

Low-level Radioactive Waste Disposal Compact Commission  
Summary of Recommendations - Senate

Page VI-36  
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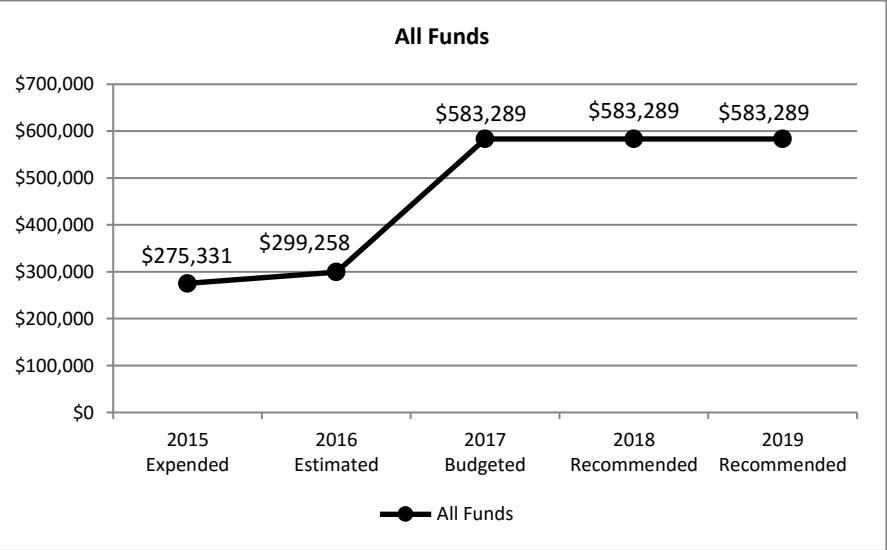
Method of Financing	2016-17 Base	2018-19 Recommended	Biennial Change (\$)	Biennial Change (%)
General Revenue Funds	\$0	\$0	\$0	0.0%
GR Dedicated Funds	\$882,547	\$1,166,578	\$284,031	32.2%
Total GR-Related Funds	\$882,547	\$1,166,578	\$284,031	32.2%
Federal Funds	\$0	\$0	\$0	0.0%
Other	\$0	\$0	\$0	0.0%
All Funds	\$882,547	\$1,166,578	\$284,031	32.2%

	FY 2017 Budgeted	FY 2019 Recommended	Biennial Change	Percent Change
FTEs	0.0	0.0	0.0	0.0%

The Low-level Radioactive Waste Disposal Compact Commission is a federal compact between Texas and Vermont. The Commission provides for and encourages the economical management and disposal of low-level radioactive waste in order to protect the health, safety, and welfare of the citizens of Texas and Vermont and the environment. The Commission accepts low-level waste from Texas and Vermont, as well as out of compact low-level waste from across the country.

The bill pattern for this agency (2018-19 Recommended) represents an estimated 100% of the agency's estimated total available funds for the 2018-19 biennium.

Historical Funding Levels (Millions)



Low-level Radioactive Waste Disposal Compact Commission  
Summary of Funding Changes and Recommendations - Senate

Funding Changes and Recommendations for the 2018-19 Biennium compared to the 2016-17 Base Spending Level (in millions)		General Revenue	GR-Dedicated	Federal Funds	Other Funds	All Funds	Strategy in Appendix A
Funding Changes and Recommendations (each issue is explained in Section 3 and additional details are provided in Appendix A):							
A)	Recommendations increase GR-D Account No. 5151 funding by \$284,031 primarily for increased contracting costs, but also in order for the Commission to perform import agreement and export order audits, conduct annual fiscal auditing, cover the cost of services previously provided by the Attorney General and Board of Nursing, and other operating costs.	\$0.0	\$0.3	\$0.0	\$0.0	\$0.3	A.1.1
TOTAL Funding Changes and Recommendations (in millions)		\$0.0	\$0.3	\$0.0	\$0.0	\$0.3	As Listed
Funding Increases		\$0.0	\$0.3	\$0.0	\$0.0	\$0.3	As Listed
Funding Decreases		\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	As Listed

NOTE: Totals may not sum due to rounding.

**Low-level Radioactive Waste Disposal Compact Commission  
Selected Fiscal and Policy Issues - Senate**

1. **Commission Funding.** Recommendations provide \$0.3 million out of General Revenue-Dedicated Low-Level Waste Disposal Compact Commission Account No. 5151 (Account No. 5151) to maintain 2016-17 appropriations. This continues appropriations each fiscal year at a level that has consistently been provided since 2012, which the Commission has never fully utilized. Funding primarily provides for increased contracting costs for salaries, database development, office space rental, and accounting services, but also includes other items such as membership fees, performing import agreement and export order audits, and paying for fiscal audits. The Commission has requested \$0.4 million in exceptional item funding out of GR-D Account No. 5151, which is not included in recommendations (see Items Not Included in Recommendations – Senate, Item 1).

Health and Safety Code, §403.006, the Texas Low-level Radioactive Waste Disposal Compact, Section 4.04(4), requires the host state (Texas) for the Commission to establish reasonable disposal fees for the host state (Texas) and non-host party states (Vermont). The disposal fees are set by the Texas Commission on Environmental Quality (TCEQ), and must be sufficient to reasonably support the activities of the Commission. In the Eighty-Third Legislature, HB 6 did not exempt the disposal fee from funds consolidation; beginning in fiscal year 2015, the disposal fees collected by TCEQ have been deposited to General Revenue instead of to General Revenue-Dedicated Low-Level Radioactive Waste Account No. 0088 (Account 88), where the fees had previously been deposited. From fiscal year 2004 through fiscal year 2014, \$25.0 million has been deposited to Account 88 from Vermont's in-compact payment; \$10.0 million has been deposited from out-of-compact disposal fees. From fiscal year 2015 through the second quarter of fiscal year 2017, \$1.1 million has been deposited to General Revenue from in-compact disposal fees.

The Commission is funded from General Revenue-Dedicated Low-Level Waste Disposal Compact Commission Account No. 5151 (Account 5151). Each fiscal year, TCEQ transfers an amount equal to the amount appropriated to the Commission from Account 88 to Account 5151. At the end of the fiscal year, the remaining balance is to be transferred back to Account 88.

2. **Rider Request.** The Commission has requested a new rider to specify that the Commission is not a state agency and is exempt from requirements of state law generally applicable to a state agency, except those duties and responsibilities expressly identified in Chapter 401 or 403 of the Health and Safety Code, the compact law, or agreed to by the Commission and the host or a party state through a memorandum of understanding or other documentation. Recommendations do not include the proposed rider (see also Items Not Included in Recommendations – Senate, Item 2).
3. **Full Time Equivalent Positions.** The Commission has requested 2.0 FTE's for the 2018-19 biennium. According to the Texas Low-Level Radioactive Waste Disposal Compact Consent Act, the Commission does not have the authority to have state employees. The Commission has reported 2.5 FTEs in 2015, and 2.0 in 2016 and 2017 each. For the 2018-19 biennium, the Commission has requested 2.0 FTE's for both 2018 and 2019. The State Auditor's Office has taken the position that the contract employees that the Commission uses are not considered FTEs (see Rider Highlights – Senate, Rider 2); thus, recommendations include 0.0 FTEs in the Commission's bill pattern.

**Low-level Radioactive Waste Disposal Commission  
Rider Highlights - Senate**

**Modification of Existing Riders**

2. **Exemption from Limitation on State Employment Levels.** Recommendations modify the rider to remove language requiring the Commission to provide a report of the number of Full-Time-Equivalents (FTEs) each fiscal year to the State Auditor's Office (SAO), the Governor, and the Legislative Budget Board. The SAO does not count any of the Commission's contractors as FTEs; therefore, the reports are not needed. (See also Selected and Fiscal Policy Issues – Senate, Item 2).

Low-level Radioactive Waste Disposal Compact Commission  
Items Not Included in Recommendations - Senate

	2018-19 Biennial Total			Information Technology Involved?	Contracting Involved?	Estimated Continued Cost 2020-21
	GR & GR-D	All Funds	FTEs			

Agency Exceptional Items - In Agency Priority Order

1)	General Revenue-Dedicated Low-Level Waste Disposal Compact Commission Account No. 5151 funding for increased contractor costs, travel, rent, legal expenses, information technology costs, and other operating costs.	\$394,822	\$394,822	0.0	No	Yes	\$394,822
2)	New rider specifying that the Commission is not a state agency and is not subject to any requirements of state law generally applicable to a state agency except those duties defined in Health and Safety Code, Chapters 401 and 403, compact law, or those agreed to by the Commission. (See also Selected and Fiscal Policy Issues - Senate, Item 2).	\$0	\$0	0.0	No	No	\$0

TOTAL Items Not Included in Recommendations		\$394,822	\$394,822	0.0			\$394,822
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**Low-level Radioactive Waste Disposal Compact Commission**  
**Appendices - Senate**

<b>Table of Contents</b>		
<b>Appendix</b>	<b>Appendix Title</b>	<b>Page</b>
<b>A</b>	Funding Changes and Recommendations by Strategy	7
<b>B</b>	Summary of Federal Funds	*
<b>C</b>	FTE Highlights	*
<b>D</b>	Performance Measure Highlights	*
<b>E</b>	Summary of Ten Percent Biennial Base Reduction Options	8

\* Appendix is not included - no significant information to report

\*\* Information is included in the presentation section of the packet

Low-level Radioactive Waste Disposal Compact Commission  
Funding Changes and Recommendations - Senate, by Strategy -- ALL FUNDS

Strategy/Goal	2016-17 Base	2018-19 Recommended	Biennial Change	% Change	Comments
COMPACT ADMINISTRATION & OPERATIONS A.1.1	\$882,547	\$1,166,578	\$284,031	32.2%	Recommendations increase GR-D Account No. 5151 funding by \$284,031 primarily for increased contracting costs, but also in order for the Commission to perform import agreement and export order audits, conduct annual fiscal auditing, cover the cost of services previously provided by the Attorney General and Board of Nursing, and other operating costs.
Total, Goal A, COMPACT ADMINISTRATION & OPERATIONS	\$882,547	\$1,166,578	\$284,031	32.2%	
Grand Total, All Strategies	\$882,547	\$1,166,578	\$284,031	32.2%	

Low-level Radioactive Waste Disposal Compact Commission  
Summary of Ten Percent Biennial Base Reduction Options - Senate

Priority	Item	Description/Impact	Biennial Reduction Amounts			Potential Revenue Loss	Reduction as % of Program GR/GR-D Total	Included in Introduced Bill?
			GR & GR-D	All Funds	FTEs			
1)	10% Reduction	The specific program area that would be impacted by this reduction was not provided by the Commission.	\$111,991	\$111,991	0.0	\$0	10%	No
TOTAL, 10% Reduction Options			\$111,991	\$111,991	0.0	\$0		