and other state officials shall send notification that the material is on file and upon request of the person notified shall mail the number of copies requested.

Provided that these restrictions shall not prevent the mailing of reports required by general law.

Sec. 59. REIMBURSEMENTS FOR WORKERS' COMPENSATION PAYMENTS.

1. At the close of each fiscal quarter, the Workers' Compensation Division of the Attorney General's Office shall prepare a statement reflecting the amount of workers' compensation payments paid to all former and current state employees and present it to the Comptroller of Public Accounts.

The heads of state agencies, institutions, departments, commissions, boards, divisions, or other units of state government are directed to determine the proportionate amount of the reimbursement or payment due from funds other than General Revenue Funds and to present the Comptroller of Public Accounts a purchase or transfer voucher requesting reimbursement from such funds to general revenue. Such transfers and payments as are authorized under law shall be made with thirty (30) days from receipt of the statement of payments due. The Comptroller of Public Accounts may prescribe accounting procedures and regulations to implement this section.

2. An agency, institution, department, commission, board, division, or other unit of state government is authorized to allocate funds to a revolving account created on its books to receive contributions from funds other than general revenue based on a percentage-of-payroll assessment to be determined by such unit of government for the purpose of reimbursing the General Revenue Fund for workers' compensation claims paid.
3. The State Auditor shall review in his audit of respective agencies compliance with the provisions of this section.

Sec. 60. LAST QUARTER EXPENDITURES. It is specifically provided that all state agencies, boards, commissions, departments and other governmental units using funds appropriated in this Act may not expend during the last quarter of any fiscal year more than one-third of the funds appropriated for that fiscal year. Specifically exempted from these provisions are expenditures contracted for in previous quarters; funds required by statute, rule or regulation to be expended on a different time frame; seasonal employment of personnel; construction contracts; contracts dealing with purchases of food, medicines or drugs; personnel connected with the phase-in of schools for the mentally retarded; expenditures related to the Crippled Childrens program operated by the Department of Health; and expenditures occasioned by disaster or other Act of God; none of the funds exempted from this section may be considered in the computation of the total funds appropriated in any fiscal year referred to in this section.

Sec. 61. PUBLICATION AND SALE OF PRINTED MATTER OR RECORDS. Any moneys appropriated by this Act within the discretion of the head of each department or agency may be used for the publication and distribution of any notice, pamphlet, booklet, rules, regulations, or other matters of public interest, including agency records, the subject matter of which is directly related to the statutory responsibilities of the respective department or agency.

Any moneys received and collected from any charges specifically authorized by statute for such publications or records are hereby appropriated to the respective department or agency issuing the publications, for use during the year in which the receipts are collected. The State Comptroller is to credit such receipts to the like appropriation item or items from which the printing costs are paid.

Sec. 62. APPROPRIATION TRANSFERS.

1. None of the money appropriated by this Act may be transferred from one agency or department to another agency or department, or from one appropriations item or program to another appropriation item or program, unless such transfer is specifically authorized by this Act.
2. None of the funds appropriated in this Act in items that are followed by the phrase "(non-transferable)" may be transferred to any other appropriation item. Where such non-transferable designation is a part of an appropriation for aircraft operations transfers from other appropriation items into that item is prohibited.
3. Notwithstanding any other provisions of this Act, no funds appropriated by this Act shall be transferred from one item, institution, or agency to another or otherwise expended in a manner contrary to the provisions of this Act pursuant to an order of a state or federal court without prior notification of the Legislative Budget Board.

Sec. 63. CONSTRUCTION STANDARDS. All agencies, departments and institutions covered by this Act shall ascertain that the standards and specifications for new construction, repair and rehabilitation of existing structures and facilities are in accordance with Article 601b, Vernon's Annotated Texas Statutes. A statement shall be filed with the Comptroller of Public Accounts to show compliance with this section.

Sec. 64. CONSTRUCTION PROJECT ANALYSIS REQUIRED. None of the moneys appropriated in this Act in Articles I, II, IV, and to the Central Education Agency, the School for the Blind and School for the Deaf, may be expended for capital construction projects that are subject to project analysis provisions of the State Purchasing and General Services Act, Article 601b, Section 5, unless the agency, department or institution has complied with those provisions and completed the project analysis process. Prior to expenditure of any funds appropriated to agencies, departments or institutions named in Articles I, II, IV and to the Central Education Agency, School for the Blind and School for the Deaf, for capital construction projects, a completed project analysis must be filed with the Legislative Budget Board, the Governor's Office of Budget and Planning, and the Comptroller of Public Accounts.

Sec. 65. PUBLICATIONS.

1. No funds appropriated in this Act shall be expended in the preparation and distribution of any publication except for Texas Highways, Texas Parks and Wildlife Magazine, and Commission on Alcoholism publications whose cost is not totally reimbursed through revenue attributable to its publication or sale if the content or format of the publication is: (1) intended for use by the general public; (2) generally informational, promotional, or educational; and (3) not essential to the achievement of the primary objective(s) of the agency or institution. Publications specifically exempted from this prohibition are the following: (1) annual reports and other materials that are required by statute and whose content deals only with topics set forth in the law; (2) compilations of law, rules, or regulations; (3) newsletters; (4) Attorney General opinions; (5) Comptroller opinions, revenue forecasts and fiscal analysis.
2. It is the intent of the Legislature that appropriated funds not be used to print publications of any type which prominently displays the name or picture of statewide elected officials.
3. All units of state government and all local political subdivisions which expend appropriated state funds to publish periodicals on quarterly intervals or more frequently than quarterly intervals at no charge shall insert annually in such periodicals a notice, in three consecutive issues, indicating that anyone desiring to continue to receive the publication must so indicate in writing. The agency shall furnish future publications only to those persons requesting.
4. None of the funds appropriated herein shall be used to produce any publications which have been reproduced on enamel coated, cast coated or dull coated stock, or which contain more than one photograph for each two pages of the publication unless a fee is charged for the publication that recovers the cost of its production. Publications which promote tourism or economic development, publications of the School for the Blind and the School for the Deaf or publications of agencies of higher education including all agencies of the Texas A&M University System are exempt from this provision.

Sec. 66. UTILITY APPROPRIATIONS. All funds appropriated in this Act for utilities shall be used for this purpose and no other, except as provided in Article 601d, Section 12, V.A.C.S. In order to insure the occurrence of this restriction, the Comptroller shall require agencies expending funds for this purpose to segregate amounts required and to stipulate the source of funding for such amounts. This information shall be compiled by the Comptroller along with expenditures from the various sources of funding and transmitted to the Legislative Budget Board and Governor's Office of Budget and Planning after the close of each fiscal year.

Sec. 67. JUDGMENTS.

1. None of the funds appropriated by this Act may be expended for payment of any judgment or settlement prosecuted by or defended by the Attorney General and obtained against the State of Texas or any state agency, except where it is specifically provided in an item or items of appropriation that the funds thereby appropriated may be used for the payment of such judgments.

2. Payment of all judgments and settlements prosecuted by or defended by the Attorney General is subject to approval of the Attorney General as to form, content, and amount, and certification by the Attorney General that payment of such judgment or settlement is a legally enforceable obligation of the State of Texas. This provision shall apply equally to funds appropriated for expenditure through the State Treasury, as well as funds appropriated for expenditure from funds held in local banks.
3. The Attorney General shall report to the Legislative Budget Board and the Governor's Office of Budget and Planning not less than monthly, a listing of all settlements and judgments above \$5,000 submitted to the Comptroller for payment. The document for publication shall contain at least the following information unless all or part of the information is exempt by court order or the Open Records Act: (1) a summary of the cause of action; (2) a summary of the terms of the settlement; (3) the style of the case; (4) the name and business address of each attorney representing the opposing litigants at the time of the settlement; (5) the amount of the judgment or settlement; (6) the fund or account from which payment was or should be made; (7) the statutory citation for the appropriation or other authority to be made; and (8) specific statutes granting waiver of sovereign immunity or legislative resolution granting litigant permission to sue.
4. The State Auditor shall verify compliance with this requirement for all funds appropriated in this Act, including funds which are retained and expended from accounts held outside the Treasury and which are not subject to reimbursement through funds held in the Treasury. Upon verification that an agency has not obtained the Attorney General's approval prior to payment of a judgment or settlement, the State Auditor shall certify such fact to the Comptroller of Public Accounts. The Comptroller shall withhold all appropriations for administrative expenses for the involved agency, until such time as the Legislative Audit Committee notifies the Comptroller that the agency's non-compliance has been reviewed and necessary recommendations or changes made.

Sec. 68. RESEARCH POLICY. No agency may expend any funds appropriated by this Act for research projects of any type until the agency has adopted and filed with the Legislative Budget Board a policy which clearly establishes and protects the property rights of the state with regard to any patentable product, process, or idea that might result from such research.

In order to avoid duplication, state agencies excluding institutions of higher education may not expend any funds to conduct or support policy research on subjects within the statutory jurisdiction of another agency without providing written notification to the agency concerning work plan and coordination of resources.

Sec. 69. CONSULTANT CONTRACTS. As a specific exception to other authorizations contained in this Act, any appropriations made in Articles I, II, and III by this Act which are proposed to be expended for the purpose of hiring consultants, the cost of which will exceed \$10,000 per year with any individual or firm, are made contingent upon a finding of fact by the governor that a need exists for the services to be purchased. This provision shall not apply to appropriations proposed to be expended for purposes of purchasing services obtained under the Professional Services Procurement Act.

Sec. 70. LIMITATION ON CONSULTANT CONTRACTS WITH PREVIOUS EMPLOYEES. None of the funds appropriated to a department or agency may be used to enter into a consultant contract with any individual who has been previously employed by the department or agency within the past twelve months.

Sec. 71. NOTICE TO THE LEGISLATURE CONCERNING CONSULTANT CONTRACTS. Within thirty (30) days after receiving an approval or waiver from the Governor concerning a consultant contract as described in Section 69 of this Article, any state agency, including institutions of higher education, receiving such approval or waiver shall notify in writing the Legislative Budget Board, the appropriate House Committee and the appropriate Senate Committee of such contracts of \$5,000 or more; such notification shall describe the terms, the cost and the recipient of the consultant contract.

Sec. 72. SALARIES TO BE PROPORTIONAL BY FUND. It is the intent of the Legislature that unless otherwise restricted payment for salaries, wages, and benefits paid from appropriated funds shall be proportional to the source of funds.

Sec. 73. EXAMINATION FEES. All examination fees including the cost of the examination, shall be collected by state agencies, and the payment for the examination cost shall be paid from appropriated funds of the agency.

Sec. 74. COST ACCOUNTING FOR AUTOMATED DATA PROCESSING AND GRAPHIC ARTS AND PRINTING SERVICES. Agencies and institutions appropriated funds by this Act shall comply with rules established by the Automated Information and Telecommunications Council with regard to cost accounting for automated data processing (ADP) so as to provide, on an ongoing basis, both projected and actual ADP costs for major programs and projects.

Agencies and institutions that are appropriated funds by this Act shall establish rates and charges for the sale of graphic arts and printing services to other state agencies that recover the full costs of producing these services without exceeding such costs.

Sec. 75. USE OF STATE ENERGY RESOURCES. Before expending any funds appropriated by this Act for the acquisition of oil, gas, coal, lignite or other natural resource used in the production of energy, any agency or institution which leases land for mineral development through a board for lease as authorized by Natural Resources Code, Chapters 34, 35 or 36, shall use, to the greatest extent practical, resources produced from land owned by the institution or agency to meet the energy requirements of the particular institution or agency. In order to implement this provision, the various boards for lease shall include a provision in all mineral leases to allow the taking in kind of any royalties due to the state. Further, the leases may include a provision for placing state meters on all gas wells at the wellhead for monitoring the amount of gas taken.

Sec. 76. CHARITABLE CONTRIBUTIONS. No employee paid from funds appropriated by this Act shall be required by their employer to contribute to charitable organizations. All such contributions shall be purely voluntary.

Sec. 77. EXPENDITURES FOR STATE-FEDERAL RELATIONS. No funds appropriated in this Act may be spent by a state agency to carry on functions for which funds have been appropriated to the Office of State-Federal Relations to perform except to provide professional services to the Office of State-Federal Relation through interagency contracts and to pay for travel expenses of State-Federal Coordinators traveling to Texas at the request of other state agencies.

Sec. 78. STATE PRESERVATION BOARD APPROVAL. State agencies appropriated funds to perform services with respect to the operation, maintenance, preservation and restoration of the State Capitol and Old General Land Office Building, their contents and surrounding grounds, shall upon designation by the State Preservation Board expend funds appropriated by this Act to perform such services.

Sec. 79. REPORTING OF OUTSTANDING JUDGMENTS. It is specifically provided that all state agencies, boards, commissions, institutions, and other state governmental units shall report all uncollected and outstanding debts and judgments to the Office of the Attorney General, not later than sixty days after normal agency collection procedures have failed, for further collection efforts. The Office of the Attorney General may develop a uniform reporting procedure for state agencies and institutions to report uncollected debts and judgments to the Attorney General's Office for further collection efforts.

Sec. 80. EXPENDITURES FOR REPRESENTATIVES OF GRIEVANTS PROHIBITED. None of the funds appropriated in this Act may be used to pay expenses for salary, travel or per diem of public employees who represent grievants in the presentation of grievances concerning wages, hours of work, or conditions of work except that state employees are allowed to take annual leave, compensatory leave, or leave without pay, subject to the procedures established by their agency of employment, to engage in this activity.

Sec. 81. RATES FOR RESIDENTIAL PLACEMENTS. None of the funds appropriated to the various state agencies for residential placements of clients shall be expended by the agencies unless the rates paid for residential placements do not exceed the maximum amount for each level of care recommended by the Health and Human Services Coordinating Council.

State agencies contracting directly with private residential care providers shall use a standard application form and shall require each contractor to submit cost reports according to procedures specified by the Council. State agencies providing funds with which local units of government purchase residential services for children shall encourage use of the standard application form and cost report.

Sec. 82. COLLECTION OF FUNDS FOR INSTITUTIONAL CLIENTS. It is the intent of the Legislature that all state agencies serving clients in institutions shall make every effort to collect funds from all available sources, including, but not limited to, hospitalization coverage and child support.

Sec. 83. RETENTION OF MINERAL RIGHTS. No state lands shall be sold unless the mineral rights are retained by the state, unless impractical.

Sec. 84. FINANCIAL DISCLOSURE STATEMENTS. None of the funds appropriated to departments and agencies covered in Articles I through IV shall be contractually obligated unless those employees who are responsible for entering into such contracts and for approving such expenditures have completed financial disclosure statements and these financial statements have been reviewed and approved by the board or commission to which each employee is responsible. All

financial statements shall be on file in the administrative offices of the respective department or agency, shall be submitted to the responsible board or commission for approval annually, and shall be open to public inspection.

Sec. 85. ACCESS TO STATE LANDS. The state shall require egress and ingress on all state lands when any state lands are sold, providing additional state lands in the immediate area an easement to a public thoroughfare.

No state funds shall be expended with any person, corporation or business entity for any purpose not presently specifically authorized by statute where that person, corporation or business entity denies the state access by easement to landlocked state properties. State funds shall be construed as any tax funds, bond monies guaranteed by the state or any other funds flowing to or through any state agency, board, commission, entity or authority and specifically includes river authorities.

Sec. 86. APPROPRIATION OF COLLECTIONS FOR SEMINARS AND CONFERENCES. All funds collected for the reimbursement of costs associated with the conducting of seminars, conferences or clinics which directly relate to the legal responsibilities and duties of the agency and which are for the purposes of education, training, or informing employees or the general public are hereby appropriated for the necessary expenses incurred in conducting the seminar. Provided, however, all applicable laws, and rules and regulations for the acquisition of goods and services for the state shall apply to such expenditures. Any remaining balances from such collections as of August 31, 1989 are hereby reappropriated for the same purpose for the biennium beginning September 1, 1989.

Sec. 87. MAXIMIZATION OF INDIRECT COST REIMBURSEMENTS. It is the intent of the Legislature that all state agencies and institutions participating in federally funded or other programs where indirect cost reimbursements are an allowable part of charges to the program, establish procedures to maximize the recovery of such costs.

Sec. 88. STATE PROPERTY USE FOR STATE PURPOSES REQUIRED. No person shall entrust state property to any state official or employee or to anyone else to be used for other than state purposes.

Sec. 89. EXPENDITURES FOR TALKING BOOK MACHINES. Each state agency for which funds are appropriated in this Act are hereby authorized to expend not more than \$100,000 per year from available appropriations for the purchase of talking book machines.

Sec. 90. LIMITATION ON USE OF FUNDS FOR PERSONAL RESIDENCES. Out of appropriations made herein, no expenditures exceeding \$10,000 shall be made from appropriated funds for purchasing, remodeling or repairing of personal residences or living quarters unless the expenditures are either required by court order, or will result in increased safety, significant net cost savings or prevention of substantial waste. Prior to any such expenditure in excess of \$10,000, the Legislative Budget Board shall approve the expenditure under authority pursuant to H.J.R. 72, Acts of the Sixty-ninth Legislature, Regular Session, 1985. In the event of an emergency or in the absence of a meeting by the Legislative Budget Board within 30 days of the request, the Director of the Legislative Budget Board, after consultation with the Board members, may take action on the request. The State Purchasing and General Services Commission shall report all expenditures for this purpose to the Legislative Budget Board.

Sec. 91. ENERGY CONSERVATION PROGRAM. All agencies and institutions appropriated funds in this Act shall adopt and implement an energy conservation program for office buildings owned and leased by the state. The energy conservation program shall include measures recommended by the Office of the Governor together with any other practical maintenance measures that would augment energy savings in state office buildings. A copy of the energy conservation program shall be filed with the Energy Efficiency Division of the State Purchasing and General Services Commission or, upon passage of Senate Bill 33, Seventieth Legislature, Second Called Session, with the Energy Efficiency Section in the Office of the Governor.

Sec. 92. UNFAIR BUSINESS PRACTICES. Funds appropriated by this Act shall not be used to purchase supplies, equipment or services from companies which have been found, in a judicial or state agency administrative proceeding, to be guilty of unfair business practices. This restriction shall also apply to any company which has as an officer an individual who served as an officer in another company which has been found, in a judicial or state agency administrative proceeding, to be guilty of unfair business practices. This restriction on expenditures shall be in effect for a period of one year from the determination of guilt.

Sec. 93. USE OF CAPITAL TRUST FUND. It is the intent of the Legislature that appropriations or reappropriations made from the Capital Trust Fund to the Asset Management Division of General Land Office under provisions of Senate Bill 43, Acts of the Sixty-ninth Legislature, Regular Session, 1985 be given priority over those appropriations or reappropriations from the Capital Trust Fund for capital improvements, except for appropriations made from funds deposited to the credit of the Texas Department of Mental Health and Mental Retardation under Article 5547-205, Sec. 5.03(b), V.T.C.S. Funds deposited to the credit of TDMHMR under Article 5547-205, Sec. 5.03(b) and interest on those proceeds may be appropriated only to fund improvements to the departmental system of facilities and to fund the Special Community Centers Facilities Construction and Renovation Fund for improvements and renovations authorized under Subsection (c), Section 3.11, Texas Mental Health and Mental Retardation Act (Article 5547-203, Vernon's Texas Civil Statutes.)

Sec. 94. COLLECTIONS FOR PEER ASSISTANCE PROGRAMS FOR PROFESSIONALS APPROPRIATED. All funds collected by state agencies during the 1988-1989 biennium in accordance with House Bill 900, Sixty-ninth Legislature, Regular Session, 1985, in order to establish, administer, or finance peer assistance programs for professionals impaired by chemical dependency or mental illness are hereby appropriated for the purposes authorized by said Act.

Agencies may contract with, provide grants to, or make other arrangements with an agency, professional association, institutions, or individual to implement the provisions of House Bill 900, Acts of the Sixty-ninth Legislature. In addition, state agencies may accept, transfer, and expend funds made available by the federal or state government or by another public or private source to fund approved peer assistance programs.

Sec. 95. IMPLEMENTATION OF REDUCED APPROPRIATIONS. It is the intent of the Legislature that, in complying with appropriation levels established in this bill, state agencies preserve the maximum number of jobs of state employees through reducing expenditures for administration, utilities, supplies, and travel, before decreasing the number of state employees and by implementing any of the following programs: workshare, voluntary reduction of work hours, and furloughs. An executive head of a state agency shall give special consideration to an applicant for employment who was laid off previous employment with a state agency due to a decrease in the appropriation to that agency.

Sec. 96. EXPANSION OF MEDICAID REIMBURSEMENT. Agencies which provide health and rehabilitative services, including institutions of higher education, are directed to pursue participation in Medicaid expansion authorized by the Omnibus Budget Reconciliation Act of 1986. The Department of Human Services should coordinate with state agencies, institutions of higher education, and local units of government, including local hospital districts, in order to maximize federal reimbursements. Any additional federal funds that may be received are hereby appropriated and shall be expended for the client groups for which the reimbursement is made.

Sec. 97. MEMBERSHIPS OR DUES FOR PROFESSIONAL ORGANIZATIONS. In order to conserve funds appropriated to the various departments, agencies, and institutions, the department or agency heads, or heads of higher education units with exception of state libraries, shall review and grant prior approval for any expenditures for recurring memberships or dues to professional organizations.

Sec. 98. CONTRACTING FOR AUTOMATED INFORMATION SERVICES. No thing in this Act prohibits a state agency from contracting with the private sector or other state agency to obtain automated information services and each state agency is authorized to obtain these services in this manner rather than by procuring data processing equipment if doing so would result in a cost-savings to the state. The Automated Information and Telecommunications Council shall coordinate all agency contracts governed by this section.

Sec. 99. LIMITATION ON EXPENDITURES FOR LEASED SPACE. No funds appropriated under this Act may be expended for leased office or building space for operations which are moved into newly constructed, purchased, expanded, or renovated state owned facilities funded from Texas Public Building Authority Revenue Bonds.

Sec. 100. REAPPROPRIATION OF HOMEPORT TRUST FUND. The unexpended balance of the appropriation to the Homeport Trust Fund (National Defense Impacted Region Assistance Act of 1985, Texas Revised Civil Statute Annotated, Article 689a-4d (Vernon Supp. 1986)) for the biennium ending August 31, 1989 is reappropriated to the Homeport Trust Fund for the same purposes for the biennium beginning September 1, 1989.

Sec. 101. CERTIFICATION SUMMARY REQUIRED. As soon as practical following the Comptroller's certification of the appropriations made by the Seventy-first Legislature, the Comptroller shall transmit to the members of the Legislature a Summary Table which details the basis for certification of the major funds. The table shall be similar in format and detail to the "Major Estimates Summary Tables" published by the Comptroller in the Biennial Revenue Estimate and shall include the 1988-89 biennial appropriations from the major funds.

Sec. 102. STATE LEGALIZATION IMPACT ASSISTANCE GRANTS.

1. Federal State Legalization Impact Assistance Grant (SLIAG) funds received by state agencies as reimbursement in fiscal year 1990 and fiscal year 1991 for SLIAG-related administrative costs, costs of providing language and citizenship classes, or costs incurred by local units of government in providing services to eligible legalized aliens are hereby appropriated for the purpose of augmenting existing state appropriations or reimbursing local units of government. Otherwise, federal SLIAG funds received by state agencies in fiscal year 1990 and fiscal year 1991 as reimbursement for costs incurred in providing services to eligible legalized aliens paid for out of existing program appropriations shall be deposited to the General Revenue Fund.

2. Agencies receiving State Legalization Impact Assistance Grant (SLIAG) funds during fiscal year 1990 and 1991 shall submit a report at the end of each fiscal year to the Legislative Budget Office, the Governor's Office of Budget and Planning, and the Health and Human Services Coordinating Council detailing the actual amount of SLIAG funds received and the purposes for which the funds were expended.

Sec. 103. NURSING UNIFORM ALLOWANCES. All nurses required to wear uniforms provided by their agency while conducting their official duties are to receive a cleaning allowance of \$200 per year unless the employing agency provides a cleaning service for the uniforms at no cost to the employees. Those nurses who must provide their own required uniform shall receive a clothing and cleaning allowance of \$700 per year, unless the employing agency provides a cleaning service for the uniforms at no cost to the employees in which case they shall receive a clothing allowance of \$500 per year.

Each employing agency or institution shall prepare a comprehensive evaluation and report for the 72nd Legislature: 1) documenting the cost of implementing this policy and evaluating the benefits of such a policy, and 2) documenting other benefits which if provided would serve as inducements to attract and retain highly qualified nurses. Each agency shall include in its biennial appropriations request, amounts necessary to finance this policy, with sufficient documentation.

Implementation of this section shall not result in a reduction of indigent care delivered by the employing agency or institution nor in the salaries of nurses employed by the employing agency or institution.

This policy shall take effect September 1, 1990.

Sec. 104. ACKNOWLEDGEMENT OF EXCEPTIONS TO SECTION 3.09. The Legislature directs the State Purchasing and General Services Commission to notify the board and commission members, agency heads and elected officials of all state agencies including institutions of higher education by certified mail, return receipt requested, that the Commission has taken exception to the respective agency's decision to purchase any good, service, or item on a non-competitive basis.

Sec. 105. ACKNOWLEDGEMENT OF STATE AUDITOR REPORTS. The Legislature directs the State Auditor's Office to notify the board and commission members, agency heads and elected officials of all state agencies including institutions of higher education by certified mail, return receipt requested, of any report published by the State Auditor concerning the respective agency, board or institution.

Sec. 106. SUBSCRIPTIONS TO MAGAZINES AND NEWSPAPERS. The funds appropriated in this Act to a state agency for a particular fiscal year may be used to pay for the complete cost of a magazine or newspaper subscription even if the subscription covers more than one fiscal year.

Sec. 107. SEMINARS AND CONFERENCES. Funds appropriated in this Act for a particular fiscal year may be expended to pay the entire cost of registering or reserving a meeting room for a seminar or conference notwithstanding the fact that the seminar or conference will occur during the next fiscal year. In no case may appropriated funds be expended to pay a registration fee or the rental for a meeting room more than six weeks in advance of the seminar or conference.

Sec. 108. INTERAGENCY TRANSFERS OF GOODS AND SERVICES. No state agency, including institutions of higher education, may transfer, trade, loan or in any way, give over to another state agency, including institutions of higher education, any consumable or non-consumable good or asset without first obtaining the written approval of the State Purchasing and General Services Commission, and in the case of computer and telecommunications hardware and software, the written approval of the Automated Information and Telecommunications Council as well. The State Purchasing and General Services Commission, as part of the approval process, shall determine that any transfer, trade, loan or surrender of such consumable or non-consumable good or asset is proposed to be made consistent with good purchasing practices promoted by general law statutes of the State of Texas.

Sec. 109. INTERAGENCY CONTRACT APPROVALS REQUIRED. None of the funds appropriated in this Act including federal funds shall be transferred or paid to another state agency including institutions of higher education for the purchase of goods or services from another state agency, including institutions of higher education exceeding \$2,500 unless a valid interagency contract has been executed and approved by the State Purchasing and General Services Commission in advance of delivery of such goods or services. It is specifically provided that the State Purchasing and General Services Commission shall have the authority to approve all such interagency contracts. The Comptroller of Public Accounts shall require verification of the State Purchasing and General Services Commission's approval prior to the issuance of any warrants to pay for such interagency contracts.

Sec. 110. COMPETITIVE COST REVIEW PROGRAM. Each state agency subject to the competitive cost review program established under the provisions of Senate Bill 298, Seventieth Legislature, Regular Session, 1987, is authorized to transfer savings that result from reduced costs under the efficiency initiative between line items and between sub-items as specified by Article 601b, Section 13.07, V.A.C.S.

Sec. 111. INCENTIVE TO REPORT ITEMS OF VALUE. The Comptroller of Public Accounts is authorized to pay rewards up to 25% of any buried treasure recovered on either state or university on-shore lands by individuals other than an employee or contractor of the state or a university. Such rewards shall be paid from the proceeds of any treasure found or if such treasure is determined to be of historic nature and, therefore, not convertible into funds available for distribution as a reward, the payment of the reward is authorized from the General Revenue Fund if the treasure is found on state property or from the university on whose land where such treasure is found. Prior to any payment of a reward from General Revenue, the Comptroller of Public Accounts must certify that sufficient unappropriated funds or anticipated revenues are available and such amounts as are necessary are hereby appropriated. If funds are not available from General Revenue, the payment of the reward shall be delayed until the beginning of the next biennium. If the reward is payable from a university, the university may pay such reward from either appropriated funds, if such funds are available, or from local funds, such amounts as are necessary are hereby appropriated. If funds are not available, the payment of the reward shall be delayed until the beginning of the next biennium.

Sec. 112. PURCHASES OF INFORMATION RESOURCES TECHNOLOGIES.

1. In this section:
 - a. "Information resources" means the personnel, procedures, equipment, and software that are employed, designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information.
 - b. "Information resources technologies" means data processing and telecommunications hardware, software, services, supplies, personnel, facility resources, maintenance, and training.
2. Each state agency, including institutions of higher education, appropriated funds in this Act shall submit an agency strategic plan to the Automated Information and Telecommunications Council (AIRC) for approval no later than January 1, 1991. An agency strategic plan must be consistent with and based upon the state strategic plan referred to in sub-section 3. below. The agency strategic plan must be an integral part of an agency's legislative appropriations request and, after being approved by AIRC, must be used by AIRC in reviewing the agency's future purchases of information resources technologies. The agency strategic plan at a minimum must include:
 - a. a brief statement clearly identifying the agency's mission, programs, goals, and objectives;
 - b. a description of the agency's data processing environment;
 - c. a description of the agency's current structure for managing information resources;
 - d. a statement of the agency's strategic direction for the next two fiscal years concerning the management of information resources;
 - e. a statement of reconciliation between the agency strategic plan and the state strategic plan; and
 - f. a statement of the agency's projected requirements for information resources technologies during the next two fiscal years.
3. By no later than October 1, 1989, AIRC shall adopt a state strategic plan for the management of information resources. The state strategic plan must be a visionary road map for the management of the state's information resources. The plan must,
 - a. provide a strategic direction for the management of information resources for the four fiscal years following adoption of the plan;
 - b. provide the framework so that the state's telecommunications systems can efficiently and effectively exchange information between state agencies;
 - c. provide long-range policies for the state in achieving an integrated and efficient information resources network;

- d. identify major issues relating to the improved management of information resources; and
 - e. recommend procurement policies and specifications for implementation by the State Purchasing and General Services Commission (SPGSC) so that full competition among providers of information resources technologies is encouraged.
4. Except as otherwise provided in this Act, the funds appropriated in this Act may not be expended under a contract executed before January 1, 1991, to purchase information resources technologies without the prior approval of AITC.
 5. Except as otherwise provided in this Act, the funds appropriated in this Act may not be expended under a contract executed on or after January 1, 1991, to purchase information resources technologies unless SPGSC issued a purchase order after an AITC approved purchase. AITC may approve a purchase only if it is in accordance with an approved agency strategic plan.
 6. AITC shall adopt rules concerning:
 - a. whether certain types of purchases are exempt from this section;
 - b. the expediting of the purchase review process;
 - c. the format, content, updating, submission, and review of agency strategic plans;
 - d. the review of purchases of information resources technologies; and
 - e. emergency purchases of information resources technologies.

Sec. 113. CONTRACT REPORTING FORM. In order to provide state legislators and other state policymakers with accurate information and the capacity for a comprehensive analysis of unmet human needs, funding levels addressing those needs, potential funding adjustment impact, and a review of all applicable program funding sources, it is the intent of the Legislature that all nonprofit agency contractors of health and human services provide certain information to the state on an annual basis, at a minimum. The information is to be retrieved by state health and human service agencies and forwarded by them to the Texas Health and Human Services Coordinating Council for analysis. These agencies include:

- Texas Department on Aging
- Texas Commission on Alcohol and Drug Abuse
- Texas Commission for the Blind
- Texas Cancer Council
- Texas Commission for the Deaf
- Texas Employment Commission
- Texas Department of Health
- Texas Interagency Council on Early Childhood Intervention
- Texas Department of Human Services
- Texas Juvenile Probation Commission
- Texas Department of Mental Health and Mental Retardation
- Texas Rehabilitation Commission
- Texas Youth Commission

At a minimum, information gathered will include: the program name (as noted in the Texas Health and Human Services Coordinating Council "Reference Guide"); contract agency- name, address, phone number, and contact; client count and demographic characteristics; and all program funding sources and funding levels, public and private. The Texas Health and Human Services Coordinating Council shall develop a uniform format for reporting of this information.

Sec. 114. UNIFORM DATA REPORTING. It is the intent of the Legislature that all state health and human services agencies report specified data for each of the 24 State Planning Regions on an individual county basis, as established pursuant to Chapter 391 of the Local Government Code. These agencies include:

- Texas Department on Aging
- Texas Commission on Alcohol and Drug Abuse
- Texas Commission for the Blind
- Texas Cancer Council
- Texas Commission for the Deaf
- Texas Employment Commission
- Texas Department of Health
- Texas Interagency Council on Early Childhood Intervention
- Texas Department of Human Services
- Texas Juvenile Probation Commission
- Texas Department of Mental Health and Mental Retardation
- Texas Rehabilitation Commission
- Texas Youth Commission

At a minimum, data reported will include the following health and human services information: programs available, services provided, targeted client population, number of clients served, and number of persons on waiting lists. This information shall be submitted annually to the Texas Health and Human Services Coordinating Council, and, upon request, to the Legislature and the Governor.

Sec. 115. GOODS OR SERVICES PROVIDED BY TEXANS WITH DISABILITIES. State agencies and institutions covered by this Act are encouraged to fully utilize funds herein appropriated to purchase products and services provided by Texans with disabilities under the provisions of Chapter 122, Human Resources Code.

Sec. 116. REQUIRED COMPLIANCE TRAINING FOR STATE AGENCIES. All state agencies, including public institutions of higher education, that have three or more complaints of employment discrimination during each year of the biennium shall expend funds appropriated through this Act to receive training on compliance with state and federal laws prohibiting employment discrimination to be provided by the Texas Commission on Human Rights or other entities or persons approved by the Commission for supervisory and managerial personnel. Each agency shall pay for all training costs or reimburse the Commission for its costs associated with this training through interagency contracts. The cost of training provided by the Commission shall be determined and approved by the Commission and State Purchasing and General Services Commission. Any state agency that fails to comply with the provisions set out herein shall pay the Commission an amount not to exceed \$2,000 from funds appropriated through this Act for each complaint filed during the biennium. The Commission shall certify to the Comptroller, the Governor, the Legislative Budget Board that an agency is not in compliance with the provisions set forth herein and such certification shall be the basis for the Comptroller to transfer the appropriate amount of funds appropriated through this Act from the agency to the Commission.

Sec. 117. MINORITY HIRING AND CONTRACTING PRACTICES.

1. The Appropriations Committee finds that, as reported by the Commission on Human Rights, the following list of state agencies are substantially below the available minorities for one or more categories in the total civilian labor force.
2. The Appropriations Committee finds that, historically, the following list of state agencies have not employed nor contracted with minorities in proportion to their available numbers in the civilian labor force or their percentage of total contractors.
3. The Appropriations Committee finds that the following list of state agencies have not employed or contracted with minorities in proportion to their available numbers in the civilian labor force or their percentage of total contractors.
4. The Appropriations Committee concurs with the findings of the Interim Report to the Seventy-first Texas Legislature of the House Special Committee on Businesses Owned by Women and Minorities.
5. The Appropriations Committee finds that, the number of complaints filed with the Texas Commission on Human Rights was in excess of 240 at a cost of \$744,400.
6. The Appropriations Committee finds that minorities comprise 30 percent of the total civilian workforce in the State and that of that percentage of minorities, 11 percent are Black, 18 percent are Hispanic, and 1 percent are Other.
7. The Appropriations Committee finds that for all state agencies funded by this Act it shall be a reasonable statewide goal that in the hiring practices for new employees a minimum of 30 percent of employees for each State agency should be comprised of minorities. For each job category these percentage goals on a statewide basis are as follows:

Officials/Administration	14 percent
Professional	18 percent
Technician	23 percent
Protective Services	48 percent
Para-Professionals	25 percent
Administrative Support	25 percent
Skilled Craft	29 percent
Service/Maintenance	52 percent

Each agency shall consider the availability in each local area of qualified minorities in each job category to determine the goal in each local area where the agency hires employees.

This rider shall not affect any person employed on the effective date of this Act.

All state agencies funded by this Act shall report to the Commission on Human Rights, within 60 days after the close of each fiscal year, the number of minority hirings and total hirings made during that year. The Commission on Human Rights shall, no later than January 1, 1991 submit to the Legislative Budget Board and the Governor's Office of Budget and Planning a state minority hiring practice report detailing this information. There is

appropriated to the Commission on Human Rights, the sum of \$30,000 per year from the General Revenue Fund to be used to provide funding for all the purposes outlined above.

ARTICLE I AGENCIES

Board of Public Accountancy
 Adjutant General's Department
 Texas Aeronautics Commission
 Texas Air Control Board
 Texas Animal Health Commission
 Telecommunications Council
 Texas Department of Corrections
 Texas Cosmetology Commission
 Credit Union Department
 Employees Retirement System
 Board of Professional Engineers
 Finance Commission of Texas
 Texas Department of Banking
 Office of Consumer Credit Commission
 Savings and Loan Department
 Texas Department of Highways and Public Transportation
 Texas Historical Commission
 Texas Industrial Accident Board
 State Board of Insurance
 Law Enforcement Officer Standards and Education
 Texas Motor Vehicle Commission
 Board of Pardons and Paroles
 Texas Parks and Wildlife
 Structural Pest Control Board
 Texas State Board of Pharmacy
 Texas State Board of Plumbing Examiners
 State Preservation Board
 Adult Probation Commission
 Texas Juvenile Probation Commission
 State Property Tax Board
 State Purchasing and General Services
 Texas Department of Public Safety
 Office of the Secretary of State
 State Securities Board
 Texas State Soil and Water Conservation
 Texas Surplus Property Agency
 Public Utility Commission
 Office of the Public Utility Counsel
 Texas Board of Private Investigators and Private Security Agencies
 Texas Veterans Commission
 Texas Water Development Board

All of these agencies have 16 or more employees except the State Preservation Board.

The following agencies did not provide sufficient information for our study:

Texas Alcoholic Beverage Commission
 State Aircraft Pooling Board
 Office of the Attorney General
 Department of Commerce
 Texas Employment Commission

Texas State Board of Medical Examiners
Texas Railroad Commission
Texas Water Commission

ARTICLE II AGENCIES

Texas Commission on Alcohol and Drug Abuse
Texas Commission for the Blind
Texas Department of Mental Health and Mental Retardation
Texas Rehabilitation Commission
Texas Youth Commission

The following agencies reported insufficient information:

Texas Department of Health

The following agencies did not respond:

Texas Cancer Council
Interagency Council on Early Childhood Intervention
Texas Health and Human Services Coordinating Council

ARTICLE III AGENCIES

Texas School for the Blind
Texas School for the Deaf
Teacher Retirement System of Texas
Higher Education Coordinating Board
Central (Texas) Education Agency
The University of Texas System
Texas A&M University System
Texas A&M University at Galveston
Tarleton State University
Texas A&M University
Texas Agricultural Experiment Station
Texas Engineering Extension Service
Texas Engineering Experiment Station
Texas Transportation Institute
Texas Forest Service
Animal Damage Control
Texas Agricultural Extension Service
Texas Veterinary Medical Diagnostic Laboratory
The University of Texas System
East Texas State University
University of Houston System
Lamar University System
University of North Texas
Stephen F. Austin State University
Texas Tech University
Texas Woman's University
West Texas State University
Texas State University System
Texas State Technical Institute

Midwestern State University did not provide sufficient information.

The following agencies did not respond:

State Rural Medical Education Board
Public Junior Colleges
Pan American University

ARTICLE IV AGENCIES

Court of Appeals (I)
Court of Appeals (II)
Court of Appeals (III)
Court of Appeals (IV)
Court of Appeals (V)
Court of Appeals (VI)
Court of Appeals (VII)
Court of Appeals (VIII)
Court of Appeals (IX)
Court of Appeals (X)
Court of Appeals (XI)
Court of Appeals (XII)
Court of Appeals (XIII)
Court of Appeals (XIV)
Supreme Court
Court of Criminal Appeals
State Law Library
Office of Court Administration
Commission on Judicial Conduct

The State Prosecuting Attorney did not provide sufficient information.

Sec. 118. CONTRACTING WITH DISADVANTAGED BUSINESSES.

1. It is the intent of the Legislature that this section apply to any appropriation made by this Act to state agencies and institutions of government.
2. In this section "disadvantaged business" means:
 - a. a corporation formed for the purpose of making a profit in which at least 51 percent of all classes of the shares of stock or other equitable securities are owned by one or more persons who are socially disadvantaged because of their identification as members of certain groups, including Black Americans, Hispanic Americans, women, Asian Pacific Americans, and American Indians, who have suffered the effects of discriminatory practices or similar insidious circumstances over which they have no control;
 - b. a sole proprietorship for the purpose of making a profit that is 100 percent owned, operated, and controlled by a person described by Subdivision a. of this subsection;
 - c. a partnership for the purpose of making a profit in which 51 percent of the assets and interest in the partnership is owned by one or more persons described by Subdivision a. of this subsection. Those persons must have a proportionate interest in the control, operation, and management of the partnership's affairs;

- d. a joint venture in which each entity in the joint venture is a disadvantaged business under this subsection; or
 - e. a supplier contract between a disadvantaged business under this subsection and a prime contractor under which the disadvantaged business is directly involved in the manufacture or distribution of the supplies or materials or otherwise warehouses and ships the supplies.
3. This section is an expression of the intent of the Legislature and does not impose a duty not already provided for by general law or negate a power granted by general law.
4. It is the intent of the Legislature that:
- a. for each type of service rendered under a contract or subcontract payable from the appropriation made by this Act to an agency, the agency or the general contractor employed by the agency shall award to disadvantaged businesses a number of contracts, the dollar value of which equals the percentage that disadvantaged businesses comprise of the total number of businesses offering the service;
 - b. the businesses that constitute "disadvantaged businesses" shall be determined by the Office of Minority Business Development of the Small Business Division of the Texas Department of Commerce; and
 - c. under the goal set by this subsection, the agency and general contractor shall give preference, among bids or other proposals that are otherwise comparable, to a bid or other proposal by a disadvantaged business having its home office located in this state.
5. It is the intent of the Legislature that:
- a. the Office of Minority Business Development of the Small Business Division of the Texas Department of Commerce shall certify businesses that are disadvantaged businesses under this section; and
 - b. as part of its certification procedures, the department may approve a municipal program that certifies disadvantaged businesses under substantially the same definition and approve businesses certified by the municipality as disadvantaged businesses under this section.
 - c. there is appropriated from the General Revenue Fund to the Small and Minority Business Development Division of the Department of Commerce, \$50,000 per fiscal year to be used for the purpose of certifying businesses that are disadvantaged as defined by this section.
6. It is the intent of the Legislature that:
- a. the department shall compile a directory of businesses certified as disadvantaged businesses under Subsection 2. of this section;
 - b. the department shall update the directory at least semiannually and provide a copy of the directory to the State Purchasing and General Services Commission and the agency semiannually; and

- c. the State Purchasing and General Services Commission and the agency shall use the directory in determining awards of state purchasing and public works contracts.
7. It is the intent of the Legislature that:
- a. the State Purchasing and General Services Commission and the agency shall report to the Department the total number and dollar amount of contracts awarded to disadvantaged businesses;
 - b. these reports shall be made each January and July and shall report on the previous six-month period; and
 - c. the Department shall compile and analyze the reports and submit a report based on the analysis to the presiding officer of each House of the Legislature each February.
8. It is the intent of the Legislature that:
- a. the Department shall offer assistance and training to disadvantaged businesses in state procurement procedures; and
 - b. the Department shall advise disadvantaged businesses of the availability of state contracts and advise disadvantaged businesses to enter the name of the disadvantaged business on the state's bid list.
9. It is the intent of the Legislature that the State Purchasing and General Services Commission shall purchase, lease, rent, or otherwise acquire supplies, materials, services, and equipment for the agency from disadvantaged businesses, including spot purchases and purchases that do not require a competitive bid.
10. It is the intent of the Legislature that:
- a. the Commission shall provide for emergency purchases by the agency and may set a monetary limit on the amount of each emergency purchase; and
 - b. each emergency purchase made under this section is subject to the disadvantaged business provisions of this section.
11. It is the intent of the Legislature that:
- a. in purchasing supplies, materials, services, and equipment the State Purchasing and General Services Commission may use, but is not limited to, the contract purchase procedure, the multiple award contract procedure, and the open market purchase procedure;
 - b. the State Purchasing and General Services Commission shall have the authority to combine orders in a system of schedule purchasing to reach the goal, and it shall at all times try to benefit from purchasing in bulk; and

- c. all purchases of and contracts for supplies, materials, services, and equipment shall, except as provided herein, be based whenever possible on competitive bids.

Sec. 119. UNIFORM STATEWIDE ACCOUNTING AND PAYROLL SYSTEM.

1. Under advice of the Uniform Statewide Accounting System Committee, the Comptroller of Public Accounts shall implement a uniform statewide accounting system which shall include a uniform statewide payroll system. The system shall be utilized by all state agencies, and shall be implemented in accordance with generally accepted accounting principals, including guidelines of the National Association of College and University Business Officers (NACUBO). The system shall be operated, administered and maintained on an ongoing basis in accordance with rules and procedures established by the Comptroller of Public Accounts after consultation with the Uniform Statewide Accounting System Committee. Notwithstanding any other provisions of this Act, the Comptroller of Public Accounts may contract for the goods and services that are necessary to implement a uniform statewide accounting and payroll system.
2. The establishment, modification or maintenance of individual accounting or payroll systems after the effective date of this Act must be in conformance with the uniform statewide accounting system. The obligation and expenditure of all funds appropriated in this Act are contingent upon compliance with this section.
3. Upon advice of the Uniform Statewide Accounting System Committee, the Comptroller shall promulgate rules and regulations for reports and other comprehensive financial information from all state agencies in the form, content and timing deemed necessary for the operation of a uniform statewide accounting system.
4. To ensure that the program and cost accounting functions of the uniform statewide accounting system are maximized, it is the intent of the Legislature that the Governor's Budget Office and Legislative Budget Board shall jointly develop: (1) standard performance and workload measures for state programs, and (2) guidelines for allocating costs so that the efficiency and effectiveness of state agencies' operations may be determined, and (3) such measures are utilized to the maximum extent possible in the legislative budget and appropriation process for the 1992-1993 biennium.
5. The State Auditor, when reviewing the operations of state agencies, shall audit for compliance with this section, the uniform statewide accounting system, the Comptroller's rules and the Governor's Budget Office and Legislative Budget Board's performance and workload measures and cost allocation guidelines. The State Auditor shall notify the Uniform Statewide Accounting System Committee, the Comptroller, the Governor, and the Legislative Budget Board as soon as practicable when a state agency is not in compliance. Upon receipt of such notification, the Comptroller shall lapse all appropriations for administrative expenses of the involved agency, including any funds allocated in accordance with this provision. Upon receipt of notification that the Legislative Audit Committee has reviewed the Auditor's findings and recommended appropriate action, the Comptroller shall release all such funds held in lapsed status.

6. Included in appropriations to the Comptroller of Public Accounts for allocation to the various state agencies, including the judiciary, legislative agencies, and institutions of higher education, are funds for implementation of the uniform statewide accounting system. Upon advice of the Uniform Statewide Accounting System Committee as to the amount and appropriate timing, the Comptroller of Public Accounts shall allocate the amounts appropriated for this purpose. Funds appropriated for this purpose may be used only for implementation and operation of a uniform statewide accounting and payroll system.

Sec. 120. HIGH SPEED RAIL. Contingent upon Senate Bill No. 1190 becoming law, there is hereby appropriated to the Texas High-Speed Rail Authority out of the General Revenue Fund the amount of \$1,000,000 for fiscal year 1990 and all unexpended balances remaining therefrom for fiscal year 1991 for purposes of Stage 1 development, planning and economic analyses, environmental studies and engineering reviews, including necessary administrative and general operating expenses. As soon as practicable, the Texas High-Speed Rail Authority shall reimburse the General Revenue Fund for the amounts appropriated by this provision.

Sec. 121. REDUCTION OF, OR INCREASE IN FEDERAL FUNDS. It is the intent of the Legislature that if federal funding of any program is reduced below the amounts estimated or provided by this Act, the state agency that administers that program shall notify the governor, the lieutenant governor, the speaker of the house, and the Legislative Budget Board before the agency transfers any state funds appropriated by this Act, to make up for the reduction in federal funds. The agency shall also prepare a report accounting for the expenditure of any amounts in excess of the amounts appropriated or estimated by this Act. The report shall be filed with the governor, the lieutenant governor, the speaker of the house, and the Legislative Budget Board not later than 30 days after the end of the fiscal year.

Sec. 122. APPROPRIATION OF BOND PROCEEDS. The proceeds from the issuance and sale of bonds or other obligations pursuant to the provisions of Art. 601d and 601d-1, Texas Civil Statutes, are appropriated to the state agency to whose account the proceeds are deposited or credited.

Sec. 123. APPROPRIATIONS FROM SPECIAL FUNDS.

1. Notwithstanding other provisions of this Act, appropriation amounts from special funds are specifically limited to amounts not to exceed the actual balances and revenues available to each such fund.
2. In order to preserve cash balances in the Treasury, the Comptroller of Public Accounts, with the assistance of the State Treasurer, may prescribe rules and procedures as may be necessary to limit or control expenditures or transfers from funds appropriated in this Act. These procedures may include rules relating to the deposit of receipts and issuance of warrants.

Sec. 124. REIMBURSEMENT TO THE HIGHWAY FUND. Contingent on the failure of legislation providing for an alternative payback schedule, the following rider provision would take effect:

In addition to amounts appropriated in this Act, the following amounts are hereby appropriated from the General Revenue Fund to the Comptroller of Public Accounts for the biennium ending August 31, 1991:

1. an amount not to exceed \$150 million to be used exclusively to repay, in equal monthly installments beginning September 1, 1989, the actual amount transferred from the State Highway Fund No. 006 to the Foundation School Fund No. 193 under the provisions of Chapter 3, Acts of the Seventieth Legislature, Second Called Session, 1987, Senate Bill No. 68, minus the \$25 million which was repaid on December 1, 1988 to maintain the equity of the State Highway Fund and any other amounts similarly repaid prior to the start of the 1990-1991 biennium; and;
2. an amount estimated to be \$25 million to pay interest on the amount actually transferred. Interest payments shall be transferred monthly and shall be calculated based on average interest received from investments as determined by the Treasurer in accordance with Chapter 3, Acts of the Seventieth Legislature, Second Called Session, 1987, Senate Bill No. 68.

Sec. 125. OIL OVERCHARGE SETTLEMENT FUNDS. Funds allocated to the State of Texas through consent decrees, court decrees and administrative orders involving violation of the mandatory petroleum pricing and allocation regulations, including the interest earned on those funds as well as the accrued earnings, are hereby appropriated to the Office of the Governor for the biennium beginning September 1, 1989.

Subject to applicable court orders and state and federal laws and regulations, it is the intent of the Legislature that the Office of the Governor of the Governor provide for, but not be limited to, the program categories and the amounts specified below:

(in millions)

a. Agricultural Energy	2.500
b. Alternative Energy	3.250
c. Attorney General	0.300
d. Consumer Representation	1.500
e. Diesel Fuel Conservation	0.800
f. Electrical Resource Planning	0.122
g. Emergency Nutrition/Relief	10.300
h. Energy Crisis Program	8.800
i. Energy Efficient County Jails	6.000
j. Energy Extension Service	1.758
k. Energy Research in Applications	14.000
l. Energy Resource Optimization	4.000
m. Geophysical Parallel Computation	4.000
n. Housing Partnership Program	4.000
o. Institutional Conservation	9.225
p. Local Government Energy	5.000
q. Local Match (Rural Providers)	
r. Low-Income Home Energy Assistance	9.750
s. Mass Transit	7.500
t. Mobile Car Care Units	
u. Native American Restitution	0.258
v. Office of Energy Research	0.500
w. Program Administration	0.681
x. Public-Private Partnership	3.500
y. Regional Transportation Center	2.000
z. Reservoir Conservation	3.000

aa. Small Hospitals Energy Management	1.160
ab. State Energy Conservation Plan	3.476
ac. Statewide Retrofit Demonstration & Revolving Loan Fund	50.600
ad. Superconductivity Research	9.000
ae. Traffic Light Synchronization	7.600
af. Transportation Energy	7.500
ag. Waste to Energy Studies	3.500
ah. Weatherization Assistance	14.500
ai. Product Commercialization	<u>2.000</u>
Total	202.080

Of the amount shown above in Item k., Energy Research in Applications, \$250,000 per year is allocated for the Center for Technology Development and Transfer at The University of Texas System.

Of the amount shown above in Item ad., Superconductivity Research, \$2,500,000 per year is allocated for superconductivity research at the University of Houston.

The amount shown above in Item ai., Product Commercialization is contingent upon enactment of House Bill No. 362 or similar legislation by the Seventy-first Legislature, Regular Session.

Any unexpended balances as of August 31, 1989, from Art. V, Sec. 81, Senate Bill No. 1 or from programs created pursuant to Sec. 3, Senate Bill No. 33 (Seventieth Legislature, Second Called Session, 1987) are hereby appropriated for the same purposes for the biennium beginning September 1, 1989.

It is the intent of the Legislature that if a state agency or institution of higher education is a recipient of a loan under the statewide retrofit demonstration and revolving loan program, the agency or institution shall repay the loan from agency funds, budgeted for the energy costs of the agency or institution. It is the intent of the Legislature that the utility budgets for agencies and institutions receiving loans under this program be sufficient to repay the loan.

Notwithstanding other provisions of this Act, the Office of the Governor is authorized to make such transfers among oil overcharge programs qualified by the U.S. Department of Energy or the federal courts as is deemed appropriate by the Office of the Governor after review and comment by the Review Committee.

Sec. 126. COMPUTER NODE AND CLIENT REGISTRY: APPROPRIATION OF UNEXPENDED BALANCES. The following agencies may carry forward into fiscal year 1991 any program or activity unexpended balances from fiscal year 1990 in an amount not to exceed that specified below to provide for capital outlay and operational-related costs associated with the development of the health and human services computer node and client registry pursuant to Rider 6., Computer Node and Client Registry: Pro Rata Interagency Transfers, contained in the appropriation bill pattern for the Health and Human Services Coordinating Council:

	<u>1991</u>
Commission on Alcohol and Drug Abuse	\$ 18,267
Office of the Attorney General	42,695
Texas Employment Commission	94,761

Department of Human Services	2,017,205
Department of Health	215,494
Department of Mental Health and Mental Retardation	462,226
Juvenile Probation Commission	8,383
Texas Rehabilitation Commission	94,009
Texas Youth Commission	<u>35,584</u>
 TOTAL	 \$ 2,988,624

Sec. 127. SUPPORT TO WELFARE REFORM. It is the intent of the Legislature that the Texas Department of Health, the Texas Department of Mental Health and Mental Retardation, the Texas Education Agency, the Texas Higher Education Coordinating Board, the Texas Department of Commerce, the Texas Employment Commission, the Texas Rehabilitation Commission and the Texas Commission on Alcohol and Drug Abuse, through written agreements of cooperation and coordination with the Department of Human Services, shall maximize the utilization of appropriated funds to support welfare reform under the federal Family Support Act of 1988. The agencies shall submit a joint report to the Governor's Budget Office and the Legislative Budget Office by October 1, 1990, showing the results of the written agreements.

Sec. 128. BUDGET EXECUTION AUTHORITY. Any other provisions in this act notwithstanding, any Legislative Budget Board approval, Governor's approval, or budget execution provision shall be carried out in accordance with the provisions of Section 317.001 et. seq. of the Texas Government Code (House Bill No. 7, Seventieth Legislature, Second Called Session).

Sec. 129. COST/BENEFIT REVIEW. In order to document any direct and material benefits to the state which result from increased funding levels for the state agencies and programs listed below, it is the intent of the Legislature that the Legislative Budget Office assess the impact produced by increased funding in terms of service levels, unit costs, economic gain, cost avoidance and other relevant outcomes. The Legislative Budget Office shall report its findings from the review to the Seventy-second Legislature.

Programs Under Review

Department of Commerce
Foreign Offices, Community Initiatives, Advanced
Technology and Business Expansion Services

Interagency Council on Mentally Ill Offenders

Board of Pardons and Paroles
Parole Violator Facility

State Purchasing and General Services Commission
Vehicle Repair

Department of Human Services
Foster Care, Residential Care and Adoption Support,
Family Violence Services, Family Planning Services,
Nursing Home Vendor Payments, Community Care for
Aged and Disabled Persons and Medicaid Expansion

Department of Mental Health and Mental Retardation
Community Services, Client and Family Support and

In-Home and Family Support

Sec. 130. SALARY INCREASE. There is hereby appropriated to the Comptroller of Public Accounts from the general revenue fund an amount estimated to be \$140 million, and from special funds an amount estimated to be \$110.0 million for the purpose of providing an additional 5% salary increase for state employees and officials effective September 1, 1989 subject to the following provisions:

- (1) The salaries of faculty and non-faculty employed by institutions of higher education shall be determined by appropriations made elsewhere in this Act, and shall be excluded from the salary increase authorized by this section, except however the amounts necessary to finance a minimum increase of \$60 per month are included in appropriations made by this section.
- (2) The Comptroller of Public Accounts shall promulgate rules and regulations as necessary to administer this provision. Funds appropriated above shall be allocated to each agency in accordance with such rules and regulations, and may be used only for the purposes of providing a salary increase.
- (3) Increased costs for matching benefits shall be paid from funds appropriated elsewhere in this Act for such purposes. Provisions requiring salaries and benefits to be proportional to the source of funds shall apply to all sums allocated under this section. Each state agency, board, commission, department, or institution shall pay the increase in compensation from its funds in the state treasury and from local funds in the same proportion as the employee's regular compensation.
- (4) Except for salary rates contained in the Classification Salary Schedule, and as provided in this section, all salary amounts expressed as a specific rate or amount elsewhere in this Act shall be increased by 5% above the rate shown for September 1, 1989. The increased salary amount shall continue at the same rate for fiscal year 1991 unless another more specific provision provides a higher rate.
- (5) This section shall not apply to compensatory per diem of board or commission members.
- (6) Contingent upon House Bill No. 101 being enacted and becoming law, salaries for all judges shall be determined by rates in that Act. To the extent that House Bill No. 101 does not provide additional appropriation authority to cover such increases, funds appropriated herein may be utilized for such increased amounts.

Sec. 131. GROUP INSURANCE FOR ARTICLE III INSTITUTIONS AND AGENCIES. There is hereby appropriated to the Comptroller of Public Accounts for the biennium beginning September 1, 1989 an amount estimated at \$72 million from the General Revenue Fund for the purpose of financing increased contributions by the state for group insurance premiums. The appropriations made by this section shall supplement the appropriations made directly to the institutions and agencies of Article III of this Act and shall be allocated so that the state's total contribution to group insurance premiums shall be as follows:

a. For all eligible persons enrolled in the "Employee Only" category, the state's monthly contribution shall not exceed the smaller of (1) \$130 in fiscal 1990 and \$155 in fiscal 1991, or (2) the actual premium plus \$20.

b. For all eligible persons enrolled in a coverage category which includes a spouse and/or dependent(s), the state's monthly contribution shall not exceed \$150 in fiscal 1990 and \$200 in fiscal 1991.

c. The amount appropriated above includes increases for junior colleges to be distributed by the Texas Higher Education Coordinating Board. The Coordinating Board shall establish procedures and require information necessary for distribution.

The Comptroller shall establish procedures and may require information necessary to administer this provision.

Sec. 132. LIMITATION ON EMOLUMENTS OF STATEWIDE OFFICES. Notwithstanding any other provision of this Act, funds appropriated under this Act may not be expended to increase the emoluments of a statewide office, except the offices of Justice of the Texas Supreme Court or Court of Criminal Appeals, above the amount provided for that office for the fiscal biennium ending August 31, 1989. A fixed percentage salary increase that applies generally to state employees, or an increase in the state's contribution toward the group insurance program of a state employee above contributions provided for the fiscal biennium ending August 31, 1989, does not apply to a statewide office, except the offices of Justice of the Texas Supreme Court or Court of Criminal Appeals.

Sec. 133. PREMIUM CONVERSION. The Legislature instructs that all state agencies shall both inform and publicize to their employees the benefits of group insurance premium conversion.

Sec. 134. JOINT REVIEW OF GROUP INSURANCE EXPERIENCE. The Legislature directs that the Employees Retirement System, The University of Texas System, and the Texas A&M University System cooperate to compare the effectiveness of their cost containment measures and compare group indemnity insurance costs and utilization trends. The objective of these comparisons is to identify effective means to lower the overall cost of group insurance to the state and to participating employees. The three entities shall prepare a report identifying the methodology used and the conclusions drawn from these comparisons. The report shall be submitted to the Legislative Budget Board and the Governor's Office of Budget and Planning no later than September 1, 1990.

Sec. 135. LIMITATION ON LOCATION OF OFFICES. Notwithstanding the rider in the Department of Human Services in Article II of this Act related to a limitation on the location of an office of the Department, the amounts appropriated to the Department of Human Services by this Act may not be expended to lease, maintain, or otherwise support an office of the department at 11920 Walters Road in the city of Houston after August 31, 1990 or until such time as an alternative tenant can occupy the office, whichever occurs first.

Sec. 136. CONTINGENT APPROPRIATION, COMPTROLLER OF PUBLIC ACCOUNTS. In addition to appropriations elsewhere in this Act there is hereby appropriated out of the General Revenue Fund to the Comptroller of Public Accounts the following amounts. Each appropriation shown is contingent on final enactment of the corresponding Act. In addition to the appropriation resulting from final enactment of House Bill 504 there is hereby appropriated fee revenue collected pursuant to implementation of the Act:

	<u>1990</u>	<u>1991</u>
House Bill 112	\$	\$ 171,525
House Bill 428	495,331	64,700
House Bill 1155	64,521	50,271
House Bill 2736	569,077	269,864
Senate Bill 245	122,612	118,058
Senate Bill 963	879,365	224,812
House Bill 504	600,000	

ARTICLE VI

THE LEGISLATURE

Section 1. The following sums or as much of them as may be necessary for the objects and purposes shown, are appropriated from the General Revenue Fund for the expenses of the Legislature of the State of Texas and its offices, the Legislative Budget Board, the Sunset Advisory Commission, the State Auditor, the Legislative Council, the Legislative Reference Library, and the Commission on Uniform State Laws for the years shown:

SENATE

	For the Years Ending	
	August 31, 1990	August 31, 1991
Constitutionally authorized annual salaries for Members of the Senate and the Lieutenant Governor, per diem, other salaries and wages, consumable supplies and materials, current and recurring operating expenses, films, membership dues in any national or regional organization of legislative leaders, capital outlay, building repair and remodeling and other expenses of the Senate including interim expenses of the Seventy-first and Seventy-second Legislatures as may be authorized by law or by resolution	\$ 19,219,547	\$ 19,385,147
GRAND TOTAL, SENATE	\$ 19,219,547 =====	\$ 19,385,147 =====

1. UNEXPENDED BALANCES. Any unexpended balances as of August 31, 1989, in the appropriations made by the Legislature to the Senate are hereby reappropriated to the Senate for the same purposes for the biennium beginning September 1, 1989.

HOUSE OF REPRESENTATIVES

	For the Years Ending	
	August 31, 1990	August 31, 1991
Constitutionally authorized annual salaries for Members of the House of Representatives, per diem, other salaries and wages, consumable supplies and materials, current and recurring operating expenses, films, membership dues in the National Conference of State Legislatures and in any national or regional organization of legislative leaders, capital outlay, building repair and remodeling, and other expenses for the House of Representatives, including interim expenses of the Seventy-first and Seventy-second Legislatures as may be authorized by law or resolution	\$ 18,787,938	\$ 21,141,404
GRAND TOTAL, HOUSE OF REPRESENTATIVES	\$ 18,787,938 =====	\$ 21,141,404 =====

1. APPROPRIATION OF FEES: RENTAL SPACE IN CAPITOL BUILDING. The House of Representatives shall charge a reasonable fee for rental of space within the State Capitol Building under its control and authority. Any fees so collected are hereby appropriated for use by the House during the biennium covered by this Act.
2. UNEXPENDED BALANCES. Any unexpended balances as of August 31, 1989, in the appropriations made by the Legislature to the House of Representatives are hereby reappropriated to the House of Representatives for the same purposes for the biennium beginning September 1, 1989.
3. TRANSFER AUTHORITY. Transfers in an amount determined by the Speaker of the House may be made from these balances for the purpose of funding Senate Bill No. 54, Acts of the Sixty-fifth Legislature, Regular Session.

HOUSE OF REPRESENTATIVES
(Continued)

4. UNEXPENDED BALANCES: SENATE AND HOUSE OF REPRESENTATIVES. Any unexpended balances as of August 31, 1990 in the appropriations made hereinabove to the Senate and the House of Representatives are hereby reappropriated for the same purposes for the fiscal year beginning September 1, 1990.
5. TRANSFER TO LEGISLATIVE BUDGET BOARD ACCOUNT. Out of the appropriations made in this Article for the Senate or the House of Representatives, there may be transferred, upon the written approval of the Lieutenant Governor or the Speaker of the House, to an appropriations account for the Legislative Budget Board such sums as may be deemed necessary but not to exceed an aggregate of \$2,893,068 for the fiscal year beginning September 1, 1989 and \$2,883,068 for the fiscal year beginning September 1, 1990, for maintaining the operations of said Legislative Budget Board.

Such sums as may be transferred to an account for the Legislative Budget Board shall be budgeted by said board pursuant to Chapter 487, Acts of the Fifty-first Legislature, Regular Session, 1949, as amended, and House Bill Nos. 169 and 171, Acts of the Sixty-third Legislature, Regular Session, 1973, and any amendments thereto including the payment of travel expenses and registration fees incurred by Budget Board members or members of its staff in attending meetings on problems of federal-state relations, interstate problems, problems affecting state or local governments, and meetings sponsored by the Council of State Governments or any of its affiliated organizations, and contributions incident to membership in national or regional organizations of state governments.

6. UNEXPENDED BALANCES: LEGISLATIVE BUDGET BOARD.
 - a. Any unexpended balances as of August 31, 1989, in the appropriations made by the Seventieth Legislature, to the Legislative Budget Board for fiscal year 1989, are hereby reappropriated to the Legislative Budget Board for the biennium beginning September 1, 1989.
 - b. Any unexpended balances as of August 31, 1990, in the appropriations made hereinabove to the Legislative Budget Board are hereby reappropriated for the same purposes for the fiscal year beginning September 1, 1990.
7. TRAVEL EXPENSE: MEMBERS OF THE SENATE AND MEMBERS OF THE HOUSE OF REPRESENTATIVES. Members of the Senate and Members of the House of Representatives who serve on any board, council, committee, or commission shall receive eighty-one dollars (\$81) and such increase in the federal per diem rate as is authorized by the federal government from time to time or they shall receive actual expenses for meals, lodging, and incidental expenses when travelling on official business inside and outside of the state. They shall check which option they desire on the expense form filed for reimbursement on claims for reimbursement for such expenses on forms prescribed by the Comptroller. When travelling on official state business not incidental to membership on a board, council, committee, or commission, members of the Senate and members of the House of Representatives shall be entitled to a flat per diem of eighty-one dollars (\$81) and such subsequent increase in the per diem rate as may be authorized by the federal government from time to time in lieu of actual expenses incurred for meals and lodging.

HOUSE OF REPRESENTATIVES
(Continued)

8. TRANSFER TO SUNSET ADVISORY COMMISSION ACCOUNT AND UNEXPENDED BALANCES.
- a. Out of the appropriations made in this Article for the Senate or the House of Representatives, there may be transferred upon the written approval of the Lieutenant Governor or the Speaker of the House, to an appropriations account for the Sunset Advisory Commission such sums as may be deemed necessary but not to exceed an aggregate of \$829,793 for the fiscal year beginning September 1, 1989, and \$887,879 for the fiscal year beginning September 1, 1990, for maintaining the operations of the commission. Any unexpended balances as of August 31, 1990, in the appropriations made hereinabove to the Sunset Advisory Commission are hereby reappropriated for the same purposes for the fiscal year beginning September 1, 1990.
 - b. Any unexpended balances as of August 31, 1989, in the appropriations made by the Seventieth Legislature, to the Sunset Advisory Commission for fiscal year 1989, are hereby reappropriated to the Sunset Advisory Commission for the biennium beginning September 1, 1989.

LEGISLATIVE COUNCIL AND COMMISSION ON UNIFORM STATE LAWS

For the Years Ending	
August 31,	August 31,
<u>1990</u>	<u>1991</u>

Legislative Council

1. For payment of salaries and other necessary expenses in carrying out the provisions of Chapter 324, Acts, Fifty-first Legislature, Regular Session, 1949 (Senate Bill No. 316), and Chapter 448, Acts, Fifty-eighth Legislature, Regular Session, 1963 (Senate Bill No. 367), and of the operation of the data processing division and for expenses and registration fees of members of the Council or of members of its staff and advisory committees in attending any meetings on problems of Federal-State relations, interstate relations, problems affecting state or local governments, or meetings sponsored by the Council of State Governments; and for computer programs to assist in carrying out the statutory revision program (Chapter 448, Acts of the Fifty-eighth Legislature, 1963); completing, updating, maintaining the statutory information retrieval program; and to provide data processing services to aid members and committees in accomplishing their legislative duties (Chapter 126, Acts of the Sixty-eighth Legislature, 1983), the sum of

\$ 16,412,420	\$ 12,625,779
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Total, Legislative Council

\$ 16,412,420	\$ 12,625,779
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Commission on Uniform State Laws

LEGISLATIVE COUNCIL AND COMMISSION ON UNIFORM STATE LAWS
(Continued)

2. For payment of the contribution by the State of Texas to the National Conference of Commissioners on Uniform State Laws and for payment of other necessary expenses of the commission in carrying out provisions of Chapter 415, Acts, Fifty-second Legislature, Regular Session, 1951, as amended by Chapter 735, Acts, Sixty-fifth Legislature, Regular Session, 1977, including the printing of commission's report and travel expenses of members of the commission to attend annual meetings of the National Conference of Commissioner's on Uniform State Laws and travel to the state capitol on commission business.

\$	<u>49,420</u>	\$	<u>49,420</u>
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Total, Commission on Uniform State Laws

\$	<u>49,420</u>	\$	<u>49,420</u>
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GRAND TOTAL, LEGISLATIVE COUNCIL
AND COMMISSION ON UNIFORM STATE
LAWS

\$	<u>16,461,840</u>	\$	<u>12,675,199</u>
	=====		=====

1. UNEXPENDED BALANCES. Any unexpended balances as of August 31, 1989 in amounts previously appropriated to the Legislative Council or Legislative Education Board are hereby reappropriated to the council for the biennium beginning September 1, 1989 for the purposes stated in Item 1 of the preceding appropriation to the council. Any unexpended balances as of August 31, 1989 for the Commission on Uniform State Laws in the general appropriations made by the Seventieth Legislature, are hereby reappropriated to the Commission on Uniform State Laws for the same purposes for the biennium beginning September 1, 1989.

Any unexpended balances in the appropriations account of the Legislative Council and the Commission on Uniform State Laws as of August 31, 1990 are hereby reappropriated to the Legislative Council and Commission on Uniform State Laws for the fiscal year beginning September 1, 1990.

2. APPROPRIATION OF FEES: CHARGES FOR INFORMATION SERVICES. In addition to other amounts appropriated, there is appropriated to the Legislative Council for the fiscal years beginning September 1, 1989 and September 1, 1990 any amounts received as charges under Section 323.014(c), Government Code.

STATE AUDITOR

	For the Years Ending	
	August 31, 1990	August 31, 1991
For all salaries and wages, professional fees, travel, registration fees, consumable supplies and materials, current and recurring operating expenses and capital outlay	\$ 8,739,827	\$ 8,757,227
GRAND TOTAL, STATE AUDITOR	\$ 8,739,827 =====	\$ 8,757,227 =====

1. LEGISLATIVE AUDIT COMMITTEE DIRECTION. The sums appropriated for the State Auditor's Office are to be expended under the direction and subject to the control of the Legislative Audit Committee in furtherance of the functions assigned by statute to the department.
2. FUND TRANSFERS FOR REIMBURSEMENT OF SERVICES. In order that the General Revenue Fund may be reimbursed for the expenses of services performed for state agencies, departments, commissions, boards or divisions supported from funds other than the General Revenue Fund, it is hereby provided that the State Auditor may request the Comptroller to make transfers from unappropriated balances of such other funds to the General Revenue Fund. It is further provided that transfers may be requested from federal grant funds on deposits within special appropriations maintained by the state agencies, departments, commissions, boards or divisions in the General Revenue Fund. The amounts so requested for all transfers are to be based on actual costs of such services, and transfer of the requested amounts shall be made by the Comptroller with the approval of the Legislative Audit Committee.

Where work is performed for state agencies, departments, commissions, boards or divisions that do not carry their funds in the State Treasury, it is hereby provided that reimbursement shall be made out of such funds to the General Revenue Fund for actual cost of such work, and billings therefor shall be made by the State Auditor with the approval of the Legislative Audit Committee.
3. APPROPRIATION OF REIMBURSEMENTS FOR AUDIT ACTIVITIES. Reimbursements received for work performed in fulfillment of federal audit requirements are hereby reappropriated to the State Auditor's Office.

STATE AUDITOR
(Continued)

Reimbursements for costs incurred for work performed in auditing or oversight type reviews of entities other than those defined as state departments including higher education, as directed by the Legislature are hereby appropriated to the State Auditor's Office. (Examples of this type of work would be the reviews of river authorities, metropolitan transit authorities, or other political entities created by acts of the Legislature.)

4. UNEXPENDED BALANCES. Any unexpended balance as of August 31, 1989, for the State Auditor's Office in the general appropriations made by the Seventieth Legislature, are hereby reappropriated to the State Auditor for the same purposes for the biennium beginning September 1, 1989.

Any unexpended balance in the appropriations account of the State Auditor as of August 31, 1990, is hereby reappropriated to the State Auditor for the same purposes for the fiscal year beginning September 1, 1990.

LEGISLATIVE REFERENCE LIBRARY

	For the Years Ending	
	August 31, 1990	August 31, 1991
Out of the General Revenue Fund:		
Library Administration and Services: For salaries and wages, travel, consumable supplies and materials, current and recurring operating expenses, capital outlay, books and periodicals, and other necessary expenses to be expended under the direction of the Legislative Library Board	\$ 526,716	\$ 579,596
GRAND TOTAL, LEGISLATIVE REFERENCE LIBRARY	\$ 526,716 =====	\$ 579,596 =====

1. UNEXPENDED BALANCES. Any unexpended balances as of August 31, 1989, in the general appropriations made by the Seventieth Legislature, to the Legislative Reference Library are hereby reappropriated for the biennium beginning September 1, 1989.

LEGISLATIVE REFERENCE LIBRARY
(Continued)

Any unexpended balances as of August 31, 1990, in the appropriations made hereinabove to the Legislative Reference Library are hereby reappropriated for the same purposes for the fiscal year beginning September 1, 1990.

RECAPITULATION - ARTICLE VI
THE LEGISLATURE

		<u>GENERAL REVENUE</u>	<u>OTHER FUNDS</u>	<u>TOTAL</u>
THE SENATE	1990 \$	19,219,547		\$ 19,219,547
	1991 \$	19,385,147		\$ 19,385,147
HOUSE OF REPRESENTATIVES	1990	18,787,938		18,787,938
	1991	21,141,404		21,141,404
LEGISLATIVE COUNCIL AND COMMISSION ON UNIFORM STATE LAWS	1990	16,461,840		16,461,840
	1991	12,675,199		12,675,199
THE STATE AUDITOR	1990	8,739,827		8,739,827
	1991	8,757,227		8,757,227
THE LEGISLATIVE REFERENCE LIBRARY	1990	526,716		526,716
	1991	579,596		579,596
TOTAL, ARTICLE VI THE LEGISLATURE*	1990 \$	63,735,868		\$ 63,735,868
	1991 \$	62,538,573		\$ 62,538,573
		=====	=====	=====

*Total does not include rider appropriations.

ARTICLE VII CAPITAL OUTLAY

Section 1. The following amounts or as much of them as may be necessary are appropriated from the specified funds and for the purposes shown below and shall be allocated to the various departments, institutions, and agencies in accordance with the purposes and amounts shown in the informational "Capital Outlay" riders which appear elsewhere in this Act. Other appropriations made in this Act, unless otherwise restricted, may be expended for capital outlay purposes.

CAPITAL OUTLAY

	For the Years Ending	
	August 31, 1990	August 31, 1991
1. Construction, Repair and Renovation	\$ 464,359,226	\$ 45,070,483
2. Acquisition of Computer Equipment and Software	92,399,478	84,857,374
3. Highway Construction Equipment	8,485,200	9,800,600
GRAND TOTAL, CAPITAL OUTLAY	\$ 565,243,904	\$ 139,728,457

Method of Financing:

General Revenue Fund	\$ 198,926,435	\$ 19,274,978
State Textbook Fund No. 003	8,300	
State Highway Fund No. 006	51,303,148	66,070,119
Game, Fish, and Water Safety Fund No. 009	4,870,253	4,009,901
Unemployment Compensation Administration Fund No. 026	21,574,905	4,145,077
Traffic Safety Fund No. 029	700	700
Optometry Fund No. 034	500	500
Veterinary Fund No. 035	1,000	500
Water Development Board Fund No. 041	16,909	16,233
Medical Registration Fund No. 055	2,000	2,000
Professional Engineers Fund No. 056	55,000	
State Parks Fund No. 064	6,000,956	5,965,820
Land Office Sale Fee Fund No. 065	5,227	5,024
Landscape Architects Fund No. 069		455
Land Surveying Fund No. 074	1,000	
Land Office Permit Fee Fund No. 080	9,921	13,812
Dental Registration Fund No. 086	488	
Operators and Chauffeurs License Fund No. 099	25,779	13,191
Treasury Fiscal Agency Fund No. 100	143,480	124,994
Architects Registration Fund No. 109	910	480

ARTICLE VII
CAPITAL OUTLAY
(Continued)

Real Estate License Fund No. 114	142,799	143,779
Law Enforcement Officer Standards and Education Fund No. 116	60,150	53,461
Federal Public Library Service Fund No. 118	125	
Federal Alcoholism Fund No. 136	10,070	6,330
Professional Nurse Registration Fund No. 138	12,300	15,000
Federal Adult Blind Fund No. 141	5,012	
Federal Health, Education and Welfare Fund No. 148	230,548	232,915
Water Quality Fund No. 153	26,585	14,185
Industrial Revolving Fund No. 156	200,000	200,000
Water Rights Administration Fund No. 158	1,500	1,500
Assessors Professional Fund No. 160	1,940	1,940
Unemployment Compensation Special Administration Fund No. 165	1,380,000	1,625,000
Vocational Nurse Examiners Fund No. 266	2,500	2,500
Motor Vehicle Inspection Fund No. 274	21,295	11,000
Criminal Justice Planning Fund No. 421	23,648	17,043
Local Parks, Recreation and Open Space Fund No. 467	2,000,000	2,000,000
Public Accountancy Fund No. 470	61,818	16,940
Banking Department Expense Fund No. 508	37,000	17,700
Waste Treatment Facility Inspection Fund No. 519	28,002	118,262
Veterans Land Program Administration Fund No. 522	319,514	49,428
Hazardous Waste Generation and Facility Fee Fund No. 549	95,307	108,864
Hazardous Waste Disposal Fee Fund No. 550	814	657
Unclaimed Money Fund No. 551	143,445	140,706
Federal Funds	10,800,410	11,885,071
Surplus Property Service Charge Trust Fund No. 570	350,000	350,000
Law Enforcement Officer Management Institute Fund No. 581	9,200	9,200
Underground Storage Tank Fund No. 583	458	30,064
Other Funds	51,934,067	4,691,973
Dedicated Construction Fund No. 678	206,302,055	8,374,720
Child Support Account	1,943,112	2,919,016
Interagency Contracts	11,500	2,302,150
Earned Federal Health, Educational and Welfare Fund No. 148	83,762	108,297
Earned Federal Funds	6,043,057	4,636,972

ARTICLE VII
CAPITAL OUTLAY
(Continued)

Certification & Proprietary School Fees	<u>15,000</u>	<u></u>
Total, Method of Financing	\$ 565,243,904 =====	\$ 139,728,457 =====

T7END/VI

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ARTICLE VIII. SAVINGS CLAUSE

If any section, sentence, clause or part of this Act shall for any reason be held to be invalid, such decision shall not affect the remaining portions of this Act and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause, or part thereof irrespective of the fact that any other sentence, section, clause or part thereof may be declared invalid.

ARTICLE IX. EMERGENCY CLAUSE

The importance of this legislation to the people of the State of Texas, and the crowded condition of the calendars in both Houses of the Legislature, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

ARTICLE VIII. SAVINGS CLAUSE

If any section, sentence, clause or part of this Act shall for any reason be held to be invalid, such decision shall not affect the remaining portions of this Act and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause, or part thereof irrespective of the fact that any other sentence, section, clause or part thereof may be declared invalid.

ARTICLE IX. EMERGENCY CLAUSE

The importance of this legislation to the people of the State of Texas, and the crowded condition of the calendars in both Houses of the Legislature, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

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President of the Senate

Speaker of the House

I hereby certify that S.B. No. 222 passed the Senate on April 12, 1989, by the following vote: Yeas 27, Nays 0; April 25, 1989, Senate refused to concur in House amendments and requested appointment of Conference Committee; April 26, 1989, House granted request of the Senate; May 27, 1989, Senate adopted Conference Committee Report by a viva-voce vote; passed subject to provisions of Article III, Section 49a of the Constitution of Texas.

Secretary of the Senate

I hereby certify that S.B. No. 222 passed the House, with amendments, on April 25, 1989, by a non-record vote; April 26, 1989, House granted request of the Senate for appointment of Conference Committee; May 28, 1989, House adopted Conference Committee Report by a non-record vote; passed subject to the provisions of Article III, Section 49a of the Constitution of Texas.

Chief Clerk of the House

Approved:

Date

Governor

I, Bob Bullock, Comptroller of Public Accounts, do hereby certify that the amounts appropriated in the herein S.B. No. 222, Regular Session, 71st Legislature are within the amount estimated to be available in the affected fund.

Certified _____, 1989.

Comptroller of Public Accounts