

1 AN ACT

2 relating to making supplemental appropriations and reductions in
3 appropriations and giving direction, transfer authority, and other
4 adjustment authority regarding appropriations.

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

6 SECTION 1. AUSTIN COMMUNITY COLLEGE: GROUP HEALTH
7 INSURANCE. In addition to amounts previously appropriated for the
8 state fiscal biennium ending August 31, 2007, the amount of
9 \$3,678,942 is appropriated out of the general revenue fund to
10 Austin Community College for the two-year period beginning on the
11 effective date of this Act for the purpose of correcting the
12 institution's underreporting of its state-funded group health
13 insurance enrollment for fiscal years 2006 and 2007.

14 SECTION 2. SOUTH PLAINS COLLEGE: GROUP HEALTH INSURANCE.
15 In addition to amounts previously appropriated for the state fiscal
16 biennium ending August 31, 2007, the amount of \$1,424,764 is
17 appropriated out of the general revenue fund to South Plains
18 College for the two-year period beginning on the effective date of
19 this Act for the purpose of correcting the institution's
20 underreporting of its state-funded group health insurance
21 enrollment for fiscal years 2006 and 2007.

22 SECTION 3. TEXAS DEPARTMENT OF CRIMINAL JUSTICE:
23 OPERATIONS. In addition to amounts previously appropriated for the
24 state fiscal biennium ending August 31, 2007, the amount of

1 \$27,000,000 is appropriated out of the general revenue fund to the
2 Texas Department of Criminal Justice for the two-year period
3 beginning on the effective date of this Act for the purpose of
4 providing for salaries and wages, hazardous duty and longevity pay,
5 overtime pay, contractual rate adjustments, utilities, and fuel.

6 SECTION 4. TEXAS DEPARTMENT OF CRIMINAL JUSTICE:
7 CORRECTIONAL MANAGED HEALTH CARE. In addition to amounts
8 previously appropriated for the state fiscal biennium ending August
9 31, 2007, the amount of \$12,940,619 is appropriated out of the
10 general revenue fund to the Texas Department of Criminal Justice
11 for the two-year period beginning on the effective date of this Act
12 for the purpose of providing for correctional managed health care.

13 SECTION 5. TEXAS MEDICAL BOARD: OPERATIONS. (a) In
14 addition to amounts previously appropriated for the state fiscal
15 biennium ending August 31, 2007, the amount of \$1,222,827 is
16 appropriated out of the general revenue fund to the Texas Medical
17 Board for the two-year period beginning on the effective date of
18 this Act for the purpose of:

19 (1) repaying the Governor's Emergency and Deficiency
20 Grant awarded in fiscal year 2006; and

21 (2) providing for agency operating expenses for
22 licensing and enforcement.

23 (b) In addition to amounts previously appropriated for the
24 state fiscal biennium ending August 31, 2007, the amount of
25 \$600,248 is appropriated out of the public assurance account to the
26 Texas Medical Board for the two-year period beginning on the
27 effective date of this Act for the purpose of providing for agency

1 operating expenses for licensing and enforcement.

2 (c) In addition to the number of full-time equivalent
3 employees (FTEs) the Texas Medical Board is authorized to employ by
4 other law during the state fiscal year ending August 31, 2007, the
5 board may employ an additional six FTEs during that period.

6 SECTION 6. TEXAS DEPARTMENT OF LICENSING AND REGULATION:
7 COSTS RELATED TO FORMER COSMETOLOGY COMMISSION AND BOARD OF BARBER
8 EXAMINERS. (a) In addition to amounts previously appropriated for
9 the state fiscal biennium ending August 31, 2007, the amount of
10 \$463,202 is appropriated out of the general revenue fund to the
11 Texas Department of Licensing and Regulation for the two-year
12 period beginning on the effective date of this Act for the purposes
13 of paying:

14 (1) the unanticipated costs of relocating the
15 functions and operations of the former Cosmetology Commission and
16 the former Board of Barber Examiners; and

17 (2) obligations, including interest accrued on the
18 obligations, of the former Cosmetology Commission and the former
19 Board of Barber Examiners.

20 (b) This subsection applies with respect to the obligation
21 to pay for goods or services received before August 31, 2005, by the
22 former Cosmetology Commission or the former Board of Barber
23 Examiners. A claim for payment or reimbursement for goods or
24 services to which this subsection applies may not be paid from money
25 appropriated by Subsection (a) of this section until the claim is
26 verified and substantiated by the executive director of the Texas
27 Department of Licensing and Regulation and until it is subsequently

1 approved by the attorney general and the comptroller of public
2 accounts. The approvals must occur before August 31, 2008.

3 SECTION 7. TEXAS BUILDING AND PROCUREMENT COMMISSION:
4 UTILITIES. In addition to amounts previously appropriated for the
5 state fiscal biennium ending August 31, 2007, the amount of
6 \$2,847,069 is appropriated out of the general revenue fund to the
7 Texas Building and Procurement Commission for the two-year period
8 beginning on the effective date of this Act for the purpose of
9 making utility payments.

10 SECTION 8. TEXAS SOUTHERN UNIVERSITY: CONTINGENCY
11 APPROPRIATION FOR DEFERRED MAINTENANCE AND OTHER EXPENSES. (a)
12 Subject to Subsection (b) of this section, and in addition to
13 amounts previously appropriated for the state fiscal biennium
14 ending August 31, 2007, the amount of \$13,645,120 is appropriated
15 out of the general revenue fund to Texas Southern University for the
16 two-year period beginning on the effective date of this Act for the
17 purpose of providing deferred maintenance, paying outstanding
18 expenses, making emergency maintenance repairs, paying contract
19 deficits, paying audit and legal costs, providing funding for
20 summer school, and providing funding for the TSU/HISD Charter
21 School.

22 (b) The appropriation made by Subsection (a) of this section
23 is contingent upon the development of a suitable plan of
24 reorganization approved by the Legislative Budget Board and the
25 Governor or the placement of the university under conservatorship
26 as defined by Chapter 2104, Government Code.

27 SECTION 9. TEXAS SOUTHERN UNIVERSITY: CONTINGENCY

1 APPROPRIATION FOR ACADEMIC DEVELOPMENT INITIATIVE. (a) Subject to
2 Subsection (b) of this section, and in addition to other amounts
3 appropriated for the state fiscal biennium ending August 31, 2009,
4 that may be used for this purpose, the following amounts are
5 appropriated out of the general revenue fund to Texas Southern
6 University for the Academic Development Initiative:

7 (1) \$12,500,000 is appropriated for the state fiscal
8 year ending August 31, 2008; and

9 (2) \$12,500,000 and any unexpended balance of the
10 amount appropriated under Subdivision (1) of this subsection are
11 appropriated for the state fiscal year ending August 31, 2009.

12 (b) The appropriation made by Subsection (a) of this section
13 is contingent upon the development of a suitable plan of
14 reorganization approved by the Legislative Budget Board and the
15 Governor of the placement of the university under conservatorship
16 as defined by Chapter 2104, Government Code.

17 (c) The amounts appropriated by Subsection (a) of this
18 section shall be used for:

19 (1) proven academic success programs;

20 (2) existing graduate programs;

21 (3) undergraduate education; and

22 (4) initiatives to target enrollment growth.

23 (d) Not later than November 1 of each fiscal year, the
24 university shall submit to the Texas Southern University Board of
25 Regents, the Texas Higher Education Coordinating Board, the
26 Legislative Budget Board, and the governor a report describing the
27 use of the funds appropriated by Subsection (a) of this section that

1 states the goals to be achieved through use of the funds and
2 establishes timelines and milestones for showing progress in
3 meeting the goals. The report shall include proposed actions to be
4 taken in the event a milestone is not met.

5 SECTION 10. TEXAS FOREST SERVICE: REIMBURSEMENT FOR
6 WILDFIRE COSTS. In addition to amounts previously appropriated for
7 the state fiscal biennium ending August 31, 2007, the amount of
8 \$44,730,767 is appropriated out of the general revenue fund to the
9 Texas Forest Service for the two-year period beginning on the
10 effective date of this Act for the purpose of providing
11 reimbursement for costs related to wildfire.

12 SECTION 11. SAM HOUSTON STATE UNIVERSITY: TEXAS FORENSIC
13 SCIENCE COMMISSION EXPENSES. (a) In addition to amounts
14 previously appropriated for the state fiscal biennium ending August
15 31, 2007, the amount of \$45,000 is appropriated out of the general
16 revenue fund to Sam Houston State University for the two-year
17 period beginning on the effective date of this Act for the purposes
18 of paying salary, office, and travel expenses of the Texas Forensic
19 Science Commission under Article 38.01, Code of Criminal Procedure.

20 (b) From money appropriated by Subsection (a) of this
21 section, the commission is authorized to employ one full-time
22 equivalent employee (FTE) during the period covered by the
23 appropriation.

24 SECTION 12. ADJUTANT GENERAL'S DEPARTMENT: OPERATIONS. In
25 addition to amounts previously appropriated for the state fiscal
26 biennium ending August 31, 2007, the amount of \$1,681,615 is
27 appropriated out of the general revenue fund to the Adjutant

1 General's Department for the two-year period beginning on the
2 effective date of this Act for the purpose of paying salaries and
3 wages and providing for maintenance and operations.

4 SECTION 13. RESTORATION OF REDUCTIONS RELATED TO COMMERCIAL
5 AIR TRAVEL. In addition to amounts previously appropriated for the
6 state fiscal biennium ending August 31, 2007, the following amounts
7 are appropriated to the following agencies for the two-year period
8 beginning on the effective date of this Act for the purpose of
9 restoring reductions in appropriations for commercial air travel
10 made pursuant to Section 5.09, Article IX, Chapter 1369, Acts of the
11 79th Legislature, Regular Session, 2005 (the General
12 Appropriations Act):

13 (1) the Structural Pest Control Board is appropriated
14 \$2,595 out of the general revenue fund;

15 (2) the School for the Blind and Visually Impaired is
16 appropriated \$33,370 out of the general revenue fund;

17 (3) the School for the Deaf is appropriated \$139,207
18 out of the general revenue fund; and

19 (4) the Eleventh Court of Appeals, Eastland, is
20 appropriated \$3,383 out of the general revenue fund.

21 SECTION 14. SUPREME COURT: MULTI-DISTRICT LITIGATION. In
22 addition to amounts previously appropriated for the state fiscal
23 biennium ending August 31, 2007, the amount of \$50,747 is
24 appropriated out of the general revenue fund to the Supreme Court of
25 Texas for the two-year period beginning on the effective date of
26 this Act for the purpose of providing grants to appellate
27 courts for additional court staff to handle multi-district

1 litigation cases, such as cases related to asbestosis or silicosis,
2 appealed from the trial courts.

3 SECTION 15. HEALTH AND HUMAN SERVICES COMMISSION: PRIVATE
4 HOSPITAL UPPER PAYMENT LIMIT PROGRAM; TRANSFER FROM TEXAS TECH
5 HEALTH SCIENCES CENTER. (a) The Texas Tech University Health
6 Sciences Center shall transfer an amount of non-Medicaid
7 state-appropriated funds, not to exceed \$4,500,000, to the Health
8 and Human Services Commission during the state fiscal biennium
9 ending August 31, 2007. The comptroller in consultation with the
10 commission shall determine the time or times of the transfer. The
11 commission in consultation with the Legislative Budget Board, the
12 comptroller, and the health sciences center shall determine the
13 amount of the transfer based on achieving the optimal match of
14 available federal funds.

15 (b) The Health and Human Services Commission is authorized
16 to expend amounts transferred under Subsection (a) of this section
17 during the two-year period beginning on the date of the transfer for
18 the state contribution under the private hospital upper payment
19 limit program.

20 SECTION 16. HEALTH AND HUMAN SERVICES COMMISSION: TRANSFER
21 OF FUNDS APPROPRIATED FOR CHIP SERVICES. Notwithstanding any
22 provision of another Act making appropriations to the contrary, the
23 Health and Human Services Commission may, without the necessity of
24 prior approval by another officer or entity, transfer funds
25 appropriated to the commission under Goal C: CHIP Services by
26 Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005
27 (page II-70, General Appropriations Act), to other goals and

1 strategies as necessary to efficiently and effectively comply with
2 the provisions of this Act.

3 SECTION 17. HEALTH AND HUMAN SERVICES COMMISSION: STAFFING
4 AND CAPITAL BUDGET AUTHORITY IN LIEU OF CONTRACTED
5 RESPONSIBILITIES. (a) Notwithstanding any other provision in this
6 Act or another Act making an appropriation, if the executive
7 commissioner of the Health and Human Services Commission determines
8 that a service performed as of the effective date of this Act under
9 a contract would be more effectively performed by state personnel,
10 the executive commissioner may adjust the agency's full-time
11 equivalent employee (FTE) limitation prescribed by any Act making
12 an appropriation to the extent necessary to ensure the successful
13 assumption of such contracted duties, provided that the commission
14 has made corresponding adjustments in the scope of duties and
15 responsibilities under the affected contract. An increase in
16 agency staffing resulting from the executive commissioner's
17 determination under this section is subject to the following
18 requirements:

19 (1) the executive commissioner must notify the
20 Legislative Budget Board and the governor at least 10 days before
21 adjusting the budgeted FTE levels; and

22 (2) the executive commissioner must report on a
23 quarterly basis beginning December 1, 2007, to the Legislative
24 Budget Board and the governor the number of eligibility and related
25 support staff and any related costs under the appropriations made
26 to the commission for Strategy A.1.2, Integrated Eligibility and
27 Enrollment, by the applicable General Appropriations Act.

1 (b) Notwithstanding any other provision in an Act making an
2 appropriation, if the executive commissioner of the Health and
3 Human Services Commission determines that a service performed as of
4 the effective date of this Act under a contract would be more
5 effectively performed by state personnel, the Health and Human
6 Services Commission may exceed the capital budget authority
7 limitations provided elsewhere in an Act making an appropriation to
8 the extent necessary to acquire hardware, software, and office
9 space to support any assumed contracted duties and
10 responsibilities, provided that the commission has made
11 corresponding adjustments in the scope of the affected contract.
12 An increase in capital expenditures is subject to the following
13 requirements:

14 (1) the executive commissioner must notify the
15 Legislative Budget Board and the governor at least 10 days before
16 acquiring capital equipment; and

17 (2) the executive commissioner must include capital
18 acquisitions in required financial reporting to the Legislative
19 Budget Board and the governor.

20 (c) This section applies in relation to the Health and Human
21 Services Commission for the two-year period beginning on the
22 effective date of this Act.

23 SECTION 18. HEALTH AND HUMAN SERVICES COMMISSION: GENERAL
24 SUPPLEMENTAL APPROPRIATIONS. In addition to other amounts
25 appropriated for the state fiscal biennium ending August 31, 2007,
26 the amount of \$110,000,000 is appropriated out of the general
27 revenue fund and the amount of \$165,300,000 in federal matching

1 funds is appropriated to the Health and Human Services Commission
2 for the two-year period beginning on the effective date of this Act.
3 The amounts appropriated by this section may be expended by the
4 commission or transferred by the commission to a health and human
5 services agency for expenditure for any purpose for which the
6 Health and Human Services Commission or health and human services
7 agency received an appropriation under Chapter 1369, Acts of the
8 79th Legislature, Regular Session, 2005 (the General
9 Appropriations Act).

10 SECTION 19. HEALTH AND HUMAN SERVICES COMMISSION AND HEALTH
11 AND HUMAN SERVICES AGENCIES: *FREW V. HAWKINS* COMPLIANCE. (a) This
12 section provides direction, information, transfer authority,
13 capital budget authority, and full-time-equivalent employee (FTE)
14 authority in relation to the *Frew v. Hawkins* lawsuit regarding
15 amounts described by this section that are appropriated by any Act
16 of the 80th Legislature, Regular Session, 2007. This section does
17 not of itself make an appropriation.

18 (b) In this section:

19 (1) "Appropriating Act" means an Act of the 80th
20 Legislature, Regular Session, 2007, that makes one or more
21 appropriations.

22 (2) "Executive Commissioner" means the Executive
23 Commissioner of the Health and Human Services Commission.

24 (3) "*Frew v. Hawkins*" means the lawsuit styled *Linda*
25 *Frew, et al. v. Albert Hawkins, et al.*, Civil Action No. 3:93CA65
26 (U.S. Dist.--E.D. Tex.).

27 (4) "Health and human services agency" has the meaning

1 assigned by Section 531.001, Government Code.

2 (5) "Joint Motion" means the Joint Motion for Entry of
3 Agreed Corrective Action Order filed jointly by the plaintiffs and
4 defendants in *Frew v. Hawkins* on April 27, 2007.

5 (c) Contingent on applicable approval by the federal
6 judiciary and pursuant to the Joint Motion in *Frew v. Hawkins*, the
7 amount of \$1,779.9 million in All Funds, including \$706.7 million
8 in General Revenue, appropriated by any appropriating Act to the
9 Health and Human Services Commission (HHSC) may be used to improve
10 access to medically necessary services for members of the plaintiff
11 class in that lawsuit and to ensure compliance with the Consent
12 Decree and judicially-approved Corrective Action Plans in that
13 lawsuit during the state fiscal biennium ending August 31, 2009.
14 Notwithstanding any limitation on transfer authority prescribed by
15 any appropriating Act, the Executive Commissioner may transfer
16 amounts appropriated to the Health and Human Services Commission or
17 to a health and human services agency by any appropriating Act, in a
18 cumulative amount not to exceed the amounts described above in this
19 subsection, within and among the commission and the health and
20 human services agencies as necessary to accomplish the purposes
21 described by this section.

22 (d) The Executive Commissioner shall develop a plan
23 consistent with Subsection (c) of this section that details the
24 proposed expenditure of funds under this section in a manner that
25 addresses the requirements of the Consent Decree, the Joint Motion,
26 and the judicially-approved Corrective Action Plans in *Frew v.*
27 *Hawkins*, to the extent those judicially-approved Corrective Action

1 Plans supersede the Joint Motion. All expenditures by HHSC or a
2 health and human services agency that address the requirements of
3 the Consent Decree, the Joint Motion, or the judicially-approved
4 Corrective Action Plans in *Frew v. Hawkins* must be made pursuant to
5 the plan or a plan amendment. The Executive Commissioner shall
6 submit the plan to the Legislative Budget Board and the Governor not
7 later than September 1, 2007, or as soon thereafter as practical
8 following judicial approval of the Corrective Action Plans. The
9 Executive Commissioner may develop amendments to the plan as
10 necessary and shall submit any amendments to the plan to the
11 Legislative Budget Board and the Governor. In accordance with
12 Section 69, Article XVI, Texas Constitution, expenditures pursuant
13 to the plan or any plan amendment may not be made without the prior
14 approval of the Governor and the Legislative Budget Board.

15 (e) To the extent not otherwise superseded by the
16 judicially-approved Corrective Action Plans, the amounts described
17 by this section that may be used for purposes of *Frew v. Hawkins*
18 compliance may be used for the following purposes:

19 (1) a 25 percent increase in physician and other
20 professional reimbursement rates for services to children enrolled
21 in the medical assistance program and covered by the Joint Motion
22 (\$511.3 million in All Funds including \$203 million in General
23 Revenue);

24 (2) a 50 percent increase in dental reimbursement
25 rates for services to children enrolled in the medical assistance
26 program and covered by the Joint Motion (\$661.6 million in All Funds
27 including \$258.7 million in General Revenue);

1 (3) a targeted rate increase for certain specialists
2 for services to children enrolled in the medical assistance program
3 and covered by the Joint Motion (\$125.9 million in All Funds
4 including \$50 million in General Revenue);

5 (4) strategic dental and medical initiatives
6 concerning services to children enrolled in the medical assistance
7 program and covered by the Joint Motion (\$150 million in General
8 Revenue) which may include but are not limited to the following:

9 (A) mobile medical and dental vans and operations
10 in underserved areas of the state, commencing with health and human
11 services Region 11;

12 (B) stipends or other incentives that qualify for
13 federal financial participation to health care professionals who
14 provide health care services in an underserved area to children
15 enrolled in the medical assistance program;

16 (C) targeted rate adjustments not otherwise
17 included in Subdivisions (1)-(3) of this subsection that further
18 improve access for children enrolled in the medical assistance
19 program;

20 (D) improvements in medical transportation;

21 (E) improvements such as the Medicaid Access Card
22 that simplify access to medically necessary services and enhance
23 scheduling and notification of required check-ups and follow-up
24 care;

25 (F) appropriate efforts to provide specialty
26 services in or near underserved areas, such as providing for
27 regular, periodic clinics by specialists in communities that are

1 closer to underserved areas than the specialists' regular offices;
2 and

3 (G) other appropriate strategic initiatives to
4 improve the access to medically necessary services in underserved
5 areas of the state for children enrolled in the medical assistance
6 program and covered by the Joint Motion;

7 (5) implementation of the judicially-approved
8 Corrective Action Plans (\$113.4 million in All Funds including \$45
9 million in General Revenue); and

10 (6) reasonable variances in utilization or cost
11 estimates of the court-ordered Corrective Action Plans.

12 (f) Notwithstanding any provision of any appropriating Act
13 to the contrary, the Executive Commissioner is authorized to adjust
14 staffing levels and to acquire capital items to the extent the
15 Executive Commissioner determines is necessary to ensure
16 compliance with the judicially-approved Corrective Action Plans,
17 subject to the following requirements:

18 (1) staffing and capital equipment needs must be
19 described in adequate detail in the plan submitted by the Executive
20 Commissioner pursuant to Subsection (d) of this section, to the
21 extent such needs are known at the time the plan is submitted; and

22 (2) to the extent such needs are not known at that
23 time, the Executive Commissioner shall amend the plan and notify
24 the Legislative Budget Board and the Office of the Governor not
25 later than:

26 (A) the 30th day following the date the Executive
27 Commissioner determines that additional staffing and capital items

1 are required; and

2 (B) the 10th day before the date the number of
3 FTEs are adjusted or capital equipment is acquired in a manner that
4 differs from the original plan or an earlier amendment to the plan.

5 SECTION 20. HEALTH AND HUMAN SERVICES COMMISSION:
6 APPROPRIATION FOR *FREW V. HAWKINS* SETTLEMENT. (a) In this section,
7 "*Frew v. Hawkins*" has the meaning assigned by Section 19 of this
8 Act.

9 (b) The amounts appropriated by Subsection (c) of this
10 section are contingent on applicable approval of the settlement in
11 *Frew v. Hawkins* by the federal judiciary and are subject to Section
12 19 of this Act.

13 (c) In addition to amounts otherwise appropriated for the
14 state fiscal biennium ending August 31, 2009, the amount of \$706.7
15 million is appropriated out of the general revenue fund and the
16 amount of \$1,073.2 million in federal funds is appropriated to the
17 Health and Human Services Commission for the state fiscal biennium
18 ending August 31, 2009, for the purpose of complying with the
19 settlement in *Frew v. Hawkins*.

20 SECTION 21. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:
21 CPS REFORM. (a) In addition to amounts previously appropriated for
22 the state fiscal biennium ending August 31, 2007, the following
23 amounts are appropriated to the Department of Family and Protective
24 Services for the two-year period beginning on the effective date of
25 this Act to initiate child protective services reforms relating to
26 family group decision-making, in-home family support, redaction of
27 adoption records, improvement of court services, tablet personal

1 computers for conservatorship workers, and centralization of
2 background and criminal history checks:

3 (1) \$1,952,114 is appropriated out of the general
4 revenue fund; and

5 (2) \$3,383,451 in federal funds (TANF) is
6 appropriated.

7 (b) In addition to the number of full-time equivalent
8 employees (FTEs) the Department of Family and Protective Services
9 is authorized to employ by other law during the state fiscal year
10 ending August 31, 2007, the department may employ an additional 245
11 FTEs during the remainder of that period.

12 (c) In addition to the capital budget authority previously
13 granted for the state fiscal biennium ending August 31, 2007, the
14 Department of Family and Protective Services may use an additional
15 \$2,555,837 in capital budget authority for programming expenses
16 associated with providing tablet personal computers for
17 conservatorship workers, child-care licensing staff, and
18 residential child-care licensing staff.

19 SECTION 22. DEPARTMENT OF AGING AND DISABILITY SERVICES:
20 RESTORATION OF COMMUNITY CARE AND ICF-MR PROVIDER RATES TO FISCAL
21 YEAR 2003 LEVELS. (a) The following amounts are appropriated to
22 the Department of Aging and Disability Services for the purpose of
23 restoring provider rates to fiscal year 2003 levels in programs for
24 home and community-based services, in programs for community living
25 assistance and support services (CLASS), in the Texas Home Living
26 Waiver program, and in intermediate care facilities for the
27 mentally retarded (ICFs/MR):

1 (1) the amount of \$3,400,000 is appropriated out of
2 the general revenue fund and \$5,150,000 in federal funds is
3 appropriated for the two-year period beginning on the effective
4 date of this Act; and

5 (2) the amount of \$10,800,000 is appropriated out of
6 the general revenue fund and \$16,400,000 in federal funds is
7 appropriated for the state fiscal biennium ending August 31, 2009.

8 (b) The adjustment to provider rates for services described
9 by this section is effective January 1, 2007.

10 SECTION 23. DEPARTMENT OF AGING AND DISABILITY SERVICES:
11 INCREASE HOME HEALTH PROVIDER RATES IN FISCAL YEAR 2009. The
12 amount of \$18,000,000 is appropriated out of the general revenue
13 fund and \$27,270,000 in federal funds is appropriated to the
14 Department of Aging and Disability Services for the state fiscal
15 year ending August 31, 2009, for the purpose of providing a rate
16 increase to certain home health providers in fiscal year 2009. The
17 department of Aging and Disability Services may allocate these
18 funds as appropriate among the following General Appropriations Act
19 strategies:

- 20 (1) Strategy A.2.1, Primary Home Care;
21 (2) Strategy A.2.2, Community Attendant Services;
22 (3) Strategy A.3.1, Community-based Alternatives; and
23 (4) Strategy A.6.4, Promoting Independence Services.

24 SECTION 24. DEPARTMENT OF STATE HEALTH SERVICES:
25 ANTIVIRALS FOR INFLUENZA PANDEMIC. In addition to other amounts
26 appropriated for the state fiscal biennium ending August 31, 2009,
27 that may be used for this purpose, the amount of \$11,000,000 is

1 appropriated out of the general revenue fund to the Department of
2 State Health Services for the state fiscal biennium ending August
3 31, 2009, for the purpose of purchasing antiviral drugs for use in
4 the event of an influenza pandemic.

5 SECTION 25. COMPTROLLER OF PUBLIC ACCOUNTS: SUPPORT FOR
6 TAX ADMINISTRATION DUTIES AND STATEWIDE FISCAL RESPONSIBILITIES.
7 In addition to other amounts appropriated for the state fiscal
8 biennium ending August 31, 2007, the amount of \$4,100,000 is
9 appropriated out of the general revenue fund to the comptroller of
10 public accounts for the two-year period beginning on the effective
11 date of this Act for the purpose of supporting the comptroller's tax
12 administration duties and statewide fiscal responsibilities.

13 SECTION 26. GENERAL LAND OFFICE AND VETERANS' LAND BOARD:
14 DERELICT STRUCTURE REMOVAL. In addition to other amounts
15 appropriated for the state fiscal biennium ending August 31, 2007,
16 the amount of \$2,000,000 is appropriated out of the general
17 revenue-dedicated coastal protection account No. 27 to the General
18 Land Office and Veterans' Land Board for the two-year period
19 beginning on the effective date of this Act for the purpose of
20 removing and disposing of the Zeus jack rig, an off-shore oil
21 platform abandoned in the Freeport Channel. The agency shall seek
22 to recover all expenses from the scrap value and/or the owner of the
23 structure.

24 SECTION 27. SECRETARY OF STATE: COSTS OF MAY 12
25 CONSTITUTIONAL AMENDMENT ELECTION. In addition to other amounts
26 appropriated for the state fiscal biennium ending August 31, 2007,
27 the amount of \$5,000,000 is appropriated out of the general revenue

1 fund to the secretary of state for the two-year period beginning on
2 the effective date of this Act for the purpose of reimbursing each
3 county in this state for the expense incurred by the county in
4 conducting the election held on May 12, 2007, at which a proposed
5 amendment to the Texas Constitution was on the ballot.

6 SECTION 28. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:
7 HELOTES FIRE. In addition to other amounts appropriated for the
8 state fiscal biennium ending August 31, 2007, the amount of
9 \$2,800,000 is appropriated out of the general revenue-dedicated
10 solid waste disposal fees account No. 5000 to the Texas Commission
11 on Environmental Quality for the two-year period beginning on the
12 effective date of this Act for the purpose of supporting efforts to
13 extinguish the fire in or near the city of Helotes on property owned
14 by H.L. Zumwalt Construction, Inc., that poses a potential threat
15 to Edwards Aquifer groundwater.

16 SECTION 29. TEXAS YOUTH COMMISSION: OPERATING EXPENSES.
17 In addition to amounts previously appropriated for the state fiscal
18 biennium ending August 31, 2007, the amount of \$20,000,000 is
19 appropriated out of the general revenue fund to the Texas Youth
20 Commission for the two-year period beginning on the effective date
21 of this Act for the purpose of providing for the agency's operating
22 expenses and video surveillance needs. Notwithstanding any
23 limitation on the capital budget authority of the Texas Youth
24 Commission, the commission may expend the amount necessary from the
25 appropriation made by this section to acquire needed video
26 surveillance equipment.

27 SECTION 30. DATA CENTER SERVICES. (a) The following

1 amounts are appropriated for the state fiscal biennium ending
2 August 31, 2009, to the following agencies for the purpose of making
3 payments for data center services:

4 (1) \$154,354 is appropriated out of the general
5 revenue fund to the Railroad Commission of Texas;

6 (2) \$1,124,521 is appropriated out of the general
7 revenue fund and an additional \$4,856,648 is appropriated out of
8 general revenue dedicated accounts to the Texas Commission on
9 Environmental Quality;

10 (3) \$381,705 is appropriated out of the general
11 revenue fund, an additional \$17,699 is appropriated out of general
12 revenue dedicated accounts, and \$1,937,066 in federal funds is
13 appropriated to the Texas Workforce Commission;

14 (4) \$958,928 is appropriated out of the state highway
15 fund to the Texas Department of Transportation;

16 (5) \$2,734,431 is appropriated out of general revenue
17 dedicated accounts to the Parks and Wildlife Department;

18 (6) \$339,523 is appropriated out of the general
19 revenue fund to the Texas State Library and Archives Commission;

20 (7) \$773,164 is appropriated out of the general
21 revenue fund to the secretary of state;

22 (8) \$1,295,979 is appropriated out of the general
23 revenue fund, \$136,277 in other funds is appropriated, and \$778,098
24 in federal funds is appropriated to the Texas Education Agency;

25 (9) \$552,478 is appropriated out of the general
26 revenue fund, \$590,858 in other funds is appropriated, and \$10,995
27 in federal funds is appropriated to the Texas Higher Education

1 Coordinating Board;

2 (10) \$519,429 is appropriated out of the general
3 revenue fund to the Public Utility Commission of Texas;

4 (11) \$78,920 is appropriated out of the general
5 revenue fund to the General Land Office;

6 (12) \$1,929,901 is appropriated out of the general
7 revenue fund to the Office of the Attorney General;

8 (13) \$329,626 is appropriated out of the general
9 revenue fund to the Texas Alcoholic Beverage Commission;

10 (14) \$147,631 is appropriated out of the general
11 revenue fund to the Texas Department of Licensing and Regulation;

12 (15) \$2,466,681 is appropriated out of the general
13 revenue fund to the Texas Water Development Board; and

14 (16) \$839,500 is appropriated out of the general
15 revenue fund to the Texas Youth Commission.

16 (b) The amount of \$8,081,368 is appropriated out of the
17 general revenue fund to the Department of Information Resources for
18 the state fiscal year ending August 31, 2007, for the purpose of
19 transferring funds to state agencies as necessary for use by the
20 agencies in making payments for data center services.

~~21 (c) The following amounts are appropriated out of the
22 general revenue fund to the Department of Information Resources for
23 the purpose of paying one-time costs related to the data center
24 services contract.~~

~~25 (1) in addition to amounts previously appropriated for
26 the state fiscal biennium ending August 31, 2007, the amount of
27 \$32,335,000 is appropriated for the two-year period beginning on~~

~~1 the effective date of this Act, and~~

~~2 (2) in addition to other amounts appropriated for all
3 or part of the state fiscal biennium ending August 31, 2009, that
4 may be used for this purpose, the amount of \$34,385,000 is
5 appropriated for the state fiscal year ending August 31, 2008, and
6 the amount of \$9,935,000 is appropriated for the state fiscal year
7 ending August 31, 2009.~~

8 (d) As a result of reduced costs due to the implementation
9 of Chapter 1068, Acts of the 79th Legislature, Regular Session,
10 2005 (House Bill 1516), appropriations to the Employees Retirement
11 System for the state fiscal year ending August 31, 2007, are reduced
12 by the following amounts to reflect decreased retirement program
13 costs:

14 (1) appropriations out of the general revenue fund are
15 reduced by \$221,782;

16 (2) appropriations out of general revenue dedicated
17 accounts are reduced by \$58,608; and

18 (3) appropriations out of other funds are reduced by
19 \$88,412.

20 (e) As a result of reduced costs due to the implementation
21 of Chapter 1068, Acts of the 79th Legislature, Regular Session,
22 2005 (House Bill 1516), appropriations to the Employees Retirement
23 System for the state fiscal year ending August 31, 2007, are reduced
24 by the following amounts to reflect decreased insurance program
25 costs:

26 (1) appropriations out of the general revenue fund are
27 reduced by \$487,921;

1 (2) appropriations out of general revenue dedicated
2 accounts are reduced by \$128,937; and

3 (3) appropriations out of other funds are reduced by
4 \$194,507.

5 (f) As a result of reduced costs due to the implementation
6 of Chapter 1068, Acts of the 79th Legislature, Regular Session,
7 2005 (House Bill 1516), appropriations to the Comptroller of Public
8 Accounts for the state match for social security for the state
9 fiscal year ending August 31, 2007, are reduced by the following
10 amounts to reflect decreased social security costs:

11 (1) appropriations out of the general revenue fund are
12 reduced by \$263,044;

13 (2) appropriations out of general revenue dedicated
14 accounts are reduced by \$69,511; and

15 (3) appropriations out of other funds are reduced by
16 \$104,861.

17 (g) As a result of reduced costs due to the implementation
18 of Chapter 1068, Acts of the 79th Legislature, Regular Session,
19 2005 (House Bill 1516), appropriations to the Comptroller of Public
20 Accounts made by Section 13.17(b), Article IX, Chapter 1369, Acts
21 of the 79th Legislature, Regular Session, 2005 (the General
22 Appropriations Act), for the state fiscal year ending August 31,
23 2007, are reduced by the following amounts to reflect decreased
24 salary costs:

25 (1) appropriations out of the general revenue fund are
26 reduced by \$140,729;

27 (2) appropriations out of general revenue dedicated

1 accounts are reduced by \$37,189; and

2 (3) appropriations out of other funds are reduced by
3 \$56,101.

4 (h) As a result of reduced costs due to the implementation
5 of Chapter 1068, Acts of the 79th Legislature, Regular Session,
6 2005 (House Bill 1516), appropriations to the Texas Department of
7 Insurance for the state fiscal biennium ending August 31, 2009, are
8 reduced by the following amounts to reflect decreased costs:

9 (1) appropriations out of the general revenue fund are
10 reduced by \$912,610; and

11 (2) appropriations out of general revenue dedicated
12 accounts are reduced by \$1,153,023.

13 (i) As a result of reduced costs due to the implementation
14 of Chapter 1068, Acts of the 79th Legislature, Regular Session,
15 2005 (House Bill 1516), appropriations to the Department of Family
16 and Protective Services for the state fiscal biennium ending August
17 31, 2009, are reduced by the following amounts to reflect decreased
18 costs:

19 (1) appropriations out of the general revenue fund are
20 reduced by \$2,192,309; and

21 (2) federal funds appropriations are reduced by
22 \$371,007.

23 (j) As a result of reduced costs due to the implementation
24 of Chapter 1068, Acts of the 79th Legislature, Regular Session,
25 2005 (House Bill 1516), appropriations to the Department of Public
26 Safety for the state fiscal biennium ending August 31, 2009, are
27 reduced by the following amounts to reflect decreased costs:

1 (1) appropriations out of the state highway fund are
2 reduced by \$83,250; and

3 (2) appropriations out of general revenue dedicated
4 accounts are reduced by \$141,750.

5 (k) As a result of reduced costs due to the implementation
6 of Chapter 1068, Acts of the 79th Legislature, Regular Session,
7 2005 (House Bill 1516), appropriations to the Texas Building and
8 Procurement Commission for the state fiscal biennium ending August
9 31, 2009, are reduced by the following amounts to reflect decreased
10 costs:

11 (1) appropriations out of the general revenue fund are
12 reduced by \$844,083;

13 (2) appropriations out of general revenue dedicated
14 accounts are reduced by \$34,450; and

15 (3) appropriations out of other funds are reduced by
16 \$289,273.

17 (1) As a result of reduced costs due to the implementation
18 of Chapter 1068, Acts of the 79th Legislature, Regular Session,
19 2005 (House Bill 1516), appropriations out of the general revenue
20 fund to the Department of Agriculture for the state fiscal biennium
21 ending August 31, 2009, are reduced by \$105,478 to reflect
22 decreased costs.

23 (m) If this section makes an appropriation to an agency out
24 of general revenue dedicated accounts or out of other funds, or
25 reduces an agency's appropriation out of general revenue dedicated
26 accounts or out of other funds, under circumstances in which more
27 than one general revenue dedicated account or source of other funds

1 could be involved, the comptroller with the assistance of the
2 affected agency shall allocate the appropriation or reduction in
3 appropriations among the dedicated accounts or sources of other
4 funds according to:

5 (1) the amounts available in the affected accounts or
6 from the sources of other funds; and

7 (2) the extent to which the programs supported by the
8 dedicated accounts or sources of other funds are supported by the
9 appropriation or, in the case of a reduction in appropriations,
10 supported by the implementation of Chapter 1068, Acts of the 79th
11 Legislature, Regular Session, 2005 (House Bill 1516).

12 (n) The following amounts are appropriated for the state
13 fiscal biennium ending August 31, 2009, to the following agencies
14 for the purpose of making payments for data center consolidation
15 hardware upgrades and physical transfer of equipment:

16 (1) \$236,000 is appropriated out of the general
17 revenue fund to the Railroad Commission of Texas;

18 (2) \$108,858 is appropriated out of the general
19 revenue fund and an additional \$470,142 is appropriated out of
20 general revenue dedicated accounts to the Texas Commission on
21 Environmental Quality;

22 (3) \$226,919 is appropriated out of the general
23 revenue fund, an additional \$10,522 is appropriated out of general
24 revenue dedicated accounts, and \$1,151,559 in federal funds is
25 appropriated to the Texas Workforce Commission;

26 (4) \$214,000 is appropriated out of general revenue
27 dedicated accounts to the Parks and Wildlife Department;

1 (5) \$217,369 is appropriated out of the general
2 revenue fund, and an additional \$274,631 is appropriated out of
3 general revenue dedicated accounts to the Texas Department of
4 Insurance;

5 (6) \$44,000 is appropriated out of the general revenue
6 fund to the Texas State Library and Archives Commission;

7 (7) \$96,000 is appropriated out of the general revenue
8 fund to the Secretary of State;

9 (8) \$371,424 is appropriated out of the general
10 revenue fund, \$39,432 in other funds is appropriated, and \$225,144
11 in federal funds is appropriated to the Texas Education Agency;

12 (9) \$69,878 is appropriated out of the general revenue
13 fund, \$74,732 in other funds is appropriated, and \$1,390 in federal
14 funds is appropriated to the Texas Higher Education Coordinating
15 Board;

16 (10) \$23,000 is appropriated out of the general
17 revenue fund to the Public Utility Commission of Texas;

18 (11) \$1,980 is appropriated out of the general revenue
19 fund to the General Land Office;

20 (12) \$28,350 is appropriated out of the general
21 revenue dedicated accounts, and \$16,650 in other funds is
22 appropriated to the Department of Public Safety;

23 (13) \$141,000 is appropriated out of the general
24 revenue fund to the Office of the Attorney General;

25 (14) \$48,000 is appropriated out of the general
26 revenue fund to the Texas Alcoholic Beverage Commission;

27 (15) \$29,767 is appropriated out of the general

1 revenue fund, an additional \$1,195 is appropriated out of the
2 general revenue dedicated accounts, and \$10,038 in other funds is
3 appropriated to the Texas Building and Procurement Commission;

4 (16) \$126,582 is appropriated out of the general
5 revenue fund to the Texas Department of Agriculture;

6 (17) \$13,000 is appropriated out of the general
7 revenue fund to the Texas Department of Licensing and Regulation;

8 (18) \$83,000 is appropriated out of the general
9 revenue fund to the Texas Water Development Board; and

10 (19) \$138,000 is appropriated out of the general
11 revenue fund to the Texas Youth Commission.

12 SECTION 31. PREVIOUSLY AUTHORIZED DEFERRALS OF AUGUST 2007
13 PAYMENTS. (a) The following riders in Article II, Chapter 1369,
14 Acts of the 79th Legislature, Regular Session, 2005 (the General
15 Appropriations Act) are repealed:

16 (1) Rider 66 following the appropriations to the
17 Health and Human Services Commission;

18 (2) Rider 21 following the appropriations to the
19 Department of Aging and Disability Services;

20 (3) Rider 48 following the appropriations to the
21 Department of Aging and Disability Services; and

22 (4) Rider 25 following the appropriations to the
23 Department of Family and Protective Services.

24 (b) The following unencumbered amounts appropriated to the
25 Health and Human Services Commission for the state fiscal biennium
26 ending August 31, 2007, are transferred as follows:

27 (1) an amount not to exceed \$122,701,559 in general

1 revenue is transferred to the Department of Aging and Disability
2 Services for expenditure by the department during the state fiscal
3 year ending August 31, 2007, or if appropriate, during the state
4 fiscal year ending August 31, 2008, in connection with making
5 payments for August 2007 services; and

6 (2) an amount not to exceed \$12,792,244 in general
7 revenue is transferred to the Department of Family and Protective
8 Services for expenditure by the department during the state fiscal
9 year ending August 31, 2007, or if appropriate, during the state
10 fiscal year ending August 31, 2008, in connection with making
11 payments for August 2007 services.

12 SECTION 32. TRANSFERS TO DEPARTMENT OF ASSISTIVE AND
13 REHABILITATIVE SERVICES FOR VOCATIONAL REHABILITATION. The
14 unencumbered amount of \$1,541,628 in general revenue appropriated
15 to the Health and Human Services Commission for the state fiscal
16 biennium ending August 31, 2007, is transferred to the Department
17 of Assistive and Rehabilitative Services for expenditure by the
18 department during the two-year period beginning on the effective
19 date of this Act for vocational rehabilitation.

20 SECTION 33. TRANSFERS TO DEPARTMENT OF FAMILY AND
21 PROTECTIVE SERVICES FOR SUPPLEMENTAL NEEDS. An unencumbered amount
22 not to exceed \$13,047,000 in general revenue appropriated to the
23 Health and Human Services Commission for the state fiscal biennium
24 ending August 31, 2007, is transferred to the Department of Family
25 and Protective Services for expenditure by the department during
26 the two-year period beginning on the effective date of this Act for
27 the purpose of making foster care and adoption subsidy payments.

1 SECTION 34. APPROPRIATION REDUCTION: TEACHER RETIREMENT
2 SYSTEM, TRS-CARE. The unencumbered appropriations from the general
3 revenue fund appropriated to the Teacher Retirement System for use
4 during the state fiscal year ending August 31, 2007, by Chapter
5 1369, Acts of the 79th Legislature, Regular Session, 2005 (the
6 General Appropriations Act) under Strategy A.3.1 for the Teacher
7 Retirement System (Retiree Health - Supplemental Funds) are reduced
8 by the amount of \$76,644,468.

9 SECTION 35. REDUCTION IN VETOED FUNDS APPROPRIATION. The
10 appropriations made from general revenue by Section 13.18, Article
11 IX, Chapter 1369, Acts of the 79th Legislature, Regular Session,
12 2005 (the General Appropriations Act), are reduced by the amount of
13 \$472,818,424.

14 SECTION 36. DEPARTMENT OF AGING AND DISABILITY SERVICES:
15 REDUCTION IN CERTAIN SUPPLEMENTAL APPROPRIATIONS. The
16 appropriations made from general revenue by Section 5, Chapter
17 1362, Acts of the 79th Legislature, Regular Session, 2005 (House
18 Bill 10), are reduced by the amount of \$30,000,000.

19 SECTION 37. PRAIRIE VIEW A&M UNIVERSITY: APPROPRIATION FOR
20 ACADEMIC DEVELOPMENT INITIATIVE. (a) In addition to other amounts
21 appropriated for the state fiscal biennium ending August 31, 2009,
22 that may be used for this purpose, the following amounts are
23 appropriated out of the general revenue fund to Prairie View A&M
24 University for the purpose of funding the Academic Development
25 Initiative:

26 (1) \$5,000,000 is appropriated for the state fiscal
27 year ending August 31, 2008; and

1 (2) \$5,000,000 and any unexpended balance of the
2 amount appropriated under Subdivision (1) of this subsection are
3 appropriated for the state fiscal year ending August 31, 2009.

4 (b) The amounts appropriated by Subsection (a) of this
5 section shall be used for:

- 6 (1) proven academic success programs;
- 7 (2) existing graduate programs;
- 8 (3) undergraduate education; and
- 9 (4) initiatives to target enrollment growth.

10 (c) Prairie View A&M University and The Texas A&M University
11 System shall jointly create and submit an accountability report
12 outlining use of these funds by November 1 of each fiscal year to
13 the The Texas A&M University System Board of Regents, the Texas
14 Higher Education Coordinating Board, the Legislative Budget Board,
15 and the Governor. This accountability report shall set forth goals
16 to be achieved with the Academic Development Initiative funding,
17 establish milestones and timelines showing progress toward meeting
18 those goals. For milestones that are not met, the report will
19 include recommended actions to achieve the milestones or
20 recommended changes to more efficiently meet the goals of the
21 Academic Development Initiative.

22 SECTION 38. UNIVERSITY OF TEXAS MEDICAL BRANCH AT
23 GALVESTON: INTERRUPTIONS CAUSED BY HURRICANE RITA. (a) In
24 addition to other amounts appropriated for the two-year period
25 beginning on the effective date of this Act, that may be used for
26 this purpose, the amount of \$13,100,000 is appropriated out of the
27 general revenue fund to The University of Texas Medical Branch at

1 Galveston for the two-year period beginning on the effective date
2 of this Act, for the purpose of reimbursing the institution for
3 nonreimbursed losses resulting from interruptions in services and
4 operations caused by Hurricane Rita.

5 (b) It is the intent of the legislature that The University
6 of Texas Medical Branch at Galveston use the money appropriated by
7 Subsection (a) of this section in equal amounts in each fiscal year
8 of the state fiscal biennium for which the money is appropriated.

9 SECTION 39. UNIVERSITY OF HOUSTON: FINANCIAL NEEDS OF
10 HURRICANE KATRINA VICTIMS. In addition to other amounts
11 appropriated for the state fiscal biennium ending August 31, 2007,
12 the amount of \$2,550,000 is appropriated out of the general revenue
13 fund to the University of Houston for the two-year period beginning
14 on the effective date of this Act, for the purpose of meeting
15 financial needs of 930 students enrolled at the university who were
16 victims of Hurricane Katrina.

17 SECTION 40. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:
18 TARRANT COUNTY WALKER BRANCH FACILITY REMEDIATION. In addition to
19 other amounts appropriated for the state fiscal biennium ending
20 August 31, 2007, the amount of \$1,500,000 is appropriated out of the
21 general revenue-dedicated solid waste disposal fees account No.
22 5000 to the Texas Commission on Environmental Quality for the
23 two-year period beginning on the effective date of this Act for the
24 purpose of removing solid waste and recycling debris from the
25 Walker Branch facility in Fort Worth.

26 SECTION 41. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:
27 CONTINGENCY APPROPRIATION. Contingent of S.B. No. 1604 or similar

1 legislation being enacted by the 80th Legislature, Regular Session,
2 2007, and becoming law with immediate effect, the amount of
3 \$200,000 is appropriated, in addition to amounts previously
4 appropriated for the state fiscal biennium ending August 31, 2007,
5 to the Texas Commission on Environmental Quality out of the waste
6 management account (GR Dedicated Account No. 0549) for the two-year
7 period beginning on the effective date of this Act for the purpose
8 of implementing that legislation.

9 SECTION 42. DEPARTMENT OF STATE HEALTH SERVICES: HARRIS
10 COUNTY PSYCHIATRIC HOSPITAL. In addition to other amounts
11 appropriated for the state fiscal biennium ending August 31, 2009,
12 that may be used for this purpose, the amount of \$7,000,000 is
13 appropriated out of the general revenue fund to the Department of
14 State Health Services for the state fiscal biennium ending August
15 31, 2009, for the purpose of providing for the operations of The
16 University of Texas Harris County Psychiatric Center.

17 SECTION 43. DEPARTMENT OF STATE HEALTH SERVICES:
18 INFORMATION RESOURCES TECHNOLOGIES. (a) Notwithstanding the
19 limitations of Chapter 1369, Acts of the 79th Legislature, Regular
20 Session 2005 (the General Appropriations Act), the Department of
21 State Health Services shall transfer \$9,700,000 in general revenue
22 funds appropriated to the department by that act in Strategy
23 A.3.3., Kidney Health Care, to Strategy F.2.1, Capital Items-Public
24 Health. The department shall expend the funds transferred by this
25 section during the state fiscal year ending August 31, 2007, on
26 information technology projects.

27 (b) The capital budget authority granted for the state

1 fiscal biennium ending August 31, 2007, to the Department of State
2 Health Services by other law is increased by \$9,700,000 for that
3 biennium for the acquisition of information resources
4 technologies.

5 SECTION 44. PUBLIC UTILITY COMMISSION: SYSTEM BENEFIT
6 FUND. In addition to other amounts appropriated for the two-year
7 period beginning on the effective date of this Act that may be used
8 for this purpose, the amount of \$30,000,000 is appropriated out of
9 the system benefit fund (GR Dedicated Account No. 5100) to the
10 Public Utility Commission for the purpose of providing for the
11 low-income discount program.

12 SECTION 45. HEALTH AND HUMAN SERVICES COMMISSION:
13 COMMUNITY-BASED PREVENTION AND INTERVENTION PROGRAMS. In addition
14 to other amounts appropriated for the two-year period beginning on
15 the effective date of this Act, that may be used for this purpose,
16 the amount of \$4,000,000 is appropriated from the general revenue
17 fund to the Health and Human Services Commission for the purpose of
18 providing one-time facility start-up funds for a settlement house
19 in northeast Houston. The funding is contingent on Harris County
20 providing the operating costs for the facility and on the land for
21 the facility being donated.

22 SECTION 46. ANGELO STATE UNIVERSITY: UTILITIES. In
23 addition to amounts previously appropriated for the state fiscal
24 biennium ending August 31, 2007, the amount of \$50,000 is
25 appropriated out of the general revenue fund to Angelo State
26 University for the two-year period beginning on the effective date
27 of this Act for the purpose of making utility payments.

1 SECTION 47. HEALTH AND HUMAN SERVICES COMMISSION:
2 REDUCTION IN CHILDREN'S HEALTH INSURANCE PROGRAM. The unencumbered
3 appropriations from the general revenue fund appropriated to the
4 Health and Human Services Commission for use during the fiscal year
5 ending August 31, 2009, by House Bill 1, 80th Legislature, Regular
6 Session, 2007, under Strategy C.1.1. for the Children's Health
7 Insurance Program are reduced by the amount of \$15,700,000.
8 Additionally, federal funds are reduced by an amount of \$40,400,000
9 under strategy C.1.1., CHIP, for the fiscal year ending August 31,
10 2009.

11 SECTION 48. APPROPRIATION REDUCTION: TEXAS DEPARTMENT OF
12 CRIMINAL JUSTICE. The unencumbered appropriations from the general
13 revenue fund appropriated to the Texas Department of Criminal
14 Justice for use during the fiscal biennium ending August 31, 2009,
15 by House Bill 1, 80th Legislature, Regular Session, 2007, under
16 Strategy C.1.6., Institutional Operations and Maintenance, are
17 reduced by the amount of \$27,000,000.

18 SECTION 49. EFFECTIVE DATE. This Act takes effect
19 immediately.

David Dewhurst

President of the Senate

Tom Craddick

Speaker of the House

I certify that H.B. No. 15 was passed by the House on March 30, 2007, by the following vote: Yeas 144, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 15 on May 25, 2007, by the following vote: Yeas 113, Nays 30, 1 present, not voting; passed subject to the provisions of Article III, Section 49a, of the Constitution of the State of Texas.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 15 was passed by the Senate, with amendments, on May 23, 2007, by the following vote: Yeas 30, Nays 0; passed subject to the provisions of Article III, Section 49a, of the Constitution of the State of Texas.

Patsy Spall

Secretary of the Senate

I certify that the amounts appropriated in the herein H.B. No. 15, Regular Session of the 80th Legislature, are within amounts estimated to be available in the affected fund.

Certified June 5, 2007
Drew Combs
Comptroller of Public Accounts

APPROVED: 15 JUN 07
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10 PM O'CLOCK
JUN 15 2007
Roger Williams
Secretary of State

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

House Bill No. 15, a supplemental appropriations bill passed by the 80th Legislature, having been duly certified by the Comptroller of Public Accounts pursuant to Article III, Section 49a of the Texas Constitution, has been presented to me for action. The bill would appropriate an estimated \$1.8 billion from all fund sources, including \$532.8 million from the General Revenue Fund, over a three year period covering FY 2007, FY 2008, and FY 2009.

I am vetoing three appropriations to the Department of Information Resources in this bill to correct a drafting error. It was the publicly stated intent of the legislature not to fund all transitional costs this biennium related to implementation of the data center services contract; however, appropriations contained in Section 30c were mistakenly included in the enrolled bill. My line item vetoes associated with this error total \$76.6 million in general revenue and all funding sources.

I hereby object to and veto the following items from House Bill No. 15 and include a statement of my objections to each of those items.

Section 30c – Department of Information Resources

~~_____ (c) The following amounts are appropriated out of the general revenue fund to the Department of Information Resources for the purpose of paying one-time costs related to the data center services contract:~~

~~_____ (1) in addition to amounts previously appropriated for all or part of the state fiscal biennium ending August 21, 2007, the amount of \$32,335,000 is appropriated for the two-year period beginning on the effective date of this Act; and~~

~~_____ (2) in addition to other amounts appropriated for all or part of the state fiscal biennium ending August 31, 2009, that may be used for this purpose, the amount of \$34,385,000 is appropriated for the state fiscal year ending August 31, 2008, and the amount of \$9,935,000 is appropriated for the state fiscal year ending August 31, 2009.~~

This veto corrects a drafting error in the enrolled bill.

I have signed House Bill No. 15 together with this proclamation stating my objections to individual items of appropriation therein. In accordance with Article IV, Section 14 of the Texas Constitution, individual items of appropriation objected to shall be of no force or effect. The remaining portions of the bill shall be effective according to their terms. Since the legislature by its adjournment has prevented the return of this bill, I am filing this bill and these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10 PM O'CLOCK

JUN 15 2007



IN TESTIMONY WHEREOF, I
have signed my name officially
and caused the Seal of the State
to be affixed hereto at Austin,
this 15th day of June, 2007.

Rick Perry

RICK PERRY
Governor of Texas

ATTESTED BY:

Roger Williams
ROGER WILLIAMS
Secretary of State

June 15, 2007
Austin, Texas

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10 PM O'CLOCK
JUN 15 2007