

3.B. Rider Revisions and Additions Request

Agency Code: 802		Agency Name: Texas Parks and Wildlife Department		Prepared By: Alejandro Farias	Date: 08-23-10	Request Level: Base
Current Rider Number	Page Number in 2010-11 GAA	Proposed Rider Language				
2	VI-35	<p><b>Capital Budget.</b> None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.</p>				

3.B. Rider Revisions and Additions Request (continued)

2	VI-35	2010 2012	2011 2013
	a. Acquisition of Land and Other Real Property		
	(1) Land Acquisition	\$2,227,162 <del>\$11,416,191 &amp; UB</del>	\$2,227,162 <del>\$2,150,000</del>
	Total, Acquisition of Land and Other Real Property	<u>\$2,227,162</u> <u><del>\$11,416,191</del></u>	<u>\$2,227,162</u> <u><del>\$2,150,000</del></u>
	b. Construction of Buildings and Facilities		
	(1) Construction and Major Repairs	74,571,042 & UB 17,581,189	19,115,489 11,745,190
	<del>(2) Construction and Major Repairs (08 Prop 3)</del>	<del>11,904,154 &amp; UB</del>	<del>UB</del>
	<del>(3) Construction and Major Repairs (08 Prop 4)</del>	<del>21,128,023 &amp; UB</del>	<del>UB</del>
	<del>(4) Battleship TEXAS (08 Prop 4)</del>	<del>UB</del>	<del>UB</del>
	<del>(5) Statewide Capital Repairs (10-11 Prop 4)</del>	<del>28,006,000</del>	<del>UB</del>
	Total, Construction of Buildings and Facilities	<u>\$74,571,042</u> <u><del>\$78,619,366</del></u>	<u>\$19,115,489</u> <u><del>\$11,745,190</del></u>
	c. Repair or Rehabilitation of Buildings and Facilities		
	(1) Parks Minor Repair Program	3,686,444 3,438,444	3,686,444 3,436,444
	<del>(2) State Park Weather Related Damages (10-11 Prop 4)</del>	<del>10,000,000</del>	<del>UB</del>
	Total, Repair or Rehabilitation of Buildings and Facilities	<u>\$3,686,444</u> <u><del>\$13,438,444</del></u>	<u>\$3,686,444</u> <u><del>\$3,436,444</del></u>
	d. Acquisition of Information Resource Technologies		
	(1) Mainframe upgrades, microcomputers, and other equipment	1,821,204 1,821,503	1,809,204 1,821,504
	(2) Data Center Consolidation	3,834,661 4,202,077	3,834,661 4,086,539
	Total, Acquisition of Information Resource Technologies	<u>\$5,655,865</u> <u><del>\$6,023,580</del></u>	<u>\$5,643,865</u> <u><del>\$5,908,043</del></u>
	e. Transportation Items		
	(1) Purchase of Vehicles & Other Transportation Items	4,770,980 6,371,919	4,767,980 6,398,996
	Total, Transportation Items	<u>\$4,770,980</u> <u><del>\$6,371,919</del></u>	<u>\$4,767,980</u> <u><del>\$6,398,996</del></u>
	f. Acquisition of Capital Equipment and Items		
	(1) Office, field, marine and lab equipment	1,337,859 1,689,439	1,375,859 1,609,354
	Total, Acquisition of Capital Equipment and Items	<u>\$1,337,859</u> <u><del>\$1,689,439</del></u>	<u>\$1,375,859</u> <u><del>\$1,609,354</del></u>
	g. Other Lease Payments to the Master Lease Purchase Program (MLPP)		
	(1) Lease Payments to Master Lease Purchase Program	74,896 127,000	74,445 127,000
	Total, Other Lease Payments to the Master Lease Purchase Program (MLPP)	<u>\$74,896</u> <u><del>\$127,000</del></u>	<u>\$74,445</u> <u><del>\$127,000</del></u>
	Total, Capital Budget	<u>\$92,324,248</u> <u><del>\$117,685,939</del></u>	<u>\$36,891,244</u> <u><del>\$31,375,027</del></u>

3.B. Rider Revisions and Additions Request (continued)

2	VI-36	<p>Method of Financing (Capital Budget):</p> <p><u>General Revenue Fund</u></p> <p>General Revenue Fund <span style="float:right">\$6,191,533</span> <span style="float:right">\$6,191,533</span></p> <p style="padding-left: 20px;">General Revenue Fund <span style="float:right">\$513,544</span> <span style="float:right">\$399,799</span></p> <p style="padding-left: 20px;">Sporting Goods Sales Tax - Transfer to State Parks Account No. 64 <span style="float:right"><u>2,361,261</u></span> <span style="float:right"><u>2,361,261</u></span></p> <p style="padding-left: 20px;">Sporting Goods Sales Tax - Transfer to Parks and Recreation Account No. 467 <span style="float:right">3,479,429</span> <span style="float:right">3,479,429</span></p> <p style="padding-left: 20px;">Sporting Goods Sales Tax - Transfer to Parks and Recreation Account No. 467 <span style="float:right">0</span> <span style="float:right"><u>25,000</u></span></p> <p style="padding-left: 20px;">Sporting Goods Sales Tax - Transfer to Capital and Conservation Account No. 5004 <span style="float:right">28,000</span> <span style="float:right"><u>28,000</u></span></p> <p style="padding-left: 20px;">Sporting Goods Sales Tax - Transfer to Capital and Conservation Account No. 5004 <span style="float:right"><u>3,827,000</u></span> <span style="float:right"><u>3,827,000</u></span></p> <p style="padding-left: 20px;">Subtotal, General Revenue Fund <span style="float:right"><u>\$12,379,794</u></span> <span style="float:right"><u>\$12,404,794</u></span></p> <p style="padding-left: 20px;">Subtotal, General Revenue Fund <span style="float:right"><u>\$2,992,973</u></span> <span style="float:right"><u>\$2,907,228</u></span></p> <p><u>General Revenue Fund - Dedicated</u></p> <p>Game, Fish and Water Safety Account No. 009 <span style="float:right"><u>14,029,895</u></span> <span style="float:right"><u>9,915,411</u></span></p> <p style="padding-left: 20px;">Game, Fish and Water Safety Account No. 009 <span style="float:right">18,517,311</span> <span style="float:right">15,666,055</span></p> <p style="padding-left: 20px;">State Parks Account No. 064 <span style="float:right"><u>14,188,932</u></span> <span style="float:right"><u>14,187,590</u></span></p> <p style="padding-left: 20px;">State Parks Account No. 064 <span style="float:right">18,767,054</span> <span style="float:right">9,415,716</span></p> <p style="padding-left: 20px;">Texas Parks and Wildlife Capital and Conservation Account No. 5004 <span style="float:right"><u>133,449</u></span> <span style="float:right"><u>133,449</u></span></p> <p style="padding-left: 20px;">Texas Parks and Wildlife Capital and Conservation Account No. 5004 <span style="float:right">110,169</span> <span style="float:right">110,169</span></p> <p style="padding-left: 20px;">Subtotal, General Revenue Fund - Dedicated <span style="float:right"><u>\$28,352,276</u></span> <span style="float:right"><u>\$24,236,450</u></span></p> <p style="padding-left: 20px;">Subtotal, General Revenue Fund - Dedicated <span style="float:right"><u>\$27,394,534</u></span> <span style="float:right"><u>\$25,191,940</u></span></p> <p><u>Federal Funds</u></p> <p style="padding-left: 20px;">Federal Funds <span style="float:right"><u>1,468,806</u></span> <span style="float:right"><u>0</u></span></p> <p style="padding-left: 20px;">Federal Funds <span style="float:right">4,251,108</span> <span style="float:right">2,275,859</span></p> <p><u>Other Funds</u></p> <p>Appropriated Receipts <span style="float:right"><u>5,972,907</u></span> <span style="float:right"><u>250,000</u></span></p> <p style="padding-left: 20px;">Appropriated Receipts <span style="float:right">717,972</span> <span style="float:right">0</span></p> <p style="padding-left: 20px;">Bond Proceeds - General Obligation Bonds <span style="float:right"><u>44,150,465</u></span> <span style="float:right"><u>0</u></span></p> <p style="padding-left: 20px;">Bond Proceeds - General Obligation Bonds <span style="float:right">71,329,352</span> <span style="float:right">0</span></p> <p style="padding-left: 20px;">Subtotal, Other Funds <span style="float:right"><u>\$50,123,372</u></span> <span style="float:right"><u>\$250,000</u></span></p> <p style="padding-left: 20px;">Subtotal, Other Funds <span style="float:right"><u>\$72,047,324</u></span> <span style="float:right"><u>0</u></span></p> <p style="padding-left: 20px;">Total, Method of Financing <span style="float:right"><u>\$92,324,248</u></span> <span style="float:right"><u>\$36,891,244</u></span></p> <p style="padding-left: 20px;">Total, Method of Financing <span style="float:right"><u>\$117,685,930</u></span> <span style="float:right"><u>\$21,375,027</u></span></p>
3	VI-37	<p><b>Appropriation: Escrow Accounts.</b> Included in the amounts appropriated above in Strategy A.1.1, Wildlife Conservation, Strategy A.2.1, Inland Fisheries Management, Strategy A.2.3, Coastal Fisheries Management, and Strategy B.1.1, State Park Operations are any unexpended balances as of August 31, <del>2009</del> <u>2011</u>, and any revenue <u>received</u> during the <del>2010-11</del> <u>2012-13</u> biennium (balances and revenues <del>not to exceed</del> <u>estimated to be \$412,350</u> <del>1,009,473</del> in the Game, Fish, and Water Safety Account No. 9 and <del>not to exceed</del> \$40,210 in the State Parks Account No. 64), consisting of either principal or interest, from trust or escrow accounts set up to benefit the Texas Parks and Wildlife Department. Any unexpended balances and revenue remaining as of August 31, <del>2010</del> <u>2012</u>, are appropriated for the same purpose for the fiscal year beginning September 1, <del>2010</del> <u>2012</u>.</p> <p><i>This rider is intended to authorize TPWD to expend funds in compliance with settlement and/or mitigation agreements. These agreements are often long-term, multi-year obligations that involve activities ranging from restoration of wetlands to monitoring habitat. TPWD requests revisions: (1) to specify that amounts are estimated; (2) to revise dates and amounts.</i></p>

3.B. Rider Revisions and Additions Request (continued)

6	VI-37	<p><b>Outreach Programs.</b> Out of amounts appropriated above in Strategy B.2.2, Boating Access and Other Grants, the department shall continue partnership projects by contracting at least \$1,250,000 in each fiscal year of the <del>2010-11</del> <u>2012-13</u> biennium in partnership programs for underserved populations. This provision shall not be construed as a limit on amounts that may be spent by TPWD on outreach program grants. <u>Any unexpended balances as of August 31, 2012 in funds allocated above for outreach programs are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.</u></p> <p><i>TPWD requests language that would provide UB authority between FY2012 and FY2013. With regard to UB, the ability to carryover unexpended balances to the next fiscal year of the biennium is needed to allow flexibility in the award process to use all the funding available. Many factors are considered in the local parks award process and it is very difficult to estimate the exact amount to be awarded by a certain date. This results in grantees being forced to accept partial funding, or in funds not being awarded and lapsed. The carryover of unexpended balances during the biennium is a standard provision for funds that may take more than one fiscal year to be fully awarded.</i></p>
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3.B. Rider Revisions and Additions Request (continued)

7	VI-37	<p><b>Appropriation: Unexpended Balance for Construction Projects.</b> Included in amounts appropriated above in strategy D.1.1, Improvements and Major Repairs are unexpended balances from appropriations made for construction, repair, acquisition, and renovation projects and listed in the capital budget riders of Senate <del>House</del> Bill No. 1, Acts of the <del>Seventy-ninth</del> <u>Eightieth</u> Legislature, Regular Session and <del>House</del> Senate Bill No. 1, Acts of the <del>Eightieth</del> <u>Eighty-First</u> Legislature, Regular Session. These unexpended balances are estimated to be <del>\$55,455,553</del> <u>\$38,273,591</u> out of the following funds as of August 31, <del>2009</del> <u>2011</u>:</p> <table style="margin-left: 40px;"> <tr> <td colspan="2"><u>General Revenue-Dedicated Accounts</u></td> </tr> <tr> <td>Game, Fish, and Water Safety Account No. 9</td> <td style="text-align: right;">\$ <u>4,113,375</u></td> </tr> <tr> <td></td> <td style="text-align: right;"><del>2,688,995</del></td> </tr> <tr> <td><del>State Parks Account No. 64</del></td> <td style="text-align: right;">\$ 0</td> </tr> <tr> <td><del>Texas Parks and Wildlife Conservation and Capital Account No. 5004</del></td> <td style="text-align: right;">\$ 0</td> </tr> <tr> <td> </td> <td></td> </tr> <tr> <td>Federal Funds</td> <td style="text-align: right;">\$ <u>1,468,806</u></td> </tr> <tr> <td></td> <td style="text-align: right;"><u>1,543,272</u></td> </tr> <tr> <td> </td> <td></td> </tr> <tr> <td colspan="2"><u>Other Funds</u></td> </tr> <tr> <td>Appropriated Receipts</td> <td style="text-align: right;">\$ <u>5,722,907</u></td> </tr> <tr> <td></td> <td style="text-align: right;"><del>717,972</del></td> </tr> <tr> <td>Bond Proceeds - General Obligation Bonds</td> <td style="text-align: right;">\$ <u>44,150,465</u></td> </tr> <tr> <td></td> <td style="text-align: right;"><u>33,323,352</u></td> </tr> </table> <p>Unexpended balances remaining in such appropriation items at August 31, <del>2009</del> <u>2011</u>, are hereby appropriated for the same purposes for the fiscal year beginning September 1, <del>2009</del> <u>2011</u>. <del>Unexpended balances of general obligation bond proceeds appropriated by the Eightieth Legislature to the Texas Parks and Wildlife Department (TPWD) are appropriated for the same purposes for the fiscal year beginning September 1, 2009, only if amounts have been approved under Article IX, Sec. 19.70 and Sec. 19.71 of House Bill 1, Eightieth Legislature, 2007. If prior to August 31, 2009, bond financing for the Battleship TEXAS project is approved under Article IX, Sec. 19.71, House Bill 1, Eightieth Legislature, 2007, TPWD shall file a report with the Legislative Budget Board, the Governor and the Battleship TEXAS Foundation within 30 days following November 30, February 28, May 31, and August 31 of each fiscal year showing the progress and costs of the project, including a repair schedule and the purpose for each expenditure. Unexpended balances in General Revenue-Related accounts may not be carried forward from fiscal year <del>2009</del> <u>2011</u> to fiscal year <del>2010</del> <u>2012</u> without 45 days prior notification to the Legislative Budget Board and the Governor. Unexpended balances of General Revenue-Related appropriations under this provision are subject to the provisions of Government Code § 403.071 for the purposes of determining the life of an appropriation; therefore, the agency is not authorized to carry forward unexpended balances in General Revenue-Related accounts from fiscal year <del>2009</del> <u>2011</u> to fiscal year <del>2010</del> <u>2012</u> if the original appropriation for the project was made during or before fiscal year <del>2005</del> <u>2007</u>. Any appropriation made in this Act to TPWD for construction and improvement projects shall include labor and all necessary costs involved in the project. The Texas Parks and Wildlife Department shall provide the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts a report by no later than December 1 of each fiscal year showing the progress and costs of all projects funded by General Revenue-Related appropriations made by the <del>Seventy-ninth</del> <u>Eightieth</u> and the <del>Eightieth</del> <u>Eighty-First</u> Legislatures.</del></p> <p><i>Request minor revisions to dates and amounts. Request deletion of language specific to the 80th Legislative session.</i></p>	<u>General Revenue-Dedicated Accounts</u>		Game, Fish, and Water Safety Account No. 9	\$ <u>4,113,375</u>		<del>2,688,995</del>	<del>State Parks Account No. 64</del>	\$ 0	<del>Texas Parks and Wildlife Conservation and Capital Account No. 5004</del>	\$ 0	 		Federal Funds	\$ <u>1,468,806</u>		<u>1,543,272</u>	 		<u>Other Funds</u>		Appropriated Receipts	\$ <u>5,722,907</u>		<del>717,972</del>	Bond Proceeds - General Obligation Bonds	\$ <u>44,150,465</u>		<u>33,323,352</u>
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3.B. Rider Revisions and Additions Request (continued)

8	VI-38	<p><b>Construction and Land Owner Incentive Grants.</b> Any funds appropriated above in Strategies B.2.1, Local Park Grants and B.2.2, Boating Access and Other Grants that are utilized for grants awarded for local park construction projects in excess of \$20,000 and any funds appropriated above in Strategy A.1.2, Technical Guidance to private landowners and the general public that are utilized for landowner incentive grants shall be treated as construction appropriations for the purpose of determining the life of the appropriation under the provisions of § 403.071, Government Code. The Texas Parks and Wildlife Department shall provide the Governor and the Legislative Budget Board a status report at the close of each fiscal year showing the progress and costs for any grant for local park construction projects and landowner incentive grants not completed within two years of the date the grant was awarded. Any unexpended balances as of August 31, <del>2010</del> <u>2012</u> in funds appropriated above in Strategies B.2.1, Local Park Grants and B.2.2, Boating Access and Other Grants for local park grants are hereby appropriated for the same purpose for the fiscal year beginning September 1, <del>2010</del> <u>2012</u>.</p> <p><i>Request minor revisions to dates.</i></p>
11	VI-38	<p><b>Lease Payments.</b> Included in amounts appropriated above in Strategy D.1.4, Debt Service are lease payments of <del>\$4,683,475</del> <u>\$4,847,927</u> in fiscal year <del>2010</del> <u>2012</u> and <del>\$4,586,941</del> <u>\$4,785,913</u> in fiscal year <del>2011</del> <u>2013</u> out of the General Revenue Fund which shall be transferred to the Texas Public Finance Authority for debt service payments on revenue bonds or other revenue obligations as authorized by § 13.0045, Parks and Wildlife Code. Also included in the amounts appropriated above in Strategy D.1.4, Debt Service are lease payments of <del>\$2,629,738</del> <u>\$2,649,175</u> in fiscal year <del>2010</del> <u>2012</u> and <del>\$2,621,888</del> <u>\$2,638,763</u> in fiscal year <del>2011</del> <u>2013</u> out of the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 which shall be transferred to the Texas Public Finance Authority for debt service payments on revenue bonds or other obligations for the freshwater fish hatchery.</p> <p><i>Request minor revisions to dates and amounts.</i></p>

3.B. Rider Revisions and Additions Request (continued)

<p>12</p>	<p>VI-38</p>	<p><b>Appropriation: State-owned Housing Authorized.</b> The Texas Parks and Wildlife Department (TPWD) shall recover at least 20 percent of the established fair market rental value of housing from persons residing in state-owned housing first employed before September 1, 2005 and 100 percent of the established fair market rental value of housing from persons residing in state-owned housing employed on or after September 1, 2005. If the TPWD requires an employee to live on-site in state-owned housing as a condition of employment, then the TPWD shall recover at least 20 percent of the established market rental value of housing regardless of the date of employment. Additionally, the TPWD will report biennially to the Legislative Budget Board and the Governor, the race, gender, and ethnicity, position title and classification, and salary of employees that reside in state-owned housing.</p> <p>Included in the amounts appropriated above is rental income collected from employee housing (estimated to be <del>\$21,492</del> <u>25,000</u> in Appropriated Receipts each fiscal year in Strategy A.1.1, Wildlife Conservation; estimated to be <del>\$21,099</del> <u>\$21,000</u> in Appropriated Receipts each fiscal year in Strategy A.2.2, Inland Hatcheries Operations; estimated to be <del>\$6,106</del> <u>\$5,500</u> in Appropriated Receipts each fiscal year in Strategy A.2.4, Coastal Hatcheries Operations; <del>estimated to be \$1,949 in Appropriated Receipts each fiscal year in Strategy C.2.4, Outreach and Education;</del> and, estimated to be <del>\$261,822</del> <u>\$250,000</u> in Appropriated Receipts each fiscal year in Strategy B.1.2, Parks Minor Repair Program.) The recovered funds are appropriated to the TPWD for maintenance or replacement of employee housing.</p> <p><del>Notwithstanding any other provision in this Act, the TPWD is hereby authorized to construct four new state-owned residences to provide 24-hour on-site supervision and maintenance for the new freshwater fish hatchery in East Texas (two residences) and for the new Texas Game Warden Academy in Hamilton County (two residences) at a cost not to exceed \$150,000 per residence.</del></p> <p><u>Notwithstanding any other provision in this Act, the TPWD is hereby authorized to construct one new state-owned residence to provide 24-hour on-site supervision and maintenance for Chaparral Wildlife Management Area at a cost not to exceed \$250,000.</u></p> <p>Additionally, notwithstanding the provisions in Article IX of this Act, the TPWD is authorized to expend amounts in excess of \$25,000 per residence for the biennium as necessary to <u>purchase, remodel,</u> repair or replace state-owned housing, provided that the agency submits advanced notification to the Legislative Budget Board and the Governor.</p> <p><i>Request revisions to update dollar estimates, update proposed constructions sites and amounts, and align with Article IX provisions. Both the Freshwater Fish Hatchery and the Texas Game Warden Academy residences will be completed in 2011.</i></p>
<p>13</p>	<p>VI-39</p>	<p><b>Indoor Recreational Facilities.</b> Out of amounts appropriated above and in compliance with the Texas Parks and Wildlife Code § 24.006, the Texas Parks and Wildlife Department (TPWD) shall use at least <del>\$2,752,500</del> <u>\$3,787,500</u> of the total amounts allocated for grants in Strategy B.2.1, Local Park Grants for the <del>2010-11</del> <u>2012-13</u> biennium to fund local grants for indoor recreation facilities. This provision shall not be construed as a limit on amounts that may be spent by TPWD on grants for indoor recreational facilities. Any unexpended balances of such appropriations on August 31, <del>2010</del> <u>2012</u>, are appropriated for the same purpose for the fiscal year beginning September 1, <del>2010</del> <u>2012</u>.</p> <p><i>Request minor revisions to dates and amounts.</i></p>

3.B. Rider Revisions and Additions Request (continued)

<p>14</p>	<p>VI-39</p>	<p><b>Appropriation: License Plate Receipts.</b> Included in amounts appropriated above in Strategies A.1.1, Wildlife Conservation, A.2.1, Inland Fisheries Management, A.2.3, Coastal Fisheries Management, and B.1.1, State Park Operations and C.2.3, <u>Communication Products and Services</u>, are all balances and revenue collected on or after September 1, <del>2009</del> 2011 (estimated to be <del>\$1,000,002</del> <u>\$1,167,562</u> in the Texas Parks and Wildlife Conservation and Capital Account No. 5004; <del>\$155,000</del> <u>\$141,488</u> in Big Bend National Park Account No. 5030; <del>\$68,000</del> <u>\$87,204</u> in Waterfowl and Wetland Conservation License Plate Account No. 5057; <del>\$48,000</del> <u>\$36,820</u> in Texas Lions Camp License Plate Account No. 5116; <del>\$61,000</del> <u>\$38,060</u> in Marine Mammal Recovery License Plate Account No. 5120; <del>\$0 in General Revenue associated with the sale of Texas PGA Junior Golf license plates</del>; and <del>\$49,200</del> <u>\$49,200</u> in Marine Conservation License Plate Account No. 5142 over the biennium) from the sale of license plates, including any new license plates that the Texas Parks and Wildlife Department agrees to administer on behalf of a sponsoring organization, as provided by the Texas Transportation Code § 504.606 (Big Bend), § 504.627 (Waterfowl and Wetland), <del>§504.629 (Texas PGA Junior Golf)</del>, § 504.644 (Marine Mammal Recovery), § 504.656 (Texas Lions Camp), <u>§ 504.660 (Coastal Conservation Association Texas)</u> and § 504.801 (other private nonprofit organizations).</p> <p>License plate balances and receipts in subaccounts of the Texas Parks and Wildlife Conservation and Capital Account No. 5004 are estimated to be <del>\$568,734</del> <u>\$590,832</u> for Horned Toad specialty plates; <del>\$220,338</del> <u>\$300,928</u> for Bluebonnet specialty plates; <del>\$125,832</del> <u>\$173,004</u> for Whitetail Deer specialty plates; and <del>\$85,098</del> <u>\$102,798</u> for Largemouth Bass specialty plates for a total of <del>\$1,000,002</del> <u>\$1,167,562</u> noted above.</p> <p><i>Request minor revisions to dates and amounts. Omitting language specific to the Texas PGA Junior Golf license plate. At present, the Texas PGA Junior Golf license plate has not been designed. Enabling legislation for the plate was effective in 2003. The five-year limitation on specialty plate design and development has been exceeded by two years.</i></p>
<p>15</p>	<p>VI-39</p>	<p><b>Appropriation of Certain Concession Receipts.</b> Concession receipts generated as a result of the efforts of volunteer groups in state parks or other agency facilities are included in amounts appropriated above to Strategy B.1.1, State Park Operations (estimated to be \$0 in Appropriated Receipts for the biennium beginning September 1, <del>2009</del> 2011), and Strategy A.2.4, Coastal Hatcheries Operations (estimated to be \$100,000 in Appropriated Receipts for the biennium beginning September 1, <del>2009</del> 2011). These concession receipts shall be credited for the benefit of the specific state park or other agency facility where the funds are generated by volunteer groups. Concession receipts generated as a result of the efforts of department employees or leased concession contracts with third parties are appropriated in the strategies above and are not subject to this rider.</p> <p><i>Request minor revisions to dates and amounts.</i></p>

3.B. Rider Revisions and Additions Request (continued)

<p>16</p>	<p>VI-39</p>	<p><b>Payments to License Agents and Tax Assessor Collectors.</b> Included in amounts appropriated above in Strategy C.3.1, License Issuance and C.3.2 Boat Registration and Titling, are amounts necessary for payments to license agents <u>and tax assessor collectors</u> (estimated to be \$3,657,000 in each fiscal year out of the Game, Fish and Water Safety Account No. 9). Such amounts shall be used for the sole purpose of payments to license agents <u>and tax assessor collectors</u> for the costs of issuing and collecting money associated with the sale of licenses, stamp endorsements, permits, tags, <u>boat registration and titling</u>, and other similar items issued under the Parks and Wildlife Code.</p> <p><i>Originally, TPWD requested this rider to accurately reflect the costs associated with commissions retained by license agents. TPWD requests revisions to include the costs associated with issuing and collecting boat registration and titling fees from Tax Assessor Collectors (Parks and Wildlife Code 31.0341(b) and 31.048 (b)). Currently, these amounts are reflected as costs to TPWD; however updates to the rider language would formally include those transactions.</i></p> <p><i>A number of factors beyond the agency's control, such as economic conditions, changing attitudes towards hunting and severe weather, can impact license sales as well as boat registration and titling. As a result, the amounts reflected are estimated. Appropriation of a sum-certain amount for this rider would not be a realistic option.</i></p>
<p>17</p>	<p>VI-40</p>	<p><b>Capital Budget Expenditures from Federal and Other Funding Sources.</b> The Texas Parks and Wildlife Department (TPWD) is hereby exempted from the capital budget rider provisions contained in Article IX of this Act when gifts, grants, <u>inter-agency funds</u>, inter-local funds and federal funds are received in excess of the amounts identified in the agency's capital budget rider and such funds are designated by the donor, grantor or <u>state/federal agency</u> solely for <u>land acquisition</u>, construction and repairs, or purchase of specific capital items.</p> <p>Additionally, the TPWD is hereby exempted from the capital budget rider provisions when pass through funds to local entities are received in excess of the amounts identified in the agency's capital budget rider and such funds are designated by the donor, grantor or <u>state/federal agency</u> solely for the acquisition of land. <del>This provision does not exempt the TPWD from capital budget rider provisions for state land acquisition.</del></p> <p>Amounts expended from these funding sources shall not count towards the limitation imposed by capital budget provisions elsewhere in this Act. The TPWD shall notify the Legislative Budget Board and the Governor upon receipt of such funds, of the amount received and the items to be purchased.</p> <p><i>Request revision to add interagency contract funds to list of funds types exempted from capital budget provisions, include land acquisition capital category, and to make other minor corrections.</i></p>
<p>18</p>	<p>VI-40</p>	<p><b>Appropriation: Land Sale Proceeds.</b> Included in amounts appropriated above in Strategy D.1.1, Improvements and Major Repairs, and D.1.2, Land Acquisition, are all balances as of August 31, <del>2009</del> <u>2011</u>, and all proceeds collected on or after September 1, <del>2009</del> <u>2011</u> (balances and revenues estimated to be \$0 in Appropriated Receipts) from the sale of Texas Parks and Wildlife Department (TPWD) lands, including the sale of land identified as underutilized and sold by the General Land Office. In accordance with Parks and Wildlife Code § 13.009, the balances and proceeds from the sale of these lands may be used only to improve or acquire other real property dedicated to the same purpose for which the land sold was dedicated. Any unexpended balances and revenue remaining as of August 31, <del>2010</del> <u>2012</u>, are appropriated for the same purpose for the fiscal year beginning September 1, <del>2010</del> <u>2012</u>.</p> <p><i>Request minor revisions to dates.</i></p>

3.B. Rider Revisions and Additions Request (continued)

19	VI-40	<p><del><b>Collection and Reporting of Major Equipment Usage Statistics.</b> Out of funds appropriated above, the Texas Parks and Wildlife Department (TPWD) shall collect usage statistics on all major equipment maintained and operated by TPWD. Major equipment includes such items as dump trucks, mowers, tractors, graders, or other, non-personal transportation, major construction or grounds maintenance equipment used in the operation of the state parks system. The department shall collect, at minimum, the actual hours of operation of each piece of equipment and the geographical distribution of the equipment during the fiscal year studied, but shall also include other usage statistics necessary to determine the actual major equipment needs of the state parks system, including explicit justification for idle equipment. The department shall report the findings of major equipment usage to the Legislative Budget Board and the Governor no later than October 1 of each fiscal year for the preceding fiscal year.</del></p> <p><i>Request deletion of this rider for the 2012-13 biennium. TPWD has complied with the above provisions as follows:</i></p> <p><i>A) The FY2009 Collection and Reporting of Major Equipment Usage Statistics report was submitted September 30, 2009. B) The FY2010 Collection and Reporting of Major Equipment Usage Statistics report will be produced during the same timeframe.</i></p>
20	VI-40	<p><del><b>Fish and Shellfish Consumption Advisories.</b> Out of the amounts appropriated above in Strategies A.2.1, Inland Fisheries Management and A.2.3, Coastal Fisheries Management the Texas Parks and Wildlife Department shall use \$20,000 each fiscal year from the General Revenue Dedicated Game, Fish and Water Safety Account No. 9, to post signs at those water bodies for which the Seafood and Aquatic Life Group of the Texas Department of State Health Services has advisories and bans from consumption of contaminated fish or shellfish.</del></p> <p><i>Requesting deletion for the 2012-2013 biennium.</i></p> <p><i>Placement of the signs was completed in the appropriate locations designated by the Texas Department of State Health Services where standing advisories and bans from consumption of contaminated fish or shellfish occur.</i></p>
21	VI-40	<p><del><b>Border Security.</b> Included in amounts appropriated above out of the General Revenue Fund is \$1,062,596 and 15.0 FTEs each fiscal year in Strategy C.1.1, Enforcement Programs; and, out of the General Revenue Dedicated Operators and Chauffeurs License Account No. 099 is \$292,465 and 6.3 additional FTEs in fiscal year 2010 and \$825,000 and 15.0 additional FTEs in fiscal year 2011 in Strategy C.1.1, Enforcement Programs and \$532,535 and 8.7 FTEs in fiscal year 2010 in Strategy C.1.2, Warden Training Academy for the purposes of enhancing border security.</del></p> <p><i>Request deletion of language specific to the 80th Legislative session. All requirements outlined for border security are being performed to date. Due to the rider being informational, it is no longer necessary and is being requested for deletion for the 2012-2013 biennium.</i></p>
22	VI-40	<p><del><b>Proceeds from Sale of Eagle Mountain Lake.</b> Included in amounts appropriated above in Strategy D.1.2, Land Acquisition is any unexpended receipts from the sale of Eagle Mountain Lake State Park (estimated to be \$9,266,191 from the State Parks Account No. 64). In accordance with Parks and Wildlife Code § 13.009, the balances and proceeds from the sale of Eagle Mountain Lake State Park may be used only to improve or acquire other real property dedicated to the same purpose for which the land sold was dedicated. TPWD may not use receipts under this provision for park land acquisition or improvements unless the Legislative Budget Board approves the proposed purchase or improvements. Additionally, subject to LBB approval, these amounts may be spent out of Strategy D.1.2, Land Acquisition or Strategy D.1.1, Improvements and Major Repairs. Any transfer of these amounts between Strategy D.1.2, Land Acquisition and Strategy D.1.1, Improvements and Major Repairs, is not subject to transferability provisions in Article IX, Sec. 14.01.</del></p> <p><i>Request deletion of language. The agency is committed to utilizing Eagle Mountain Lake proceeds to acquire park lands during FY2011.</i></p>

3.B. Rider Revisions and Additions Request (continued)

23	VI-41	<p><b>Internal Audit Division.</b> Out of funds appropriated above, the department shall maintain 8.0 auditor positions in the Internal Audit Division. The department shall maintain an internal auditing program in compliance with the provisions of the Texas Internal Auditing Act. Each internal auditor assigned pursuant to this provision shall report either directly to the members of the Texas Parks and Wildlife Commission or to the internal auditor appointed pursuant to Government Code § 2102.006.</p> <p><i>All requirements outlined for Internal Audit Division are being performed to date. Due to the rider being informational, it is no longer necessary and is being requested for deletion for the 2012-2013 biennium.</i></p>
24	VI-41	<p><b>Coastal Erosion Interagency Contract.</b> Out of funds appropriated above in Strategy D.1.1, Improvements and Repairs, the Texas Parks and Wildlife Department shall use <del>\$11,966,964</del> \$12,596,804 each fiscal year out of the Sporting Goods Sales Tax transfer to the State Parks Account No. 64 to contract with the General Land Office for coastal erosion projects. <u>Payments shall be made to the General Land Office in two equal installments in December and June of each fiscal year after sufficient Sporting Goods Sales Tax revenue has been deposited into Texas Parks and Wildlife Department accounts by the Comptroller.</u></p> <p><i>The Comptroller's Office allocates one-twelfth of the total annual SGST appropriation to the Texas Parks and Wildlife Department on a monthly basis. This method of allocation creates some challenges in terms of cash flow, especially since operational and other expenditures are not necessarily evenly distributed across months. Based on negotiations with GLO, payments in the past were provided in two equal installments in September and December, well before the full amount of SGST had been deposited to TPWD accounts. To minimize cash flow concerns, TPWD requests rider language to ensure future agreements with GLO provide for payment in installments later in the year, when TPWD has actually received more of the funding. Another option would be to receive a larger portion of the SGST allocation from the Comptroller at the start of the fiscal year.</i></p>
25	VI-41	<p><b>Statewide Aquatic Vegetation Management.</b> Out of the funds appropriated above in Strategy A.2.1, Inland Fisheries Management, \$750,000 in each fiscal year from General Revenue, <del>\$263,346 in each fiscal year from the General revenue</del> Dedicated Game, Fish and Water Safety Account No. 9, and \$156,654 in each fiscal year from federal funds and 5.0 FTEs shall be used to maintain boat lanes, general access, and outdoor recreational activities, and to improve fish and wildlife habitat on water bodies statewide. From these amounts <u>appropriated above</u>, \$100,000 in each fiscal year shall be used for clearance and maintenance of boat lanes at Caddo Lake. Any unexpended balances of these amounts as of August 31, <del>2010</del> 2012 are hereby appropriated for the same purpose in the fiscal 2010 year beginning September 1, <del>2010</del> 2012. <u>Use of the federal funds referenced above is contingent upon receipt of a federal boating access grant under the Sportfish Restoration Act by the Texas Parks and Wildlife Department.</u></p> <p><i>Request revisions to dates and update rider language to provide the ability to increase funding as necessary to address statewide aquatic vegetation management based on actual need.</i></p>
<del>26</del>	<del>VI-41</del>	<p><del><b>Sunset Contingency.</b> Funds appropriated above for fiscal year 2011 for the Texas Parks and Wildlife Department are made contingent on the continuation of the Texas Parks and Wildlife Department by the Eighty First Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010, or as much thereof as may be necessary, are to be used to provide for the phase out of agency operations.</del></p> <p><i>Request deletion of language specific to the 80th Legislative session.</i></p>

3.B. Rider Revisions and Additions Request (continued)

27	VI-41	<p><b>Appropriation of Receipts out of the General Revenue-Dedicated Accounts.</b> For the biennium beginning September 1, 20092011, the Texas Parks and Wildlife Department (TPWD) is hereby appropriated any additional revenues that are certified by a Comptroller's finding of fact and are in excess of the amounts reflected in the Comptroller's Biennial Revenue Estimate for each year of the biennium (not to exceed \$5,083,664 in fiscal year 2010 and \$6,245,228 in fiscal year 2011 or \$11,328,892 million for the biennium in estimated to be \$0 for the biennium in the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9, and estimated to be \$0 an amount not to exceed \$386,000 each fiscal year or \$772,000 for the biennium in the General Revenue-Dedicated State Parks Account No. 64 and included in amounts appropriated above) to address salary and equity compensation issues for staff in wildlife, fishery, law enforcement and support divisions in amounts not to exceed 12 percent from 2009 budgeted levels and for seasonal staff in state parks (21.0 FTEs per fiscal year). In the event the Comptroller certifies the additional revenue of \$11,328,892 from the Game, Fish and Water Safety Account No. 9, the employees provided pay raises from these amounts are excluded from any state employee pay increases or bonuses authorized in Article IX of this Act.</p> <table border="0" style="width: 100%; margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th colspan="2" style="text-align: center;">For the Years Ending</th> </tr> <tr> <th></th> <th style="text-align: center;">August 31, 2010</th> <th style="text-align: center;">August 31, 2011</th> </tr> </thead> <tbody> <tr> <td>A.1.1, Wildlife Conservation</td> <td style="text-align: right;">\$1,859,367</td> <td style="text-align: right;">\$2,227,276</td> </tr> <tr> <td>A.1.2, Technical Guidance</td> <td style="text-align: right;">\$57,175</td> <td style="text-align: right;">\$64,010</td> </tr> <tr> <td>A.1.3, Hunting and Wildlife Recreation</td> <td style="text-align: right;">\$58,626</td> <td 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3.B. Rider Revisions and Additions Request (continued)

27	VI-41	<p><u>Any fiscal year 2012 unexpended balances from additional revenue collections in excess of the Biennial Revenue Estimate as of August 31, 2012 are hereby appropriated for the fiscal year beginning September 1, 2012. The Texas Parks and Wildlife Department is specifically authorized to expend these funds for purposes authorized by the Parks and Wildlife Code, including capital budget purposes. Such expenditures must comply with limitations established for salary, travel, and capital expenditures, employment levels, and other provisions contained in Article IX of this Act.</u></p> <p>Each year, the TPWD shall notify the Comptroller of Public Accounts, the Legislative Budget Board, and the Governor of the amount that the department projects will be received in excess of the amount contained in the Comptroller's Biennial Revenue Estimate for each of the department's General Revenue-Dedicated accounts along with sufficient information to reflect how that estimate was determined. If the Comptroller finds the information sufficient to support the projection of additional revenues, a finding of fact to that effect shall be issued to reflect the additional revenue available for each General Revenue-Dedicated account.</p> <p><i>Request minor revisions to dates and amounts. Request deletion of language specific to the 80th Legislative session. Also adds language to appropriate any unexpended balances to the next fiscal year of the biennium and outline the use of available funding.</i></p>
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3.B. Rider Revisions and Additions Request (continued)

28	VI 42	<p><b>Informational Listing Appropriation of Sporting Goods Sales Tax (SGST).</b> Included in amounts appropriated in this Act are \$86,413,029 in fiscal year 2010 and \$77,011,082 in fiscal year 2011, or \$163,424,111 for the 2010-11 biennium, in sales tax receipts deposited to the General Revenue Fund estimated to be generated by sales of sporting goods items. The following is an informational listing of Sporting Goods Sales Tax (SGST) receipts appropriated in this Act by agency, account and strategy.</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;"></th> <th colspan="2" style="text-align: center; border-bottom: 1px solid black;">For the Years Ending</th> </tr> <tr> <th></th> <th style="text-align: center; border-bottom: 1px solid black;">August 31, 2010</th> <th style="text-align: center; border-bottom: 1px solid black;">August 31, 2011</th> </tr> </thead> <tbody> <tr> <td colspan="3"><b>Article I</b></td> </tr> <tr> <td colspan="3">Texas Historical Commission (THC)</td> </tr> <tr> <td colspan="3">General Revenue (Sporting Goods Sales Tax)</td> </tr> <tr> <td>A.1.6, Historic Sites</td> <td style="text-align: right;">\$6,874,920</td> <td style="text-align: right;">\$6,874,920</td> </tr> <tr> <td>A.2.1, Development Assistance</td> <td style="text-align: right;"><u>\$356,000</u></td> 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3.B. Rider Revisions and Additions Request (continued)

28	VI-42	<p>In addition to the amounts listed above, an estimated \$6,258,553 in fiscal year 2010 and \$5,457,626 in fiscal year 2011 or \$11,716,179 for the 2010-11 biennium from the General Revenue Dedicated State Parks Account No. 64, Texas Recreation and Parks Account No. 467, and the Parks and Wildlife Conservation and Capital Account No. 5004 to pay benefits for TPWD employees funded by SGST receipts.</p> <p><i>Request deletion of language specific to the 80th Legislative session.</i></p>
30	VI-43	<p><b>Appropriation of Receipts: Off-Highway Vehicle Trail and Recreational Area Program.</b> The Texas Parks and Wildlife Department is appropriated all receipts collected pursuant to the Parks and Wildlife Code, Chapter 29 for the purpose of implementing and administering the department's Off-Highway Vehicle Trail and Recreational Area Program. Amounts appropriated pursuant to this provision are included above in Strategy Item B.2.2, Boating Access and Other Grants, and are identified above in the method of finance as General Revenue in an estimated amount of <del>\$368,000</del> <u>\$345,454</u> (<u>\$171,880 in fiscal year 2012 and \$173,574 in fiscal year 2013</u>) in fiscal year 2010 (including unexpended balances of \$183,000 as of August 31, 2009 and revenues of \$185,000 in fiscal year 2010) and \$204,000 in fiscal year 2011 for a total of \$572,000 for the biennium. <u>Any unexpended balances remaining as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.</u></p> <p><i>Request minor revisions to dates and amounts. Request deletion of language specific to the 80th Legislative session.</i></p>
31	VI-43	<p><b>Appropriation Authority for General Obligation Bond Proceeds.</b> Appropriated above in Strategy D.1.1, Improvements and Major Repairs, is <del>\$38,006,000</del> in fiscal year 2010 in general obligation bond proceeds for projects for the Texas Parks and Wildlife Department (TPWD) as described in Article IX, Sec. 17.11, Informational Listing General Obligation Bond Proceeds. These amounts include \$10,000,000 in fiscal year 2010 for weather-related repairs at Mother Neff State Park, Palo Duro Canyon State Park, and Government Canyon State Natural Area.</p> <p>All projects funded herein with general obligation bond proceeds are subject to approval by the Legislative Budget Board prior to issuance of the bond proceeds by the Texas Public Finance Authority. Any unexpended and unobligated balances in general obligation bond proceeds described herein and remaining as of August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010 for the same purposes.</p> <p><i>Request deletion of language specific to the 80th Legislative session. The majority of projects are still in the planning phase with some being in the construction phase. However, the greater part of funding has been allocated to specific projects.</i></p>
32	VI-43	<p><b>Local Park Grant for Bexar County Special Needs Park.</b> From funds appropriated above in Strategy B.2.1, Local Park Grants, the Texas Parks and Wildlife Department shall allocate up to \$5,500,000 of matching funds for the acquisition, development, and construction for a Bexar County Special Needs Park for disabled children. Any unexpended balances as of August 31, 2010 in funds allocated are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.</p> <p><i>Request deletion of this rider for the 2012-13 biennium. The Bexar County Special Needs Park project has been completed and paid.</i></p>

3.B. Rider Revisions and Additions Request (continued)

34	VI-44	<p><del><b>Franklin Mountains State Park Visitor Center.</b> Out of amounts appropriated above in Strategy D.1.1, Improvements and Major Repairs, the Texas Parks and Wildlife Department is directed to prepare a report which examines the feasibility of developing a Visitor Center at Franklin Mountains State Parks. This study should take into consideration the following factors: (a) whether or not the Visitor Center meets any of the agency's capital project priorities; (b) the cost of developing and constructing the Visitor Center; and (c) the potential effect of the Visitor Center on visitation to Franklin Mountains State Park and park visitation revenue. The study should be completed and submitted to the Eighty-second Legislature no later than January 25, 2011.</del></p> <p><i>Request deletion of this rider for the 2012-13 biennium. TPWD has complied with the above provisions as follows:</i></p> <p><i>A) The project has been funded. B) A stakeholders meeting was held in El Paso on June 8, 2010. C) TPWD has solicited bids and will award a contract by mid-August. D) The study will be delivered from the designers to TPWD in November 2010 and delivered to the Eighty-Second Legislature by mid January 2011.</i></p>
35	VI-44	<p><del><b>Local Park Grant for Missouri City.</b> From funds appropriated above in Strategy B.2.1, Local Park Grants, the Texas Parks and Wildlife Department shall allocate up to \$1,000,000 of matching funds for a local park grant to the City of Missouri City. Any unexpended balances as of August 31, 2010 in funds allocated are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.</del></p> <p><i>Request deletion of this rider for the 2012-13 biennium. Missouri City has not yet submitted an application, however we expect that the City will apply in AY2011.</i></p>
701		<p><u><b>Internship Program Full-Time-Equivalent Exemption.</b> Full-Time-Equivalent (FTE) positions associated with the Internship Program of the Texas Parks and Wildlife Department (TPWD) shall be exempt from the Article IX, Sec. 6.10 Limitation on State Employment Levels. This provision will not change the cap on the Number of Full-Time-Equivalents (FTE) for TPWD listed elsewhere in this Act. TPWD shall provide to the Legislative Budget Board, the Governor, and the State Auditor's Office a report of the number of FTEs associated with the Internship Program each fiscal year.</u></p> <p><i>Would allow TPWD to develop the Internship Program without impacting the State mandated Full-Time Equivalent position levels for the agency. The FTE cap has restricted the agency's intern program in recent years. TPWD maintains an active and viable intern program that is targeted at attracting the "best and brightest" and diverse candidates, specifically women and minorities, in critical specialty areas. Historically, the hiring of interns has been possible because of staff vacancies created through retirement or other departures. In the last two years the economic downturn has resulted in fewer vacancies, requiring the department to substantially scale back its intern program to avoid FTE cap issues, from a total of 167 interns in 2008 to roughly 71 in 2009 and 2010.</i></p>

3.B. Rider Revisions and Additions Request (continued)

<p>702</p>		<p><b><u>Appropriation of Federally-Defined Program Income.</u></b> Federally-defined program income (per 43CFR12.65C) is defined as gross income received by the grantee or subgrantee that is directly generated by a grant supported activity or earned only as a result of the grant agreement during the grant period. Any federally-defined program income generated by the Texas Parks and Wildlife Department is hereby appropriated to the Texas Parks and Wildlife Department, consistent with federal regulations.</p> <p><u>Included in the amounts appropriated above is program income estimated to be \$0 in Appropriated Receipts each fiscal year in Strategy A.1.1. Wildlife Conservation; estimated to be \$200,000 in Appropriated Receipts each fiscal year in Strategy A.2.2. Inland Hatcheries Operations; estimated to be \$150,000 in Appropriated Receipts each fiscal year in Strategy A.1.3. Hunting and Wildlife Recreation; estimated to be \$0 in Appropriated Receipts each fiscal year in Strategy A.2.4. Coastal Hatcheries Operations; and estimated to be \$250,000 in Appropriated Receipts each fiscal year in Strategy C.2.1. Hunter and Boater Education.</u></p> <p><u>Any unexpended balances remaining as of August 31, 2012 are hereby appropriated for the same purposes consistent with the federal grant for the fiscal year beginning September 1, 2012.</u></p> <p><i>Under federal funding guidelines, any revenues generated by a state agency as the result of managing a federally funded activity are considered "program income." For any dollar of program income generated, the grant's federal reimbursement is reduced by the federal share of that program income. Due to the fact that federal funds come with their own appropriation authority while certain specific revenue streams do not, program income can often result in a reduction in overall funding authority for TPWD. For example, federal guidelines may specify that grazing lease revenue generated at a WMA supported by a federal grant should be treated as program income. The federal grant reimbursement is reduced by an amount equal to the grazing lease revenue, but from the federal perspective the overall amount of funding under the grant is unchanged. However, the grazing lease revenue is deposited into a state fund using a state comptroller object that is unappropriated. As a result, the overall amount of TPWD spending authority is reduced by the amount of grazing lease revenue. This rider would allow the necessary mechanism for a method of finance swap and allow program income to be appropriated to TPWD. In addition, the rider adds language to appropriate any unexpended balances to the next fiscal year of the biennium and outline the use of available funding.</i></p>
<p>703</p>		<p><b><u>Exception from Transferability Provisions.</u></b> Notwithstanding provisions in Article IX Sec. 14.01 related to <u>Appropriation Transfers</u>, an appropriation to Texas Parks and Wildlife Department contained in this Act maybe transferred from one appropriation item to another appropriation item in an amount not to exceed 25 percent of the appropriation item from which the transfer is made for the fiscal year.</p> <p><i>During the 2006-07 strategic planning process, TPWD was asked to realign its existing budget structure to allow for greater transparency. The ultimate result was an increase in the total number of strategies from 10 to 28. While the new framework helped simplify budgeting efforts, it has also imposed restrictions on TPWD, especially in light of changes to Article IX provisions that reduced the maximum allowable transfer out of any given strategy from 25% to 12.5%. The combined effect of these two changes (greater budget detail due to structure changes, coupled with greater restrictions on between-strategy transfers) has been to limit TPWD's discretion in shifting dollars to respond to funding issues and operational challenges throughout the year. This rider is requested at the suggestion of the Legislative Budget Board and the Governor's Office of Budget and Planning.</i></p>

3.B. Rider Revisions and Additions Request (continued)

704		<p><b><u>Benefit Costs Associated with Border Security.</u></b> Employee fringe benefit costs estimated to be \$150,926 for each year of the 2012-13 biennium associated with salaries paid from the General Revenue-Dedicated Operators and Chauffers License Account No. 099 shall be annually transferred by the Texas Department of Public Safety to the Texas Parks and Wildlife Department. Any increases in employee benefit costs due to salary increases paid out of appropriations made from the General Revenue-Dedicated Operators and Chauffers License Account No. 099 shall also be transferred.</p> <p><i>Request language to direct the Texas Department of Public Safety to transfer amounts necessary to cover benefit costs associated with salaries related to boarder security funded from the General Revenue-Dedicated Operators and Chauffers License Account No. 099. The Texas Department of Public Safety has already agreed to transfer amounts for 2010. Rider language will formalize this agreement.</i></p>
705		<p><b><u>Exception for Game Warden Cadet Meals.</u></b> Notwithstanding any restrictions on the purchase of food by a state agency, the Texas Parks and Wildlife Department (TPWD) is hereby authorized to purchase food to provide meals to cadets at the Game Warden Academy Training Center. In addition, the TPWD shall recover from cadets the actual costs for the purchase of raw materials needed to provide meals at the Game Warden Academy Training Center. Such funds are hereby appropriated above in Strategy C.1.2, Warden Training Academy (estimated to be \$147,000 in Appropriated Receipts each fiscal year) to purchase meals. Any unexpended balances remaining as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.</p> <p><i>Applicants selected to attend the Game Warden Academy attend a seven month training to become licensed Texas Game Wardens. During this seven month period cadets are left responsible to purchase raw materials to prepare meals for themselves with the added inconvenience of having to travel to purchase raw materials due to the location of the Game Warden Training Center. The proposed rider would allow the Texas Parks and Wildlife Department to purchase raw materials in advance to prepare meals and provide a mechanism to recoup associated costs. Costs to provide meals are estimated to be approximately \$147,000 per year. Also adds language to appropriate any unexpended balances to the next fiscal year of the biennium and outline the use of available funding.</i></p>
706		<p><b><u>State Park Volunteer Services.</u></b> The Texas Parks and Wildlife Department is hereby authorized to utilize appropriations above to provide meals for volunteers when on-site and providing labor services for park development, repairs and cleanup efforts.</p> <p><i>The proposed rider would allow use of existing appropriations to purchase and provide volunteer meals. Volunteer labor efforts account for a significant amount of operational savings for State Parks. In FY2009, State Parks reported approximately 405,000 volunteer hours valued at over \$7.1 million (figures do not include TDCJ or Community Service hours). Providing meals to volunteers would show appreciation of volunteer efforts and could enhance additional volunteer opportunities. Furthermore, being able to provide meals on-site helps maximize efficient use of volunteer time (by not having volunteers leave the park to purchase meals for themselves).</i></p>
707		<p><b><u>Unexpended Balances: Battleship TEXAS.</u></b> Unexpended balances of general obligation bonds appropriated by the 80<sup>th</sup> Legislature for the Battleship TEXAS shall be appropriated for the same purpose through the completion date of the Battleship TEXAS project.</p> <p><i>TPWD is requesting authority to carry forward unexpended balances of G.O bonds for the Battleship TEXAS until the completion date of the project, which is currently estimated to exceed the timeframes applicable for the duration of the funding authority. TPWD has encountered many delays and challenges in spending the \$25 million in G.O. bonds appropriated by the 80th Legislature in the 2008-09 biennium. Due to various factors, including a required naval engineering assessment of the ship and a required review by the Legislative Budget Board of the proposed courses of action and estimated costs, the funding was not actually made available to TPWD until July 2009. Additionally, TPWD has encountered delays due to controversy regarding the appropriate site of the Battleship and various permitting requirements (i.e. U.S. Army Corps of Engineer permits).</i></p>