

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

House Bill No. 1, the General Appropriations Act, having been duly certified by the Comptroller of Public Accounts pursuant to Article 3, Section 49a of the Texas Constitution, has been presented to me for review and action. I hereby object to and disapprove the following from House Bill No. 1:

Article I – General Government

Comptroller of Public Accounts

13. Contingency for Government Effectiveness and Efficiency Recommendations relating to the Texas Economic Development Act. ~~Contingent on enactment of House Bill 269, House Bill 3015, or similar legislation implementing recommendations to restructure the Texas Economic Development Act with respect to the authority of the state and local school districts, the economic impact evaluation, treatment of eligibility categories, job and wage requirements, and related fee authority by the Eighty-second Legislature, Regular Session, 2011, and contingent on the Comptroller of Public Accounts using the fee authority relating to this program to assess and collect funds sufficient to cover the costs associated with administering the Texas Economic Development Act, in addition to amounts appropriated above, the Comptroller of Public Accounts is hereby appropriated amounts estimated to be \$500,000 for fiscal year 2012 and \$500,000 for fiscal year 2013 from General Revenue Funds and the "Number of Full Time Equivalents" is increased by 6.0 in each fiscal year to carry out responsibilities related to the program.~~

~~In the event that legislation is not enacted by the Eighty-second Legislature, Regular Session, 2011, to restructure the Texas Economic Development Act and related fee authority as described herein, the Comptroller of Public Accounts shall perform statutory responsibilities required of the agency relating to the Economic Development Act, Chapter 313 of the Tax Code, out of amounts appropriated above.~~

This veto deletes a contingent rider for a bill that did not pass.

Employee Retirement of Texas

14. Contingency for Senate Bill 1811. ~~Contingent on enactment of Senate Bill 1811, or similar legislation relating to state contributions to the Law Enforcement and Custodial Officer Supplemental Retirement Fund from Operators and Chauffeurs License Account No. 99, by the Eighty-second Legislature, Regular Session, in addition to amounts appropriated above in Strategy A.1.2, Law Enforcement and Custodial Officer Supplemental Retirement Fund, the Employees Retirement System is hereby appropriated an estimated \$7,520,372 out of Operators and Chauffeurs License Account No. 99 in fiscal year 2013 for a state contribution of 0.5 percent to the Law Enforcement and Custodial Officer Supplemental Retirement Program in fiscal year 2013.~~

This veto deletes a contingent rider for a bill that did not pass.

Article II – Health & Human Services

Department of State Health Services

68. Contingency for Regulating Urgent Care Centers. ~~Contingent on passage of legislation relating to the licensure of urgent care centers, by the Eighty-second Legislature, Regular Session, the Department of State Health Services is appropriated \$1,273,416 for fiscal year 2012 and \$561,565 for fiscal year 2013 from the fees collected and deposited in the Urgent Care Center Licensing Fund. The number of "Full Time Equivalents (FTE)" is increased by 12.8 FTEs in fiscal year 2012 and 7.5 FTEs in fiscal year 2013.~~

This veto deletes a contingent rider for a bill that did not pass.

76. Contingency: Expand Physician Trauma Fellowship Slots. ~~Contingent on passage of legislation to fund the Expansion of physician and nursing trauma fellowships by the Department of State Health Services (DSHS), or similar legislation, by the Eighty-second Legislature, Regular Session, \$4,500,000 is~~

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

JUN 17 2011

~~appropriated to DSHS in the 2012-13 biennium out of General Revenue-Dedicated Account 5111, Designated Trauma Facility and EMS, for this purpose.~~

This veto deletes a contingent rider for a bill that did not pass.

Health & Human Services Commission

~~58. Contingency for Senate Bill 8. Contingent on the enactment of Senate Bill 8, or similar legislation relating to creation of an Institute of Health Care Quality and Efficiency and repeal of the Texas Health Care Policy Council, by the Eighty-second Legislature, Regular Session, 2011, appropriations in Strategy A.1.1, Enterprise Oversight and Policy, to the Health and Human Services Commission are increased by \$228,800 in fiscal year 2012 and \$228,800 in fiscal year 2013 in interagency contracts. The number of "Full-Time Equivalents (FTE)" is increased by 2.0 FTEs in fiscal year 2012 and 2.0 FTEs in fiscal year 2013.~~

This veto deletes a contingent rider for a bill that did not pass.

Article VII – Business & Economic Development

Department of Transportation

~~37. Contingency for Increasing the State Traffic Fine. Contingent on the enactment of House Bill 1233 or House Bill 258, or similar legislation relating to an increase in the state traffic fine, by the Eighty-second Legislature, Regular Session, 2011, the Department of Transportation is appropriated \$5,000,000 for fiscal year 2012 and \$5,000,000 for fiscal year 2013 from General Revenue Funds to implement the provisions of the legislation to enhance traffic safety and provide additional grants to law enforcement agencies to increase enforcement on weekend and holiday periods. This appropriation is contingent upon certification by the Comptroller of Public Accounts that revenue generated from the increase in the state traffic fine imposed by the legislation generates at least \$5,000,000 in fiscal year 2012 and \$5,000,000 in fiscal year 2013.~~

This veto deletes a contingent rider for a bill that did not pass.

~~47. Contingency for Public Education about Ban on Wireless Device Use While Driving. Contingent on enactment of Senate Bill 138, or similar legislation relating to the institution of a traffic violation for use of a wireless communication device while driving, by the Eighty-second Legislature, Regular Session, 2011, the Department of Transportation is appropriated \$500,000 for fiscal year 2012 and \$500,000 for fiscal year 2013 from the General Revenue Fund generated from Driver Responsibility Program collections to implement the provisions of the legislation and conduct public awareness and education about the ban on the use of wireless communication devices use while driving. This appropriation is contingent upon the Comptroller of Public Accounts certifying that revenue collections from surcharges assessed on traffic violations due to the ban on wireless communication devices established by this legislation will exceed amounts included in the Biennial Revenue Estimate for the Drivers Responsibility Program by at least \$500,000 in fiscal year 2012 and \$500,000 in fiscal year 2013.~~

This veto deletes a contingent rider for a bill that did not pass.

Article VIII – Regulatory

Department of Insurance

~~18. Contingency for Healthcare Payment and Delivery Reform Pilot Program. In addition to amounts appropriated above to the Texas Department of Insurance and contingent on enactment of House Bill 3790 or Senate Bill 1811, or similar legislation that would create a Payment and Delivery Reform Advisory Committee to prioritize healthcare cost and quality outcomes and related measurement methodologies for use in public and private payment and delivery reform demonstrations and pilots, by the Eight-second Legislature, Regular Session, the Texas Department of Insurance is appropriated in Strategy A.1.1, Consumer Education and Outreach, \$350,000 for fiscal year 2012 and \$550,000 for fiscal year 2013 in General Revenue—Insurance Companies Maintenance Tax and Insurance Department Fees. The number of "Full-Time Equivalents (FTE)" is increased by 1.0 FTE in fiscal years 2012-13 for the purpose of supporting the Committee and awarding grants in accordance with the provisions of the bill.~~

~~The agency shall develop grant application requirements, process, and award criteria and should report that information to the Legislative Budget Board and the Governor no later than January 1, 2012. The agency shall report a summary of the grants awarded to interested entities to the Legislative Budget Board and the Governor no later than January 1, 2013.~~

This veto deletes a contingent rider for a bill that did not pass.

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

JUN 17 2011

Article IX-General Provisions

Sec. 18.35. Contingency Appropriation for House Bill 175. Contingent on enactment of HB 175, relating to the on-premises consumption of certain alcoholic beverages; providing a penalty, by the Eighty-second Legislature, Regular Session, the Texas Alcoholic Beverage Commission is appropriated fee revenue not to exceed \$10,143 in General Revenue Funds in fiscal year 2012 and \$10,143 in General Revenue Funds in fiscal year 2013 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional fee revenue generated pursuant to HB 175.

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.36. Contingency for HB 189: Audit, Inspection, and Licensing for Ignition Interlock Devices. Contingent on enactment of HB 189, or similar legislation relating to the audit, inspection, and licensing for ignition interlock devices, by the Eighty-second Legislature, Regular Session, the Department of Public Safety is appropriated fee revenue not to exceed \$1,290,441 in fiscal year 2012 and \$1,172,580 in fiscal year 2013 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional fee revenue generated pursuant to House Bill 189. The "Number of Full-Time Equivalent Positions" indicated in the Department of Public Safety's bill pattern is increased by 17.0 in fiscal year 2012 and 17.0 in fiscal year 2013.

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.38. Contingency for HB 272 or SB 1432.

- a. — Contingent on enactment of HB 272 or SB 1432, or similar legislation relating to the operation of the Texas Windstorm Insurance Association and to the resolution of certain disputes concerning claims made to that association, by the Eighty-second Legislature, Regular Session, 2011, the Texas Department of Insurance is appropriated \$131,370 in fiscal year 2012 and \$121,767 in fiscal year 2013 from General Revenue Insurance Companies Maintenance Tax and Insurance Department Fees to implement the provisions of the legislation. The "Number of Full-Time Equivalents (FTE)" in the agency's bill pattern is increased by 2.0 FTEs in fiscal year 2012 and 2.0 FTEs in fiscal year 2013.
- b. — Contingent on enactment of HB 272 or SB 1432, or similar legislation relating to the operation of the Texas Windstorm Insurance Association and to the resolution of certain disputes concerning claims made to that association, by the Eighty-second Legislature, Regular Session, 2011, the Texas Public Finance Authority (TPFA) is appropriated \$750,000 in fiscal year 2012 out of Appropriated Receipts from the Texas Windstorm Insurance Association to implement the provisions of the legislation. Any unexpended balances in Appropriated Receipts made in this subsection and remaining as of August 31, 2012, are appropriated to TPFA for the same purposes for the fiscal year beginning September 1, 2012.

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.45. Contingency Appropriation for HB 1853/SB 1748. Contingent on enactment of HB 1853/SB 1748, or similar legislation relating to the licensing and regulation of certain employees of fire protection sprinkler system contractors, by the Eighty-second Legislature, Regular Session, the Texas Department of Insurance is appropriated \$141,977 in fiscal year 2012 and \$134,914 in fiscal year 2013 from General Revenue-Dedicated Texas Department of Insurance Operating Account Fund No. 036 to implement the provisions of the legislation. The "Number of Full-Time Equivalents (FTE)" in the agency bill pattern is increased by 2.5 FTEs in fiscal year 2012 and 3.0 FTEs in fiscal year 2013.

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.51. Contingency for HB 2365. Contingent on enactment of HB 2365, or similar legislation relating to certain responsibilities of education research centers and to a joint advisory board for education research centers, by the Eighty-second Legislature, Regular Session, the Texas Education Agency (TEA) is hereby appropriated \$347,901 in fiscal year 2012 and \$319,901 in fiscal year 2013 from the General Revenue Fund, to implement the provisions of the legislation. These appropriations are contingent upon the TEA assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover the appropriations for implementation of the legislation as well as associated "other direct and indirect costs" appropriated elsewhere in this Act. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Comptroller of Public Accounts may reduce the appropriation authority provided herein to be within the amount of revenue expected to be available.

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.53. Contingency for HB 2499: Transfer of Certain Functions to the Comptroller of Public Accounts from the Department of Information Resources.

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

JUN 17 2011

- a. ~~Contingent on the enactment of HB 2499, or similar legislation, by the Eighty Second Legislature, Regular Session, 2011, relating to the transfer of procurement functions under § 2157.068, Government Code, or other law relating to information and communications technology cooperative contracts, all amounts appropriated to the Department of Information Resources, including amounts appropriated in riders, related to the direct and indirect costs of administration of duties identified herein are hereby transferred and appropriated to the Comptroller of Public Accounts for the same purposes, as follows:~~

<u>Method of Finance</u>	<u>FY 2012</u>	<u>FY 2013</u>
Clearing Fund-Appropriated Receipts	\$6,366,024	\$5,962,541
Clearing Fund-Interagency Contracts	\$2,728,297	\$2,555,375
All Funds	\$9,094,321	\$8,517,916

~~In addition, 34.0 full-time equivalent positions shall be transferred to the Comptroller of Public Accounts each fiscal year of the 2012-13 biennium. All property, contracts, and funds shall transfer as set out in HB 2499, or similar legislation, at the direction of the comptroller.~~

- b. ~~Contingent on the enactment of HB 2499, or similar legislation, by the Eighty Second Legislature, Regular Session, 2011, relating to the transfer of procurement functions under Section 2157.068, Government code, in addition to amounts appropriated elsewhere in this Act, the Department of Information Resources (DIR) is appropriated \$4,830,827 in fiscal year 2012 and \$4,298,577 in fiscal year 2013 out of General Revenue to the following strategies: A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; A.1.3, Statewide Security; B.1.1, Contract Administration of IT Commodities & Services; B.2.3, Shared Services and/or Technology Centers; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services, to support DIR agency operations and implement the provision of HB 2499 and any additional responsibilities required by the Eighty-second Legislature, Regular Session, 2011. Any unexpended and unobligated balances remaining as of August 31, 2012 out of appropriations made herein are hereby appropriated for the same purposes to DIR for the fiscal year beginning September 1, 2012.~~

This veto deletes a contingent rider for a bill that I vetoed.

Sec. 18.61. Contingency for SB 8. ~~Contingent on enactment of SB 8, or similar legislation relating to creation of health care collaboratives, by the Eighty-second Legislature, Regular Session, 2011, out of the fees and assessments collected by the Department of Insurance, the Department is appropriated:~~

- a. ~~—\$171,094 for fiscal year 2012 and \$480,864 for fiscal year 2013 from General Revenue Insurance Companies Maintenance Tax and Insurance Department Fees, and~~
- b. ~~—\$256,640 for fiscal year 2012 and \$721,296 for fiscal year 2013 from General Revenue Dedicated Fund 36, the Texas Department of Insurance operating account to implement the provisions of the legislation. The number of "Full-Time Equivalents (FTE)" is increased by 6.0 FTEs in fiscal year 2012 and 13.0 FTEs in fiscal year 2013.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.64. Contingency for SB 127. ~~Contingent on enactment of SB 127, or similar legislation relating to the establishment, operation, and funding of charter schools, by the Eighty-second Legislature, Regular Session, any fees collected pursuant to the provisions of the legislation are hereby appropriated to the Texas Education Agency (TEA) to implement the provisions of the legislation. These appropriations are contingent upon the TEA assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover the appropriations for implementation of the legislation as well as associated "other direct and indirect costs" appropriated elsewhere in this Act. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Comptroller of Public Accounts may reduce the appropriation authority provided herein to be within the amount of revenue expected to be available.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.68. Contingency for SB 497. ~~Contingent on enactment of SB 497, or similar legislation relating to the construction or expansion of a wind powered electric generation facility located near a federally owned or operated radar installation or military installation, by the Eighty-second Legislature, Regular Session, all~~

~~fees collected from persons who provide written notice of a construction or expansion project to the commission under the provisions of the legislation shall be appropriated to the Public Utility Commission of Texas to cover the costs of administering the provisions of the legislation.~~

This veto deletes a contingent rider for a bill that did not pass.

~~Sec. 18.70. Contingency for SB 597. Contingent on enactment of SB 597, or similar legislation relating to the guarantee of open enrollment charter school bonds by the Permanent School Fund, by the Eighty-second Legislature, Regular Session, the Texas Education Agency (TEA) is hereby appropriated from the General Revenue Fund \$550,000 in each fiscal year of the 2012-13 biennium. These appropriations are contingent upon the TEA assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover the appropriations for implementation of the legislation as well as associated "other direct and indirect costs" appropriated elsewhere in this Act. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Comptroller of Public Accounts may reduce the appropriation authority provided herein to be within the amount of revenue expected to be available.~~

This veto deletes a contingent rider for a bill that did not pass.

~~Sec. 18.71. Contingency for SB 655: Railroad Commission Sunset Legislation. Contingent on enactment of SB 655, or similar legislation relating to the continuation, functions, and name of the Railroad Commission of Texas, by the Eighty-second Legislature, Regular Session:~~

~~a. **Oil and Gas Related Fees.** In addition to amounts appropriated above, the Texas Oil and Gas Commission (formerly Railroad Commission), and contingent on legislation creating an account to cover costs of the agency's oil and gas-related activities, by the Eighty-second Legislature, Regular Session, appropriations out of the General Revenue Fund are hereby reduced by \$16,766,209 in fiscal year 2012 and by \$16,716,472 in fiscal year 2013, and, to replace these appropriations, there is hereby appropriated \$16,766,209 in fiscal year 2012 and \$16,716,472 in fiscal year 2013 out of the Oil and Gas Regulation and Cleanup (OGRC) Fund created by the bill. The following amounts of General Revenue funding would be replaced with funding out of the OGRC Fund in the following strategies:~~

	<u>2012</u>	<u>2013</u>
Strategy A.1.1, Energy Resource Development	\$ 4,099,221	\$
4,070,349		
Strategy C.1.1, Oil and Gas Monitoring and Inspections	\$10,314,041	
\$10,350,753		
Strategy C.2.1, Oil and Gas Remediation	\$ 496,396	\$ 461,550
Strategy C.2.2, Oil and Gas Well Plugging	\$ 935,444	\$ 919,808
Strategy D.1.2, Public Information and Services	\$ 921,107	\$
914,012		
TOTAL	\$16,766,209	
\$16,716,472		

~~In addition, appropriations out of the Oil Field Cleanup Account No. 145 are hereby reduced by \$20,581,780 in fiscal year 2012 and by \$20,581,779 in fiscal year 2013, and, to replace these appropriations, there is hereby appropriated \$20,581,780 in fiscal year 2012 and \$20,581,779 in fiscal year 2013 out of the OGRC Fund created by the bill. The following amounts out of the General Revenue Dedicated Oil Field Cleanup Account No. 145 would be replaced with funding out of the OGRC Fund in the following strategies:~~

Strategy A.1.1, Energy Resource Development	\$ 1,114,744	\$
1,114,744		
Strategy C.1.1, Oil and Gas Monitoring and Inspections	\$ 851,800	\$
851,800		
Strategy C.2.1, Oil and Gas Remediation	\$ 3,786,565	\$ 3,786,565
Strategy C.2.2, Oil and Gas Well Plugging	\$14,690,620	\$14,690,620
Strategy D.1.2, Public Information and Services	\$ 138,051	\$
138,050		
TOTAL	\$20,581,780	
\$20,581,779		

~~b. **Alternative Fuels Research and Development Account No. 101.** Contingent upon enactment of legislation eliminating the Alternative Fuels Research and Education program, by the Eighty-second Legislature, Regular Session, appropriations to the Texas Oil and Gas Commission (formerly Railroad Commission) out of the Alternative Fuels Research and Development Account No. 101 are hereby decreased by \$931,377 in each fiscal year of the 2012-13 biennium. Accordingly, appropriations to Strategy A.2.1, Gas Utility Compliance, are hereby reduced by \$57,000 in each fiscal year of the 2012-13 biennium; appropriations to Strategy A.3.1, Promote~~

Alternative Energy, are hereby reduced by \$400,758 in each fiscal year of the 2012-13 biennium; and appropriations in Strategy A.3.2, Distribute LP Gas Rebates are hereby reduced by \$473,619 in each fiscal year of the 2012-13 biennium. In addition, the Number of Full Time Equivalents (FTE) is hereby reduced by 5.2 in each fiscal year of the 2012-13 biennium.

- e. ~~**Elimination of the Requirement of an Administrative Chief.**~~ Contingent upon enactment of legislation eliminating the requirement of an administrative chief at the Texas Oil and Gas Commission (formerly Railroad Commission), by the Eighty-second Legislature, Regular Session, appropriations to the Texas Oil and Gas Commission out of the General Revenue Fund are hereby reduced by \$126,938 in each fiscal year of the 2012-13 biennium and the Number of Full Time Equivalents (FTE) is hereby reduced by 1.0 in each fiscal year of the 2012-13 biennium.
- d. ~~**Expansion of Pipeline Safety Fee Use to Include Gas Utility Regulation.**~~ Contingent upon enactment of SB 655/SB 1811, or similar legislation allowing for the use of pipeline safety fees for gas utility regulatory functions, by the Eighty-second Legislature, Regular Session, and in addition to amounts appropriated herein, the Texas Oil and Gas Commission (formerly Railroad Commission) is hereby appropriated in each fiscal year of the 2012-13 biennium an amount not exceed \$233,000 in Strategy C.2.1, Gas Utility Compliance. This appropriation is contingent upon the Oil and Gas Commission increasing Pipeline Safety Fees and shall be limited to revenues deposited to the credit of Revenue Object Code 3553 in excess of the Comptroller's Biennial Revenue Estimate for 2012-13. The Texas Oil and Gas Commission (formerly Railroad Commission), upon completion of necessary actions to assess or increase the Pipeline Safety Fee, shall furnish copies of the minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Biennial Revenue Estimate for 2012-13, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.
- e. ~~**Regulation of Saltwater Pipelines.**~~ Contingent on enactment of legislation requiring the Texas Oil and Gas Commission (formerly Railroad Commission) to regulate saltwater pipelines by the Eighty-second Legislature, Regular Session, and in addition to amounts appropriated above, the Oil and Gas Commission is hereby appropriated \$1,486,286 in fiscal year 2012 and \$1,157,871 in fiscal year 2013 out of the Oil and Gas Regulation and Cleanup Fund, and the "Number of Full-Time Equivalents (FTE)" indicated herein for the Oil and Gas Commission is hereby increased by 16.0 FTEs in each fiscal year. This appropriation shall be limited to revenues to the Oil and Gas Regulation and Cleanup Fund in excess of the Comptroller's Biennial Revenue Estimate for 2012-13. This appropriation is contingent upon fee revenues from registration fees authorized by the bill and deposited to the credit of the Oil and Gas Regulation and Cleanup fund sufficient to generate, during the 2012-13 biennium, revenue to cover the appropriation for the regulation of aggregate production as well as "other direct and indirect costs" for the program appropriated elsewhere in this Act. "Other direct and indirect costs" are estimated to be \$224,000 in fiscal year 2012 and \$224,000 in fiscal year 2013. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available. The Texas Oil and Gas Commission, upon completion of necessary actions to assess or increase fees and surcharges deposited to the credit of the Oil and Gas Regulation and Cleanup Fund, shall furnish copies of the minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Biennial Revenue Estimate for 2012-13, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.
- f. ~~**Contested Case Hearings in the Barnett Shale Area.**~~ Contingent on enactment of legislation requiring the Texas Oil and Gas Commission (formerly Railroad Commission) to hold hearings on applications for wells in the Barnett Shale area, by the Eighty-second Legislature, Regular Session, and in addition to amounts appropriated above, the Oil and Gas Commission is hereby appropriated \$438,768 in each fiscal year of the 2012-13 biennium out of the Oil and Gas Regulation and Cleanup Fund, and the "Number of Full Time Equivalents (FTE)" indicated herein for the Oil and Gas Commission is hereby increased by 5.0 FTEs per fiscal year. This appropriation shall be limited to revenues to the Oil and Gas Regulation and Cleanup Fund in excess of the Comptroller's Biennial Revenue Estimate for 2012-13. This appropriation is contingent upon fee revenues from registration fees authorized by the bill and deposited to the credit of the Oil and Gas Regulation and Cleanup fund sufficient to generate, during the 2012-13 biennium, revenue to cover the appropriation for the regulation of aggregate production as well as "other direct and indirect costs" for the program appropriated elsewhere in this Act. "Other direct and indirect costs" are estimated to be \$70,000 in fiscal year 2012 and \$70,000 in fiscal year 2013. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of

~~Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available. The Texas Oil and Gas Commission, upon completion of necessary actions to assess or increase fees and surcharges deposited to the credit of the Oil and Gas Regulation and Cleanup Fund, shall furnish copies of the minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Biennial Revenue Estimate for 2012-13, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.~~

This veto deletes a contingent rider for a bill that did not pass.

~~Sec. 18.75. Contingency for SB 1035. Contingent on enactment of SB 1035, or similar legislation relating to motor vehicle title services and title service runners and the provision of penalties assessed by the Department of Motor Vehicles, by the Eighty-second Legislature, Regular Session, 2011, the Department of Motor Vehicles is appropriated \$173,879 in fiscal year 2012 from State Highway Fund No. 006 and \$173,879 in fiscal year 2013 from State Highway Fund No. 006 to implement the provisions of the legislation. This appropriation is also contingent on the Department of Motor Vehicles assessing fees pursuant to the provisions of the legislation in amounts sufficient to generate \$442,288 in revenue to State Highway Fund No. 006. Also, the "Number of Full-time Equivalents (FTEs)" indicated in agency's bill pattern shall be increased by 5.0 FTEs in fiscal year 2012 and 5.0 FTEs in fiscal year 2013 contingent upon the agency meeting the above revenue target. The Department of Motor Vehicles, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Motor Vehicles' minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the proposed fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of \$347,658 and other direct and indirect costs (estimated to be \$94,630 for the 2012-13 biennium).~~

This veto deletes a contingent rider for a bill that I vetoed.

~~Sec. 18.76. Contingency for SB 1081. Contingent on enactment of SB 1081, or similar legislation relating to the dispensing of pharmaceuticals with an aesthetic purpose by physicians and therapeutic optometrists, by the Eighty-second Legislature, Regular Session, the Optometry Board is appropriated \$25,000 in General Revenue Funds for fiscal year 2012 and \$14,000 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation. This appropriation is also contingent on the Optometry Board assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2012-13 biennium, \$46,244 in excess of \$1,489,000 (Object Code 3562 and 3570), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time Equivalents (FTE)" indicated in the Optometry Board's bill pattern shall be increased by 0.5 FTEs in fiscal year 2012 and 0.5 FTEs in fiscal year 2013 contingent upon the agency meeting the above revenue target. The Optometry Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Optometry Board's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of \$39,000 and other direct and indirect costs (estimated to be \$7,244 for the 2012-13 biennium).~~

This veto deletes a contingent rider for a bill that did not pass.

~~Sec. 18.79. Contingency for SB 1420: Comptroller. Contingent upon the enactment of SB 1420, or similar legislation relating to the continuation and functions of the Texas Department of Transportation, by the Eighty-second Legislature, Regular Session, 2011, and also contingent upon such enacted legislation establishing additional duties and responsibilities for the Comptroller of Public Accounts, the Comptroller of Public Accounts is hereby appropriated \$1,000,000 in General Revenue Funds for fiscal year 2012 and \$1,000,000 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation.~~

This veto deletes a contingent rider for a provision that did not pass.

~~Sec. 18.80. Contingency for SB 1811 or SB 1580. Contingent upon the enactment of SB 1580 or similar legislation allowing for the increase of certain licensing and public health service fees assessed by the Department of State Health Services (DSHS), by the Eighty-second Legislature, Regular Session, any additional revenues generated as a result of the fee increases certified by the Comptroller to be in excess of Comptroller of Public Accounts' January 2011 Biennial Revenue Estimate are appropriated to DSHS for the 2012-13 biennium for use in Strategy A.4.1, Laboratory Services, and Goal D, Consumer Protection Services.~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.83. Contingency for SB 1699: Use of Image Verification System. Contingent on enactment of SB 1699, or similar legislation relating to the use of an image verification system to determine fugitive status, by the Eighty-second Legislature, Regular Session, the Department of Public Safety is appropriated \$1,809,727 in fiscal year 2012 and \$929,398 in fiscal year 2013 from State Highway Fund 6 to implement the provisions of the legislation. The "Number of Full Time Equivalent Positions" indicated in the Department of Public Safety's bill pattern is increased by 15.0 in fiscal year 2012 and 15.0 in fiscal year 2013. In addition to capital budget authority provided elsewhere in this Act, the Department of Public Safety is provided \$790,600 in capital budget authority in fiscal year 2012 to implement provisions of the legislation.

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.85. Contingency for SB 1905. Contingent on enactment of SB 1905 or similar legislation relating to the provision of emergency services in certain rural counties using admission fees charged at state parks, by the Eighty-second Legislature, Regular Session, and contingent on additional revenues collected as a result of bill provisions, the Texas Parks and Wildlife Department is appropriated for the 2012-13 biennium an amount estimated to be \$129,534 per fiscal year from the General Revenue Dedicated State Parks Account No. 64 to implement the provisions of the legislation.

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.86. Contingency for HB 3595/HB 773. Contingent upon the enactment of HB 3595 or HB 773, or similar legislation relating to creating an energy efficiency council to coordinate administration of energy efficiency programs, by the Eighty-second Legislature, Regular Session, 2011, in addition to amounts appropriated elsewhere in this Act, the Fiscal Programs Comptroller of Public Accounts is appropriated \$103,000 in each fiscal year of the 2012-13 biennium from the General Revenue Fund in Strategy B.1.1, Energy Office, and the "Number of Full Time Equivalents (FTE)" is increased by 1.0 in each fiscal year of the 2012-13 biennium to implement the provisions of the legislation.

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.87. Contingency for SB 552 or HB 3595. Contingent upon the enactment of SB 552 or HB 3595, or similar legislation relating to the creation of the Energy Efficiency Coordination Council and to statewide energy efficiency, by the Eighty-second Legislature, Regular Session, 2011, in addition to amounts appropriated elsewhere in this Act, the Fiscal Programs Comptroller of Public Accounts is appropriated \$932,000 in fiscal year 2012 and \$432,000 in fiscal year 2013 from the General Revenue Fund in Strategy B.1.1, Energy Office, and the "Number of Full Time Equivalents (FTE)" is increased by 2.0 in each fiscal year of the 2012-13 biennium to implement the provisions of the legislation.

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.89. Contingency for HB 198. Contingent on enactment of HB 198, or similar legislation relating to the use of private procurement specialists for certain state agency contracts, by the Eighty-second Legislature, Regular Session, the Comptroller of Public Accounts is hereby appropriated \$584,000 in General Revenue Funds for fiscal year 2012 and \$584,000 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation. In addition, the "Number of Full Time Equivalents (FTE)" indicated in the agency's bill pattern is hereby increased by 1.0 FTE in fiscal year 2012 and 1.0 FTE in fiscal year 2013.

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.91. Contingency for SB 726. Contingent on enactment of SB 726, or similar legislation relating to the establishment of the judicial access and improvement account to provide funding for basic civil legal services, indigent defense, and judicial technical support through certain county service fees and court costs imposed to fund the account, by the Eighty-second Legislature, Regular Session, the Comptroller of Public Accounts is hereby appropriated \$330,000 in General Revenue Funds for fiscal year 2012 and \$112,000 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation.

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.102. Contingency for HB 3459. Contingent on enactment of HB 3459, or similar legislation relating to the containment of costs incurred in the correctional health care system, by the Eighty-second Legislature, Regular Session, the Department of Criminal Justice is appropriated an amount not to exceed \$7,705,800 in fiscal year 2012 and \$5,779,350 in fiscal year 2013 from inmate trust funds at a rate not to exceed \$100 per inmate per year for the purpose of providing correctional managed health care to inmates. Any unexpended and unobligated balances in the appropriations made herein as of August 31, 2012 and August 31, 2013 are lapsed to the General Revenue Fund.

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.111. Contingency for SB 1399/HB 2530. ~~Contingent on enactment of SB 1399/HB 2530, or similar legislation relating to the regulation of foundation repair contractors, by the Eighty-second Legislature, Regular Session, the Department of Licensing and Regulation is appropriated \$392,042 in General Revenue Funds for fiscal year 2012 and \$348,967 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation. This appropriation is also contingent on the Department of Licensing and Regulation assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2012-13 biennium, \$909,947 in excess of \$75,826,310 (Object Codes 3035, 3146, 3147, 3160, 3161, 3164, 3175, 3366, 3727) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time Equivalents (FTE)" indicated in agency's bill pattern shall be increased by 7.0 FTEs in fiscal year 2012 and 7.0 FTEs in fiscal year 2013 contingent upon the agency meeting the above revenue target. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Licensing and Regulation's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of \$741,009 and other direct and indirect costs (estimated to be \$168,938 for the 2012-13).~~

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.112. Contingency for SB 1811. ~~Contingent upon enactment of SB 1811, or similar legislation by the Eighty-second Legislature, Regular Session, 2011, relating to the transfer of General Revenue-Dedicated Texas Enterprise Fund Account No. 5107 appropriations to other state agencies, the Trusteed Programs within the Office of the Governor shall transfer \$20,000,000 from the General Revenue-Dedicated Texas Enterprise Fund Account No. 5107 to the Texas Workforce Commission for the Texas Back to Work Program.~~

If SB 1811, or similar legislation by the Eighty-second Legislature, Regular Session, 2011, relating to the transfer of General Revenue-Dedicated Texas Enterprise Fund Account No. 5107 appropriations to other state agencies is not enacted, it is the intent of the Legislature that the Trusteed Programs within the Office of the Governor award a grant in the amount of \$20,000,000 in the 2012-13 biennium out of the General Revenue-Dedicated Texas Enterprise Fund Account No. 5107 to the Texas Workforce Commission for the Texas Back to Work Program.

This veto deletes a contingent rider for a bill that did not pass.

Sec. 18.114. Contingency for HB 2969 or SB 1811. ~~Contingent on enactment of HB 2969/SB 1811, or similar legislation relating to the sale of state owned land or real property, by the Eighty-second Legislature, Regular Session:~~

- ~~a. In addition to amounts appropriated elsewhere in this act, the Texas Facilities Commission is appropriated, out of receipts generated by the operations of the state surplus property program, an amount not to exceed \$1,500,000 in Appropriated Receipts (Other Funds) for fiscal year 2012 in Strategy A.2.1, Building Design and Construction, to facilitate the relocation of the state surplus property program and Railroad Commission programs from the Austin Bolm Road Warehouse property to the Promontory Point property, and the relocation of Office of Attorney General operations from the Promontory Point facility to appropriate leased space. In the event that the actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority provided herein to be within the amount of revenue expected to be available. This appropriation is contingent upon the inclusion of the Austin Bolm Road Warehouse in the enacted legislation and shall be included in the capital budget authority for the Texas Facilities Commission.~~
- b. Out of amounts appropriated elsewhere in this act, the Office of the Attorney General (OAG) shall work with the Texas Facilities Commission to relocate necessary OAG operations at the Promontory Point facility to appropriate leased space, no later than December 31, 2011, to facilitate the relocation of the state surplus property program to the Promontory Point facility. This direction is contingent upon the inclusion of the Austin Bolm Road Warehouse in the enacted legislation.
- c. Out of amounts appropriated elsewhere in this act to the Texas Department of Transportation not more than \$15,462,000 of State Highway Fund revenue may be used in the 2012-13 biennium to relocate agency operations located at the Bull Creek Camp Hubbard Annex to the Cedar Park and Camp Hubbard facilities. This provision is contingent upon the inclusion of the Bull Creek Camp

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

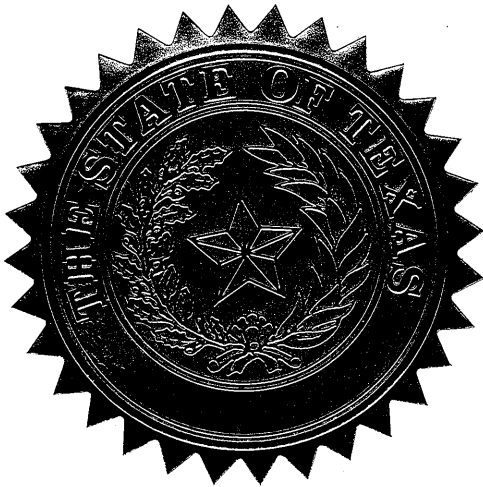
JUN 17 2011

Hubbard Annex property in the enacted legislation and shall be included in the capital budget authority for the Texas Department of Transportation.

This veto deletes a contingent rider for a bill that did not pass.

I have signed House Bill No. 1 together with this proclamation stating my objections in accordance with Article IV, Section 14 of the Texas Constitution.

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.



IN TESTIMONY WHEREOF, I
have signed my name officially
and caused the Seal of the State
to be affixed hereto at Austin,
this 17th day of June, 2011.

Rick Perry

RICK PERRY
Governor of Texas

ATTESTED BY:

Esperanza Andrade

ESPERANZA "HOPE" ANDRADE
Secretary of State

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

JUN 17 2011