



Request for Legislative Appropriations

**Fiscal Years
2008 and 2009**

Legislative Appropriations Request

for Fiscal Years 2008 and 2009

Submitted to the
Governor's Office of Budget, Planning and Policy
and the Legislative Budget Board

by

The Texas Parks & Wildlife Department

18-Aug-06

3.B. Rider Revisions and Additions Request

Agency Code: 802	Agency Name: Texas Parks and Wildlife Department	Prepared By: Julie Horsley	Date: 8/11/06	Request Level: Base																																																									
Current Rider Number	Page Number in 2006-07 GAA	Proposed Rider Language																																																											
2	VI-32	<p>Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;"></th> <th style="width: 15%; text-align: center;">2006 2008</th> <th style="width: 15%; text-align: center;">2007 2009</th> </tr> </thead> <tbody> <tr> <td>a. Acquisition of Land and Other Real Property</td> <td></td> <td></td> </tr> <tr> <td> (1) Land Acquisition</td> <td style="text-align: right;">\$2,100,000 & \$-UB</td> <td style="text-align: right;">\$UB</td> </tr> <tr> <td>b. Construction of Buildings and Facilities</td> <td></td> <td></td> </tr> <tr> <td> (1) Construction and Major Repairs</td> <td style="text-align: right;">11,812,609</td> <td style="text-align: right;">5,963,086 & UB</td> </tr> <tr> <td> -(1) Construction in Progress</td> <td style="text-align: right;">3,200,941 & UB</td> <td style="text-align: right;">UB</td> </tr> <tr> <td> -(2) Construction and Major Repairs</td> <td style="text-align: right;">2,416,666</td> <td style="text-align: right;">2,416,665 & UB</td> </tr> <tr> <td> -(3) Critical Repairs</td> <td style="text-align: right;">18,075,000</td> <td style="text-align: right;">UB</td> </tr> <tr> <td> -(4) East Texas Fish Hatchery</td> <td style="text-align: right;">15,000,000</td> <td style="text-align: right;">UB</td> </tr> <tr> <td> -(5) Admiral Nimitz State Historical Site</td> <td style="text-align: right;">0</td> <td style="text-align: right;">9,000,000</td> </tr> <tr> <td> -(6) San Jacinto Monument</td> <td style="text-align: right;">UB</td> <td style="text-align: right;">UB</td> </tr> <tr> <td> -(7) Game Warden Academy</td> <td style="text-align: right;">700,000</td> <td style="text-align: right;">UB</td> </tr> <tr> <td> -(8) Government Canyon Residences</td> <td style="text-align: right;">255,800 & UB</td> <td style="text-align: right;">UB</td> </tr> <tr> <td> Total, Construction of Buildings and Facilities</td> <td style="text-align: right;">\$39,648,407</td> <td style="text-align: right;">\$11,416,665</td> </tr> <tr> <td>c. Acquisition of Information Resource Technologies</td> <td></td> <td></td> </tr> <tr> <td> (1) Mainframe upgrades, microcomputers, and other equipment</td> <td style="text-align: right;">878,553 702,841</td> <td style="text-align: right;">878,553 702,842</td> </tr> <tr> <td>d. Transportation Items</td> <td></td> <td></td> </tr> <tr> <td> (1) Purchase of Vehicles</td> <td style="text-align: right;">2,498,631</td> <td style="text-align: right;">2,493,631</td> </tr> <tr> <td></td> <td style="text-align: right;"><u>2,152,800</u></td> <td style="text-align: right;"><u>1,963,300</u></td> </tr> </tbody> </table>				2006 2008	2007 2009	a. Acquisition of Land and Other Real Property			(1) Land Acquisition	\$2,100,000 & \$-UB	\$UB	b. Construction of Buildings and Facilities			(1) Construction and Major Repairs	11,812,609	5,963,086 & UB	-(1) Construction in Progress	3,200,941 & UB	UB	-(2) Construction and Major Repairs	2,416,666	2,416,665 & UB	-(3) Critical Repairs	18,075,000	UB	-(4) East Texas Fish Hatchery	15,000,000	UB	-(5) Admiral Nimitz State Historical Site	0	9,000,000	-(6) San Jacinto Monument	UB	UB	-(7) Game Warden Academy	700,000	UB	-(8) Government Canyon Residences	255,800 & UB	UB	Total, Construction of Buildings and Facilities	\$39,648,407	\$11,416,665	c. Acquisition of Information Resource Technologies			(1) Mainframe upgrades, microcomputers, and other equipment	878,553 702,841	878,553 702,842	d. Transportation Items			(1) Purchase of Vehicles	2,498,631	2,493,631		<u>2,152,800</u>	<u>1,963,300</u>
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**3.B. Rider Revisions and Additions Request
(continued)**

Agency Code: 802	Agency Name: Texas Parks and Wildlife Department	Prepared By: Julie Horsley	Date: 8/11/06	Request Level: Base
Current Rider Number	Page Number in 2006-07 GAA	Proposed Rider Language		
		e. Acquisition of Capital Equipment and Items		
		(1) Office, field, marine and lab equipment	250,079	255,079
			273,687	96,063
		Total, Capital Budget	\$17,539,872	\$9,590,349
			\$42,777,735	\$14,178,870
		Method of Financing (Capital Budget):		
		General Revenue	\$645,822	\$645,822
		General Revenue Fund- Dedicated		
		Game, Fish and Water Safety Account No. 009	5,172,860\$5,008	5,141,660\$4,76
			,639	1,907
		State Parks Account No. 064	230,555483,855	274,055371,763
		Subtotal, General Revenue Fund- Dedicated	\$5,403,415\$5,49	\$5,415,715\$5,1
			2,494	33,670
		Federal Funds	656,728622,819	46,30045,200
		Other Funds		
		Appropriated Receipts	4,161,094890,70	3,482,5120
			0	
		Bond Proceeds – General Obligation Bonds	6,672,81320,521	0
			,740	
		Bond Proceeds – Revenue Bonds	15,000,000	9,000,000
		Texas Parks Development Receipts	249,982	0
		Subtotal, Other Funds		
		Total, Method of Financing	\$17,539,872\$36,	\$9,590,349\$14,
			392,422	178,170

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

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3	VI-32	<p>Appropriation: Escrow Accounts. Included in the amounts appropriated above in Strategy A.1.1, Wildlife Conservation, Strategy A.2.1, Inland Fisheries Management, and Strategy A.2.3, Coastal Fisheries Management and Strategy B.1.1, State Park Operations are unexpended balances as of August 31, 2005 2007 , and any revenue received during this biennium (not to exceed estimated to be \$724,911 \$793,170 each fiscal year in Game, Fish, and Water Safety Account. 9; and \$80,546 each year in State Parks Account No. 64, and \$12,287 each fiscal year in Lifetime License Endowment Account No. 544), consisting of either principal or interest, from trust or escrow accounts set up to benefit the Texas Parks and Wildlife Department. <u>Any unexpended balances and revenue remaining as of August 31, 2007 and August 31, 2008 are appropriated for the same purpose for the fiscal years beginning September 1, 2007 and September 1, 2008 respectively.</u></p> <p><i>This rider was originally intended to authorize TPWD to expend funds in compliance with settlement and/or mitigation agreements. These agreements are often long-term, multi-year obligations that involve activities ranging from restoration of wetlands to monitoring habitat. TPWD is requesting revisions to this rider to: (1) specify that amounts are estimated; (2) expand strategy and MOF references to include State Parks-related mitigation agreements and payments for environmental damages; (3) clearly specify that UB authority is allowed both between biennia and within fiscal years of the biennium. These proposed revisions will help ensure that TPWD is able to fulfill existing contractual obligations and utilize funding that may be made available from future agreements.</i></p>		
7	VI-32	<p>Outreach Programs. Out of amounts appropriated above in Strategy B.2.2, Boating Access and Other Grants, the department shall continue partnership projects by contracting an amount equal to \$470,000 in each fiscal year of the 2006-07 biennium in partnership programs for underserved populations.</p> <p><i>Requesting deletion of this rider for the 2008-09 biennium. After accounting for the 10% reductions, the amount of funding available for grant awards will be significantly reduced.</i></p>		

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

Agency Code: 802	Agency Name: Texas Parks and Wildlife Department	Prepared By: Julie Horsley	Date: 8/11/06	Request Level: Base																				
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8	VI-32	<p>Appropriation: Unexpended Balance for Construction Projects. Included in amounts appropriated above in strategies A.1.1, Wildlife Conservation, B.1.1, State Park Operations, and D.1.1, Improvements and Major Repairs are unexpended balances from appropriations made for construction, repair, acquisition, and renovation projects and listed in the capital budget riders of Senate Bill No. 1 <u>House Bill No. 1</u>, Acts of the Seventy-seventh eighth <u>ninth</u> Legislature, Regular Session and House Bill No. 1 <u>Senate Bill No. 1</u>, Acts of the Seventy-eighth ninth <u>ninth</u> Legislature, Regular Session. These unexpended balances are estimated to be \$ 8,141,453 <u>\$3,339,341</u> out of the following funds as of August 31, 2007 <u>2005</u>:</p> <table style="margin-left: 40px; width: 80%;"> <tr> <td colspan="2"><u>General Revenue-Dedicated Accounts</u></td> </tr> <tr> <td>Game, Fish, and Water Safety Account No. 9</td> <td style="text-align: right;">\$ 0</td> </tr> <tr> <td>State Parks Account No. 64</td> <td style="text-align: right;">\$ 0</td> </tr> <tr> <td>Texas Parks and Wildlife Capital Account No. 5004</td> <td style="text-align: right;">\$ 0</td> </tr> <tr> <td> Federal Funds</td> <td style="text-align: right;"> \$ <u>598,128,577,619</u></td> </tr> <tr> <td colspan="2"> Other Funds</td> </tr> <tr> <td>Appropriated Receipts</td> <td style="text-align: right;">\$ <u>870,51265,000</u></td> </tr> <tr> <td>Texas Parks Development Fund No. 408</td> <td></td> </tr> <tr> <td> General Obligation Bonds</td> <td style="text-align: right;">\$ <u>249,982</u></td> </tr> <tr> <td>Bond Proceeds - General Obligation Bonds</td> <td style="text-align: right;">\$ <u>6,672,813,2,446,740</u></td> </tr> </table> <p>Unexpended balances remaining in such appropriation items at August 31, 2007 <u>2005</u> are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2007 <u>2005</u>. Unexpended balances in General Revenue-related accounts may not be carried forward from fiscal year 2007 <u>2005</u> to fiscal year 2008 <u>2006</u> without 45 days prior notification to the Legislative Budget Board and the Governor. Any appropriation made in this Act to the Texas Parks and Wildlife Department for construction and improvement projects shall include labor and all necessary costs involved in the project. It is provided, however, that the Texas Parks and Wildlife Department shall provide the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts a report by no later than December 1 of each fiscal year showing the progress and costs of all projects funded by appropriations made by the Seventy-eighth <u>seventh</u> and the Seventy- ninth <u>ninth</u> Legislatures.</p> <p><i>Requesting minor revisions to update text and estimates for the 2008-09 biennium.</i></p>			<u>General Revenue-Dedicated Accounts</u>		Game, Fish, and Water Safety Account No. 9	\$ 0	State Parks Account No. 64	\$ 0	Texas Parks and Wildlife Capital Account No. 5004	\$ 0	 Federal Funds	 \$ <u>598,128,577,619</u>	 Other Funds		Appropriated Receipts	\$ <u>870,51265,000</u>	Texas Parks Development Fund No. 408		General Obligation Bonds	\$ <u>249,982</u>	Bond Proceeds - General Obligation Bonds	\$ <u>6,672,813,2,446,740</u>
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10	VI-33	<p>State Parks, Community Concerns, and Inmate Labor. The Texas Parks and Wildlife Department is directed to give priority to community concerns regarding state parks, and may use inmates from the Texas Department of Criminal Justice to provide labor for park development and repair, and to provide labor for cleanup at beaches within state parks. <u>Additionally, the Texas Parks and Wildlife Department is hereby authorized to provide meals to TDCJ inmates when they are on-site and providing labor for development, repairs and cleanup of state parks.</u></p> <p><i>Requesting revision to rider for the 2008-2009 biennium to allow TPWD to purchase and provide meals to TDCJ inmate laborers when they are working at state parks. This authorization would allow the department to make more efficient and effective use of the inmate labor. Currently, TDCJ often removes inmate laborers to off-site locations for meals. Due to the remote location of many parks, this often causes a significant interruption in work and in some cases, means TPWD is able to only get a half day of labor from the inmates.</i></p>		
13	VI-33	<p>Lease Payments. Included in amounts appropriated above in Strategy D.1.4, Debt Service are lease payments of \$ 5,152,798 \$5,394,168 in fiscal year 2008 2006 and \$5,052,101 \$5,298,995 in fiscal year 2009 2007 out of the General Revenue Fund which shall be transferred to the Texas Public Finance Authority for debt service payments on revenue bonds or other revenue obligations as authorized by § 13.0045, Parks and Wildlife Code. Also included in amounts appropriated above in Strategy D.1.4, Debt Service are lease payments of \$315,000 in fiscal year 2007 out of the General Revenue Fund which shall be transferred to the Texas Public Finance Authority for debt service payments on \$9.0 million in revenue bonds or other revenue obligations for the Admiral Nimitz State Historic Site as authorized by § 22.233 of the Parks and Wildlife Code. Also included in the amounts appropriated above in Strategy D.1.4, Debt Service are lease payments of \$2,761,025 in fiscal year 2008 and \$2,760,625 in fiscal year 2009 out of the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 which shall be transferred to the Texas Public Finance Authority for debt service payments on revenue bonds or other obligations for the freshwater fish hatchery.</p> <p><i>Minor revisions requested to rider to update dollar amounts for 2008-09, remove references to lease payments associated with the Admiral Nimitz State Historical Site, which was transferred to the Texas Historical Commission as per House Bill 2025, and to add reference to debt service for the freshwater fish hatchery. The debt service estimates for the hatchery assume a 7-year repayment schedule.</i></p>		

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

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14	VI-34	<p>Appropriation: State-owned Housing Authorized. The Texas Parks and Wildlife Department (TPWD) shall recover at least 20 percent of the established fair market rental value of housing from persons residing in state-owned housing first employed before September 1, 2005 and 100 percent of the established fair market rental value of housing from persons residing in state-owned housing employed on or after September 1, 2005. If the TPWD requires an employee to live on-site in state-owned housing as a condition of employment, then the TPWD shall recover at least 20 percent of the established market rental value of housing regardless of the date of employment. Additionally, the TPWD will report biennially to the Legislative Budget Board and the Governor, the race, gender, and ethnicity, position title and classification, and salary of employees that reside in state-owned housing.</p> <p>Included in the amounts appropriated above is rental income collected from employee housing (estimated to be \$21,333 24,697 in Appropriated Receipts each fiscal year in Strategy A.1.1, Wildlife Conservation; estimated to be \$21,333 24,698 in Appropriated Receipts each fiscal year in Strategy A.2.2, Inland Hatcheries Operations; estimated to be \$21,334 24,698 in Appropriated Receipts each fiscal year in Strategy A.2.4, Coastal Hatcheries Operations; and, estimated to be \$215,037 202,941 in Appropriated Receipts each fiscal year in Strategy B.1.2, Parks Minor Repair Program.) The recovered funds are appropriated to the TPWD for maintenance or replacement of employee housing, consistent with provisions in Article IX, § 11.01 of this Act.</p> <p><u>Notwithstanding any other provision of this Act, the TPWD is hereby authorized to construct two new state-owned residences to provide 24-hour on-site supervision and maintenance for the new freshwater fish hatchery in East Texas at a cost not to exceed \$150,000 per residence.</u></p> <p><u>Additionally, notwithstanding the provisions in Article IX of this Act, the Texas Parks and Wildlife Department is authorized to expend amounts in excess of \$25,000 for the biennium, as necessary to repair or replace state-owned housing, provided that the department submits advanced notification to the Legislative Budget Board and the Governor's Office.</u></p> <p>Additionally, the TPWD is authorized to construct two new state-owned residences at Government Canyon State Park. Included in amounts appropriated above in fiscal year 2006 in Strategy D.1.1, Improvements and Major Repairs, is \$117,400 in Appropriated Receipts and \$138,400 in general obligation bond proceeds in fiscal year 2006 for this purpose. Any unexpended balances of these funds remaining as of August 31, 2006 are hereby appropriated to the TPWD for the fiscal year beginning September 1, 2006 for the same purpose.</p>		

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		<p><i>Requesting revision to update estimated amounts, remove outdated references, and add language (1) continuing the authorization for the department to construct state-owned residences at the new East Texas Fish Hatchery (see associated exceptional item) and (2) authorizing the department to exceed Article IX Sec. 11.01 limitations on the amounts that may be spent for purchasing, remodeling or repairing state-owned housing. Continued authority for construction of state-owned housing at the new East Texas Fish hatchery is needed because of increased construction costs, which have required the department to re-prioritize the use of existing revenue bonds authorized by the 79th Legislature. The Article IX provision from which TPWD is requesting an exemption has resulted in delays and limited TPWD's ability to resolve situations involving state-owned housing as they arise. For example, damage resulting from catastrophic events such as hurricanes or flooding can be in excess of \$25,000.</i></p>		
15	VI-34	<p>Indoor Recreational Facilities. Included in the amounts appropriated above in Strategy B.2.1, Local Park Grants, are interest earnings accrued as of August 31, 2005 and earned through the biennium ending August 31, 2007 in the Texas Recreation and Parks Account No. 467. From this account, the Texas Parks and Wildlife Department shall use an amount equal to \$835,125 of the total amounts allocated for grants in Strategy B.2.1, Local Park Grants for the 2006-07 biennium to fund local grants for the development of indoor recreation facilities. Any unexpended balances of such appropriations on August 31, 2006 are appropriated for the same purpose for the fiscal year beginning September 1, 2006.</p> <p><i>Requesting deletion of this rider for the 2008-09 biennium. After accounting for the 10% reductions, there would not be sufficient funds to provide adequate indoor recreation grant awards. Applying the same allocation used in 2006-07 to the grant funding available in 2008-09, TPWD has calculated that the allocation for Indoor grants would be only \$178,515 over the biennium (or \$89,258 per year). In past years, the average costs reflected in Indoor grant applications exceeded \$600,000 per project.</i></p>		

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

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16	VI-34	<p>Appropriation: License Plate Receipts. Included in amounts appropriated above in Strategies A.1.1, Wildlife Conservation, A.2.3, Coastal Fisheries Management, and B.1.1, State Park Operations, and C.2.3, Communication Products and Services, are all balances and revenue collected on or after September 1, 2007 2005 (estimated to be \$113,000 in Big Bend National Park Account No. 5030; \$40,000 55,000 in Waterfowl and Wetland Conservation License Plate Account No. 5057; \$12,000 30,976 in Texas Lions Camp License Plate Account No. 5116; \$12,000 28,679 in Marine Mammal Recovery License Plate Account No. 5120; and, \$0 in General Revenue associated with the sale of Texas PGA Junior Golf license plates over the biennium) from the sale of license plates, including any new license plates that the Texas Parks and Wildlife Department agrees to administer on behalf of a sponsoring organization, as provided by the Texas Transportation Code §§ 504.606 (Big Bend), 504.627 (Waterfowl and Wetland), 504.629 (Texas PGA Junior Golf), 504.644 (Marine Mammal Recovery), 504.656 (Texas Lions Camp), and 504.801 (other private nonprofit organizations).</p> <p><i>Under provisions of Chapter 504 of the Transportation Code, TPWD is responsible for administering revenue from several special license plates on behalf of other entities, such as Ducks Unlimited and the Friends of Big Bend. TPWD is requesting minor revisions to the rider to update for the 2008-09 biennium and remove an invalid strategy reference.</i></p>		
17	VI-34	<p>Reporting Requirements: Capital Equipment. The Texas Parks and Wildlife Department shall submit a report annually to the Legislative Budget Board and the Governor which documents all leases, purchases, donations, or acquisitions of major capital items. The capital equipment itemized in the report shall include, at a minimum, boats, motors, and other water safety equipment; vehicles; computers; and radio equipment. The report shall identify which strategy within the agency's budget is the source of funding for the item; the method of finance for the item; the cost or value of the item; the date the item was acquired; and the law enforcement district and region, state park or other agency facility to which the item has been delivered.</p> <p><i>This reporting requirement was added during the 77th Legislative session. Required reports have and will continue to be provided for the remainder of the 2006-07 biennium. However, the department requests deletion of the rider in 2008-09.</i></p>		

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

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20	VI-35	<p>Headquarters-based Vehicles. It is the intent of the Legislature that at any given point and time during the 2006-07 biennium, no more than 60 vehicles be assigned to the Texas Parks and Wildlife Department (TPWD) headquarters facility located in Austin, Texas. However, contingent on the TPWD relocating approximately 70 staff from Austin lease space to the headquarters facility, the number of vehicles that may be assigned to the headquarters facility is increased to 90 vehicles.</p> <p><i>Requesting deletion of this rider for the 2008-09 biennium. TPWD is currently in compliance with the rider provisions.</i></p>		
21	VI-35	<p>Appropriation of Certain Concession Receipts. Concession receipts generated as a result of the efforts of volunteer groups in state parks or other agency facilities are included in amounts appropriated above to Strategy B.1.1, State Park Operations (estimated to be \$75,000 in Appropriated Receipts for the biennium beginning September 1, 2005), and Strategy A.2.4, Coastal Hatcheries Operations (estimated to be \$100,000 105,000 in Appropriated Receipts for the biennium beginning September 1, 2007 2005). <u>In the event that the 10% funding reductions affecting the Coastal Fisheries Division are not restored, the estimate is reduced to \$0.</u> These concession receipts shall be credited for the benefit of the specific state park or other agency facility where the funds are generated by volunteer groups. Concession receipts generated as a result of the efforts of department employees or leased concession contracts with third parties are appropriated in the strategies above and are not subject to this rider.</p> <p><i>Requesting revisions to this rider in 2008-2009 to update estimated receipts and remove reference to State Park Operations. Additionally, language is added to reflect the fact that if 10% funding reductions are not restored, no receipts would be generated and the estimate would need to be reduced to zero.</i></p>		
22	VI-35	<p>Appropriation of Earned Federal Funds. It is the intent of the Legislature that the Texas Parks and Wildlife Department make efforts to maximize federal reimbursement of indirect costs for administering federal grants. Included in amounts appropriated above in Strategy E.1.1, Central Administration are earned federal funds received during fiscal year 2008 and 2009 2007 for this purpose (estimated to be \$225,000 <u>in each year</u>). Earned federal funds received under this provision are appropriated to the Texas Parks and Wildlife Department for use in agency operations.</p> <p><i>Requesting minor revisions to update for the 2008-09 biennium.</i></p>		

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23	VI-35	<p>Payments to License Agents. Included in amounts appropriated above in Strategy C.3.1, License Issuance, are amounts necessary for payments to license agents (estimated to be \$3,299,5153,657,000 in each fiscal year out of the Game, Fish and Water Safety Account No. 9). Such amounts shall be used for the sole purpose of payments to license agents for the costs of issuing and collecting money associated with the sale of licenses, stamp endorsements, permits, tags and other similar items issued under the Parks and Wildlife Code.</p> <p><i>Minor changes requested to update estimate for the 2008-09 biennium.</i></p>		

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Agency Code: 802	Agency Name: Texas Parks and Wildlife Department	Prepared By: Julie Horsley	Date: 8/11/06	Request Level: Base
Current Rider Number	Page Number in 2006-07 GAA	Proposed Rider Language		
24	VI-35	<p>Appropriation: East Texas Fish Hatchery. The Texas Public Finance Authority may issue revenue bonds or other revenue obligations in accordance with Texas Government Code, Chapter 1232 to finance construction, including construction project management and equipping, a freshwater fish hatchery for the Texas Parks and Wildlife Department (TPWD) in East Texas, at an estimated project cost of \$15,000,000. From the proceeds of such bonds or other obligations, the Texas Public Finance Authority is hereby appropriated such amounts as may be necessary to pay costs associated with the issuance, including the costs of issuing the bonds or other obligations, reasonably required reserve funds, and capitalized interest, if any.</p> <p>From the remaining proceeds of the bonds or other obligations, the TPWD is hereby appropriated such amounts as are necessary to pay the costs of the construction of the fish hatchery, including project management and equipping the hatchery. Notwithstanding any other provision of this Act, the TPWD is hereby authorized to construct two new state-owned residences to provide 24-hour on-site supervision and maintenance for the new hatchery at a cost not to exceed \$150,000 per residence. When this new hatchery becomes operational, the TPWD is directed to close an existing fish hatchery in East Texas and to stop housing employees at the state-owned residences at that site. It is the intent of the Legislature that bonds be used to accelerate the construction and replacement of inland fish hatcheries and that once sufficient revenue from freshwater fish stamp proceeds have accumulated in the Game, Fish and Water Safety Account No. 9, these funds shall be used to retire all outstanding debt obligations.</p> <p>Included in the amounts appropriated above in Strategy D.1.4, Debt Service are lease payments of \$525,000 in fiscal year 2006 and \$1,263,750 in fiscal year 2007 out of the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 which shall be transferred to the Texas Public Finance Authority for debt service payments on revenue bonds or other obligations issued in fiscal year 2006 for the hatchery. Additionally, included in amounts appropriated above in Strategy A.2.2, Inland Hatcheries Operations is \$150,000 per fiscal year for the purposes of stocking freshwater fish.</p> <p><i>Requesting deletion of this rider for the 2008-09 biennium. The project is currently in the design stage and TPWD expects construction to start next spring, with the full \$15 million encumbered in FY2007. To ensure continued authority for construction of state-owned housing at the new East Texas fish hatchery, related language has been added to Rider #14.</i></p>		

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

Agency Code: 802	Agency Name: Texas Parks and Wildlife Department	Prepared By: Julie Horsley	Date: 8/11/06	Request Level: Base
Current Rider Number	Page Number in 2006-07 GAA	Proposed Rider Language		
25	VI-36	<p>Unexpended Balances Appropriation: Sale of Game Warden Academy. In the event that the sale of the department's existing Game Warden Academy is not finalized in the 2006-2007 biennium, the Texas Parks and Wildlife Department (TPWD) is hereby appropriated authorized to carry forward any unexpended balances of appropriations authorized by the 79th Legislature and associated with the proceeds from the sale of the department's existing Game Warden Academy facility at 100 West 50th Street in Austin. (not to exceed \$700,000) in fiscal year 2006, and included in amounts appropriated above in Strategy D.1.1, Improvements and Major Repairs) Additional proceeds resulting from an increase in appraised value of the Game Warden Academy facility (estimated to be \$500,000), shall be used for the purpose of constructing and equipping a new Texas Game Warden Academy. Notwithstanding any other provision in this Act, the TPWD is hereby authorized to construct two new state-owned residences to provide 24-hour on-site supervision and maintenance for the new Texas Game Warden Academy at a cost not to exceed \$150,000 per residence.</p> <p><i>A proposal for sale of the existing Game Warden Academy is currently pending at the General Land Office. In the event that the land sale does not take place during this biennium, TPWD is requesting revisions to this rider to clearly specify that UB authority is provided for the land sale proceeds. Additionally, the revisions would specify that any additional proceeds which may result from an increase in the appraised value of the property (currently estimated at \$1.2 million total) would be used for constructing and equipping the new Texas Game Warden Academy. The actual request for appropriation of these amounts is via the new Land Sale Proceeds rider below.</i></p>		

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

Agency Code: 802	Agency Name: Texas Parks and Wildlife Department	Prepared By: Julie Horsley	Date: 8/11/06	Request Level: Base
Current Rider Number	Page Number in 2006-07 GAA	Proposed Rider Language		
27	VI-36	<p>Appropriation of Receipts out of General Revenue-Dedicated Accounts. For the biennium beginning September 1, 2007 2005, the Texas Parks and Wildlife Department (TPWD) is hereby appropriated any additional revenues that are certified by the Comptroller's finding of fact and deposited to an account of the department that are in excess of the amounts reflected in the Comptroller's Biennial Revenue Estimate for each year of the biennium (estimated to be \$0 1,500,000 each fiscal year in the General Revenue-Dedicated Game Fish and Water Safety Account No. 9 and \$01,500,000 each fiscal year in the General Revenue-Dedicated State Parks Account No. 64). Any unexpended balances and additional revenue collections in excess of the Biennial Revenue Estimate as of August 31, 2008 2006 are hereby appropriated for the fiscal year beginning September 1, 2008 2006. The TPWD is specifically authorized to expend these funds for purposes authorized by the Parks and Wildlife Code, including capital budget purposes. Such expenditures must comply with limitations established for salary, travel, and capital expenditures, employment levels, and other provisions contained in Article IX of this Act.</p> <p>On March 1 of each year, the TPWD shall notify the Comptroller of Public Accounts, the Legislative Budget Board, and the Governor of the amount that the department projects will be received in excess of the amount contained in the Comptroller's Biennial Revenue Estimate for each of the department's General Revenue-Dedicated accounts along with sufficient information to reflect how that estimate was determined. If the Comptroller finds the information sufficient to support the projection of additional revenues, a finding of fact to that effect shall be issued to reflect the additional revenue available for each General Revenue-Dedicated account. It is the intent of the legislature that in the event the Comptroller issues a finding of fact that additional revenue is available in the State Parks Account No. 64 and the Game, Fish and Water Safety Account No. 9 that the first \$1,565,058 in additional revenue to State Parks Account No. 64 be allocated to Strategy B.1.1, State Park Operations and Strategy B.1.3, Parks Support to restore operations, services and staffing at state parks; and that the first \$1,317,465 in additional revenue to Game, Fish and Water Safety Account No. 9 be allocated to Strategy C.1.2, Warden Training Academy and Strategy C.1.1, Enforcement Programs to restore funding for game warden cadet classes and law enforcement.</p> <p><i>Requesting minor revisions to rider language. Actual estimated amounts are unavailable at this time and will be provided once the final Comptroller Biennial Revenue Estimate is issued.</i></p>		

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

Agency Code: 802	Agency Name: Texas Parks and Wildlife Department	Prepared By: Julie Horsley	Date: 8/11/06	Request Level: Base
Current Rider Number	Page Number in 2006-07 GAA	Proposed Rider Language		
28	VI-37	<p>Appropriation: Admiral Nimitz State Historic Site. The Texas Parks and Wildlife Department (TPWD) is hereby authorized for expansion of the Admiral Nimitz State Historic Site at a cost not to exceed \$9,000,000 in revenue bonds, which is included in the amounts appropriated above in Strategy D.1.1, Improvements and Major Repairs in fiscal year 2007.</p> <p><i>Requesting deletion for the 2008-09 biennium. The Nimitz Museum was transferred to the Texas Historical Commission under provisions of House Bill 2025, 79th Regular Session.</i></p>		
29	VI-37	<p>Battleship TEXAS. It is the intent of the Legislature that \$16,090,050 in federal Transportation Enhancement Program funds administered by the Texas Department of Transportation be made available during the biennium for the Battleship TEXAS project if the Battleship TEXAS project meets federal grant requirements of the Transportation Enhancement Program as defined by federal Department of Transportation, Federal Highway Administration federal regulations in Title 23 of the United States Code. The Texas Parks and Wildlife Department (TPWD) in conjunction with the Texas Department of Transportation will review the Battleship TEXAS project to determine if the Battleship TEXAS project meets the federal Transportation Enhancement Program guidelines in Title 23 of the United States Code. It is the intent of the Legislature that funds appropriated above would cover the administration costs of the Battleship TEXAS project approved for federal Transportation Enhancement Program funds.</p> <p>In addition, the Texas Department of Transportation may redirect obligated funds previously obligated for the Battleship TEXAS project under the Transportation Enhancement Program to other available projects should the Battleship TEXAS project fail to receive federal approval or federal Transportation Enhancement Program funds are not available due to changes in federal laws, rules, regulations, or appropriations.</p> <p>It is the intent of the Legislature that the funds awarded are to complete dry dock repairs to the Battleship TEXAS.</p> <p><i>Requesting deletion of this rider for the 2008-09 biennium. TPWD submitted an application to TxDOT for this funding in March 2006 and is currently waiting on approval from the federal highway agency and the TxDOT Commission.</i></p>		

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

Agency Code: 802	Agency Name: Texas Parks and Wildlife Department	Prepared By: Julie Horsley	Date: 8/11/06	Request Level: Base
Current Rider Number	Page Number in 2006-07 GAA	Proposed Rider Language		
30	VI-37	<p>South Padre Island Birding and Nature Center. From funds appropriated above, the Texas Parks and Wildlife Department shall allocate up to \$1,000,000 of matching funds for the South Padre Island Birding and Nature Center construction.</p> <p><i>Requesting deletion of this rider in 2008-2009. TPWD has received the application from the City of South Padre Island, and will request commission approval of this grant award at the August 2006 commission meeting.</i></p>		
701	VI-	<p>Appropriation: Land Sale Proceeds. Included in amounts appropriated above in Strategy D.1.1. Improvements and Major Repairs, and D.1.2. Land Acquisition, are all balances (including balances from the sale of the Game Warden Academy) as of August 31, 2007, and all proceeds collected on or after September 1, 2007 (balances and revenues estimated to be \$3.3 million in appropriated receipts) from the sale of Texas Parks and Wildlife Department lands, including the sale of land identified as underutilized and sold by the General Land Office. In accordance with Parks and Wildlife Code 13.009, the balances and proceeds from the sale of these lands may be used only to improve or acquire other real property dedicated to the same purpose for which the land sold was dedicated. Any unexpended balances and revenue remaining as of August 31, 2008 are appropriated for the same purpose for the fiscal year beginning September 1, 2008.</p> <p><i>During the current biennium, TPWD's authority to purchase land was restricted only to unexpended balances remaining from 2004-2005 appropriations for land acquisition. For the 2008-09 biennium, TPWD is requesting authority to expend balances and proceeds from the sale of TPWD lands (including the Game Warden Academy) to improve and acquire new lands, in accordance with provisions of the Parks and Wildlife Code. This additional authority would allow the department to take advantage of favorable land purchasing opportunities as they arise and assist TPWD in meeting the land acquisition goals set forth in the Land and Water Conservation Plan.</i></p>		

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

Agency Code: 802	Agency Name: Texas Parks and Wildlife Department	Prepared By: Julie Horsley	Date: 8/11/06	Request Level: Base
Current Rider Number	Page Number in 2006-07 GAA	Proposed Rider Language		
702	VI-	<p>Strategy D.1.1 Transferability Provisions. The Texas Parks and Wildlife Department is hereby exempted from the 12.5% strategy transfer limitations contained in Article IX, Section 6.08 of this Act when appropriations are transferred from any Texas Parks and Wildlife Department strategy into Strategy D.1.1, Improvements and Major Repairs. Appropriations transferred from any Texas Parks and Wildlife Department strategy into Strategy D.1.1, Improvements and Major Repairs shall be subject to the 25% transferability limitations contained in Article IX, Section 6.16, Limitation on Expenditures-Capital Budget.</p> <p><i>TPWD Strategy D.1.1. Major Improvements and Repairs is intended to reflect the agency's capital budget authority for construction and major repairs. Throughout the year, it is possible that the need for additional construction and major repair projects is identified within other strategies. To accurately reflect these amounts according to the budget structure, TPWD would need to transfer the amounts to Strategy D.1.1. but is limited in doing so due to the 12.5 % limitation on strategy transfers contained in Article IX, Sec. 6.08 (Appropriation Transfers). As these transfers are capital budget-related, TPWD is requesting that they be subject to the 25% limitations found in Article IX, Sec.6.16 (Limitation on Expenditures- Capital Budget) instead.</i></p>		
703	VI-	<p>Capital Budget Transferability. In the event that the Capital Budget rider contained in this Act lists specific and multiple items to be funded under each major capital budget category (e.g. Construction of Buildings and Facilities, Transportation Items, etc), the 25% transferability limitations set forth in Article IX, Sec.6.16 (i) 2 of this Act shall be construed as applicable to each major capital budget category rather than each individual item.</p> <p><i>Article IX, Sec. 6.16(i)(2) limits capital budget transfers to 25% of either the amount of the capital budget item from which funds are being transferred or the amount of the capital budget item to which funds are being transferred. The 2006-2007 General Appropriations Act provided a much more specific listing of items within the construction capital budget category than had historically been shown in TPWD's capital budget rider. This greater level of detail has had the effect of reducing TPWD's ability to address changes in construction needs as they arise. TPWD requests an exemption from these provisions to better address changing priorities from operating to construction during a given fiscal year.</i></p>		