

3.B. Rider Revisions and Additions Request

Agency Code: 802	Agency Name: Texas Parks and Wildlife Department	Prepared By: Alejandro Farias	Date: 08-19-08	Request Level: Base
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Current Rider Number	Page Number in 2008-09 GAA	Proposed Rider Language																																																									
2	VI-34	<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 style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;"></th> <th style="text-align: right; width: 15%;"><u>2010 2008</u></th> <th style="text-align: right; width: 15%;"><u>2011 2009</u></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;">\$2,150,000 & <u>UB 11,700,000</u></td> <td style="text-align: right;">\$2,150,000 4,300,000</td> </tr> <tr> <td>b. Construction of Buildings and Facilities</td> <td style="text-align: right;"><u>\$73,886,831</u></td> <td style="text-align: right;"><u>\$11,745,190</u></td> </tr> <tr> <td> (1) Construction of Buildings and Facilities</td> <td style="text-align: right;">19,428,436</td> <td style="text-align: right;">14,010,831</td> </tr> <tr> <td> (2) Construction and Major Repairs (New Proposition 8)</td> <td style="text-align: right;">17,000,000</td> <td style="text-align: right;">0</td> </tr> <tr> <td> (3) Construction and Major Repairs (SJR 65/SB2003)</td> <td style="text-align: right;">14,620,000</td> <td style="text-align: right;">37,500,000</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;"><u>\$1,821,503</u></td> <td style="text-align: right;"><u>\$1,821,504</u></td> </tr> <tr> <td> (2) Data Center Consolidation</td> <td style="text-align: right;">2,010,811 <u>\$2,700,089</u></td> <td style="text-align: right;">1,921,503 <u>\$2,700,089</u></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;">2,700,059 <u>\$6,647,914</u></td> <td style="text-align: right;">2,700,089 <u>\$6,702,998</u></td> </tr> <tr> <td>e. Acquisition of Capital Equipment and Items</td> <td></td> <td></td> </tr> <tr> <td> (1) Office, field, marine and lab equipment</td> <td style="text-align: right;">6,429,946 <u>\$2,556,629</u></td> <td style="text-align: right;">5,507,556 <u>\$2,522,258</u></td> </tr> <tr> <td> (2) Capital Equipment</td> <td style="text-align: right;">450,079 <u>2,958,534</u></td> <td style="text-align: right;">455,079 <u>2,958,534</u></td> </tr> <tr> <td>f. Other Lease Payments to the Master Lease Purchase Program (MLPP)</td> <td></td> <td></td> </tr> <tr> <td> (1) Austin Headquarters-HVAC-Energy Savings Conservation Project</td> <td style="text-align: right;"><u>\$127,000</u></td> <td style="text-align: right;"><u>\$127,000</u></td> </tr> <tr> <td>— Total, Acquisition of Capital Equipment and Items</td> <td style="text-align: right;"><u>\$3,408,613</u></td> <td style="text-align: right;"><u>\$3,413,613</u></td> </tr> <tr> <td>Total, Capital Budget</td> <td style="text-align: right;"><u>\$89,889,966</u> 77,297,865</td> <td style="text-align: right;"><u>\$27,769,039</u> 69,353,592</td> </tr> </tbody> </table>		<u>2010 2008</u>	<u>2011 2009</u>	a. Acquisition of Land and Other Real Property			(1) Land Acquisition	\$2,150,000 & <u>UB 11,700,000</u>	\$2,150,000 4,300,000	b. Construction of Buildings and Facilities	<u>\$73,886,831</u>	<u>\$11,745,190</u>	(1) Construction of Buildings and Facilities	19,428,436	14,010,831	(2) Construction and Major Repairs (New Proposition 8)	17,000,000	0	(3) Construction and Major Repairs (SJR 65/SB2003)	14,620,000	37,500,000	c. Acquisition of Information Resource Technologies			(1) Mainframe upgrades, microcomputers, and other equipment	<u>\$1,821,503</u>	<u>\$1,821,504</u>	(2) Data Center Consolidation	2,010,811 <u>\$2,700,089</u>	1,921,503 <u>\$2,700,089</u>	d. Transportation Items			(1) Purchase of Vehicles	2,700,059 <u>\$6,647,914</u>	2,700,089 <u>\$6,702,998</u>	e. Acquisition of Capital Equipment and Items			(1) Office, field, marine and lab equipment	6,429,946 <u>\$2,556,629</u>	5,507,556 <u>\$2,522,258</u>	(2) Capital Equipment	450,079 <u>2,958,534</u>	455,079 <u>2,958,534</u>	f. Other Lease Payments to the Master Lease Purchase Program (MLPP)			(1) Austin Headquarters-HVAC-Energy Savings Conservation Project	<u>\$127,000</u>	<u>\$127,000</u>	— Total, Acquisition of Capital Equipment and Items	<u>\$3,408,613</u>	<u>\$3,413,613</u>	Total, Capital Budget	<u>\$89,889,966</u> 77,297,865	<u>\$27,769,039</u> 69,353,592
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3.B. Rider Revisions and Additions Request (continued)

	<u>2010-2008</u>	<u>2011-2009</u>
Method of Finance (Capital Budget):		
General Revenue	<u>\$1,394,261</u>	<u>\$1,394,260</u>
	606,079	186,079
<u>Sporting Goods Sales Tax-Transfer to State Parks Account No. 64</u>	<u>\$150,000</u>	<u>\$150,000</u>
<u>Sporting Goods Sales Tax-Transfer to Texas Parks and Recreation Account No. 467</u>	<u>\$0</u>	<u>\$28,000</u>
<u>Subtotal, General Revenue</u>	<u>\$1,544,261</u>	<u>\$1,572,260</u>
<u>General Revenue Fund – Dedicated</u>		
Game, Fish and Water Safety Account No. 9	<u>\$17,840,781</u>	<u>\$15,051,916</u>
	13,192,896	15,661,713
State Parks Account No. 64	<u>\$8,810,990</u>	<u>\$8,780,990</u>
	7,915,818	7,959,331
Texas Parks and Wildlife Capital and Conservation Account No. 5004	<u>\$110,169</u>	<u>\$110,169</u>
	696,867	110,169
<u>Subtotal, General Revenue Fund – Dedicated</u>	<u>\$26,761,940</u>	<u>\$23,943,075</u>
	21,805,581	23,731,213
Federal Funds	<u>\$3,773,976</u>	<u>\$2,253,704</u>
	2,832,298	46,300
<u>Other Funds</u>		
Appropriated Receipts	<u>\$717,972</u>	<u>\$0</u>
	13,761,094	7,890,000
Bond Proceeds – General Obligation Funds	<u>\$57,091,817</u>	<u>\$0</u>
	38,292,813	37,500,000
Subtotal, Other Funds	<u>\$57,809,789</u>	<u>\$0</u>
	52,053,907	45,390,000
Total, Method of Financing	<u>\$89,889,966</u>	<u>\$27,769,039</u>
	77,297,865	69,353,592

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

<p>3</p>	<p>VI-36</p>	<p>Appropriation: Escrow Accounts. Included in the amounts appropriated above in Strategy A.1.1, Wildlife Conservation, Strategy A.2.1, Inland Fisheries Management, Strategy A.2.3, Coastal Fisheries Management, and Strategy B.1.1, State Park Operations are any unexpended balances as of August 31, 2009 2007 (not to exceed \$1,194,723 in the Game, Fish, and Water Safety Account No. 9 and not to exceed \$294,000 in the State Parks Account No. 64), and any revenue received during the 2010-2011 biennium (balances and revenues estimated to be \$1,194,723 each fiscal year in the Game, Fish and Water Safety Account No. 9 and \$294,000 each fiscal year in the State Parks Account No. 64), consisting of either principal or interest, from trust or escrow accounts set up to benefit the Texas Parks and Wildlife Department. Any unexpended balances and revenue remaining as of August 31, 2010 2008 are appropriated for the same purpose for the fiscal year beginning September 1, 2010 2008.</p> <p><i>This rider is intended to authorize TPWD to expend funds in compliance with settlement and/or mitigation agreements. These agreements are often long-term, multi-year obligations that involve activities ranging from restoration of wetlands to monitoring habitat. TPWD requests revisions: (1) to specify that amounts are estimated; (2) to include language regarding revenue received during the 2010-2011 biennium in both the Game, Fish and Water Safety Account No. 9 and State Parks Account No. 64.</i></p>
<p>4</p>	<p>VI-36</p>	<p>Authorization: Purchase of Evidence. From the amounts appropriated above, the Texas Parks and Wildlife Department is hereby authorized to establish a cash fund, for the purchase of evidence and/or information and surveillance deemed necessary by the department for enforcement of laws under the Parks and Wildlife Code, the Water Code and other statues enforced by the department.</p> <p><i>TPWD's environmental crimes unit may enforce laws related to fish and game under the Water Code or other statutes. Expanding this language would ensure these funds can be used in support of all the TPWD enforcement matters.</i></p>
<p>6</p>	<p>VI-36</p>	<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 2008-2009 biennium in partnership programs for underserved populations.</p> <p><i>Request deletion of this rider for the 2010-11 biennium. Deleting this rider would allow TPWD more flexibility in allocating funding to various grant efforts based on actual needs.</i></p> <p><i>However, if this rider is continued, TPWD requests language that would provide UB authority between FY2010 and FY2011 and modify the estimate to be equivalent to the grant program funding (\$1,250,000 per year). With regard to UB, the ability to carryover unexpended balances to the next fiscal year of the biennium is needed to allow flexibility in the award process to use all the funding available. Many factors are considered in the local parks award process and it is very difficult to estimate the exact amount to be awarded by a certain date. This results in grantees being forced to accept partial funding, or in funds not being awarded and lapsed. The carryover of unexpended balances during the biennium is a standard provision for funds that may take more than one fiscal year to be fully awarded.</i></p>

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

7	VI-36	<p>Appropriation: Unexpended Balance for Construction Projects. Included in amounts appropriated above in strategy D.1.1, Improvements and Major Repairs are unexpended balances from appropriations made for construction, repair, acquisition, and renovation projects and listed in the capital budget riders of House Bill No. 1, Acts of the Seventy-eighth Legislature, Regular Session and Senate Bill No. 1, Acts of the Seventy-ninth Legislature, Regular Session and House Bill No. 1, Acts of the Eightieth Legislature, Regular Session. These unexpended balances are estimated to be \$62,042,056 <u>8,141,453</u> out of the following funds as of August 31, 2009 <u>2007</u>:</p> <table data-bbox="785 354 1806 695"> <tr> <td colspan="2"><u>General Revenue-Dedicated Accounts</u></td> </tr> <tr> <td>Game, Fish and Water Safety Account No. 9</td> <td style="text-align: right;"><u>\$2,688,995</u></td> </tr> <tr> <td>State Parks Account No. 64</td> <td style="text-align: right;">0</td> </tr> <tr> <td>Texas Parks and Wildlife Conservation and Capital Account No. 5004</td> <td style="text-align: right;">0</td> </tr> <tr> <td>Federal Funds</td> <td style="text-align: right;"><u>\$1,543,272</u></td> </tr> <tr> <td></td> <td style="text-align: right;"><u>598,128</u></td> </tr> <tr> <td colspan="2"><u>Other Funds</u></td> </tr> <tr> <td>Appropriated Receipts</td> <td style="text-align: right;"><u>\$717,972</u></td> </tr> <tr> <td></td> <td style="text-align: right;"><u>870,512</u></td> </tr> <tr> <td>Bond Proceeds - General Obligation Bonds</td> <td style="text-align: right;"><u>\$57,091,817</u></td> </tr> <tr> <td></td> <td style="text-align: right;"><u>6,672,813</u></td> </tr> </table> <p>Unexpended balances remaining in such appropriation items at August 31, 2009 <u>2007</u> are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2009 <u>2007</u>. Unexpended balances in General Revenue-related accounts may not be carried forward from fiscal year 2009 <u>2007</u> to fiscal year 2010 <u>2008</u> without 45 days prior notification to the Legislative Budget Board and the Governor. Unexpended balances appropriated under this provision are subject to the provisions of Government Code § 403.071 for the purposes of determining the life of an appropriation. 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. <u>TPWD shall file a report with the Legislative Budget Board, the Governor, and the Battleship TEXAS Foundation within 30 days following November 30, February 28, May 31, and August 31 of each fiscal year showing the progress and costs of the Battleship Texas project, including a repair schedule and the purpose for each expenditure. 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 and the Seventy-ninth Legislatures.</u></p> <p><i>Minor revisions to dates and amounts. The reporting requirement was revised during the 78th Legislative session to include specific oversight agencies and include a specific due date. Required reports have and will continue to be provided for the remainder of the 2008-09 biennium. However, the department requests deletion of this section of the rider in 2010-11. The department could continue to provide this information, upon request. Proposed language includes addition of reporting requirement with regard to the Battleship Texas, consistent with Rider 33 of the 2008-09 GAA.</i></p>	<u>General Revenue-Dedicated Accounts</u>		Game, Fish and Water Safety Account No. 9	<u>\$2,688,995</u>	State Parks Account No. 64	0	Texas Parks and Wildlife Conservation and Capital Account No. 5004	0	Federal Funds	<u>\$1,543,272</u>		<u>598,128</u>	<u>Other Funds</u>		Appropriated Receipts	<u>\$717,972</u>		<u>870,512</u>	Bond Proceeds - General Obligation Bonds	<u>\$57,091,817</u>		<u>6,672,813</u>
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3.B. Rider Revisions and Additions Request (continued)

<p>8</p>	<p>VI-36 to VI-37</p>	<p>Construction and Land Owner Incentive Grants. Any funds appropriated above in Strategies B.2.1, Local Park Grants and B.2.2, Boating Access and Other Grants that are utilized for grants awarded for local park construction projects in excess of \$25,000 <u>\$20,000</u> and any funds appropriated above in Strategy A.1.2, Technical Guidance to private landowners and the general public that are utilized for landowner incentive grants shall be treated as construction appropriations for the purpose of determining the life of the appropriation under the provisions of § 403.071, Government Code. It is provided, however, that the Texas Parks and Wildlife Department shall provide the Governor and the Legislative Budget Board a status report at the close of each fiscal year showing the progress and costs for any grant for local park construction projects and landowner incentive grants not completed within two years of the date the grant was awarded. <u>Any unexpended balances as of August 31, 2010 in funds allocated above for local park grants are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.</u></p> <p><i>Modify the local park construction project amount to be equivalent to the provisions of Section 403.071 in the Government Code.</i></p> <p><i>The ability to carryover unexpended balances to the next fiscal year of the biennium is needed to allow flexibility in the award process in order to use all the funding available. Many factors are considered in the local parks award process and it is very difficult to estimate the exact amount to be awarded by a certain date. This results in grantees being forced to accept partial funding or in funds not being awarded and lapsed. The carryover of unexpended balances during the biennium is a standard provision for funds that may take more than one fiscal year to be fully awarded.</i></p>
<p>11</p>	<p>VI-37</p>	<p>Lease Payments. Included in amounts appropriated above in Strategy D.1.4, Debt Service are lease payments of \$4,847,927 <u>\$4,847,927</u> 5,057,932 in fiscal year 2010 <u>2008</u> and \$4,785,912 <u>\$4,785,912</u> 4,959,470 in fiscal year 2011 <u>2009</u> out of the General Revenue Fund which shall be transferred to the Texas Public Finance Authority for debt service payments on revenue bonds or other revenue obligations as authorized by § 13.0045, Parks and Wildlife Code. Also included in the amounts appropriated above in Strategy D.1.4, Debt Service are lease payments of \$2,649,175 <u>\$2,649,175</u> 2,653,975 in fiscal year 2010 <u>2008</u> and \$2,638,763 <u>\$2,638,763</u> 2,655,775 in fiscal year 2011 <u>2009</u> out of the General Revenue-Dedicated Game, Fish, and Water Safety Account No. 9 which shall be transferred to the Texas Public Finance Authority for debt service payments on revenue bonds or other obligations for the freshwater fish hatchery.</p> <p><i>Request revisions to dates and amounts as per information from TPFA.</i></p>

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

<p>12</p>	<p>VI-37</p>	<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 \$21,492 21,333 in Appropriated Receipts each fiscal year in Strategy A.1.1, Wildlife Conservation; estimated to be \$21,099 21,333 in Appropriated Receipts each fiscal year in Strategy A.2.2, Inland Hatcheries Operations; estimated to be \$6,106 21,334 in Appropriated Receipts each fiscal year in Strategy A.2.4, Coastal Hatcheries Operations; estimated to be \$1,949 in Appropriated Receipts each fiscal year in Strategy C.2.4, Outreach and Education; and, estimated to be \$261,822 245,937 in Appropriated Receipts each fiscal year in Strategy B.1.2, Parks Minor Repair Program.) The recovered funds are appropriated to the TPWD for maintenance or replacement of employee housing.</p> <p>Notwithstanding any other provision in this Act, the TPWD is hereby authorized to construct four two new state-owned residences to provide 24-hour on-site supervision and maintenance for the new freshwater fish hatchery in East Texas (2 residences) <u>and for the new Texas Game Warden Academy in Hamilton County (2 residences)</u> at a cost not to exceed \$150,000 per residence.</p> <p>Additionally, notwithstanding the provisions in Article IX of this Act, the TPWD is authorized to expend amounts in excess of \$25,000 per residence for the biennium as necessary to repair or replace state-owned housing, provided that the agency submits advanced notification to the Legislative Budget Board and the Governor.</p> <p><i>Revisions to update dollar estimates and to move provisions regarding housing at the new Game Warden Academy (currently under Rider 19).</i></p>
<p>13</p>	<p>VI-37 to VI-38</p>	<p>Indoor Recreational Facilities. Included in the amounts appropriated above in Strategy B.2.1, Local Park Grants, and Strategy B.2.2, Boating Access and Other Grants is \$32,185,000 in fiscal year 2008 and \$15,500,000 in fiscal year 2009 out of the Texas Recreation and Parks Account No. 467 (\$15,500,000 per year out of the Sporting Good Sales Tax transfer to the Account and \$16,685,000 out of unexpended fund balances). From this account, the Texas Parks and Wildlife Department shall use an amount equal to \$7,152,750 of the total amounts allocated for grants in Strategy B.2.1, Local Park Grants and Strategy B.2.2, Boating Access and Other Grants for the 2008-09 biennium to fund local grants for the development of indoor recreation facilities. Any unexpended balances of such appropriations on August 31, 2008 are appropriated for the same purpose for the fiscal year beginning September 1, 2008.</p> <p><i>Request deletion of this rider. When revenues to Account 467 exceed \$14m per year, the department is already statutorily required to allocate 15 percent of revenues for Indoor Recreational Facilities (Section 24.006 Parks and Wildlife Code). The rider provision is not necessary. In addition, given the split between large and small community grants, if such a rider were retained it would need to reflect amounts for large community vs. small community indoor grants.</i></p>

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

<p>14</p>	<p>VI-38</p>	<p>Appropriation: License Plate Receipts. Included in amounts appropriated above in Strategies A.1.1, Wildlife Conservation, A.2.1, Inland Fisheries Management, A.2.3, Coastal Fisheries Management, and B.1.1, State Park Operations, are all balances and revenue collected on or after September 1, 2009 2007 (estimated to be \$1,000,002 <u>3,421,775</u> in the Texas Parks and Wildlife Conservation and Capital Account No. 5004; \$104,000 <u>208,000</u> in Big Bend National Park Account No. 5030; \$63,998 <u>74,000</u> in Waterfowl and Wetland Conservation License Plate Account No. 5057; \$12,000 <u>34,000</u> in Texas Lions Camp License Plate Account No. 5116; \$15,170 <u>32,000</u> 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>License plate balances and receipts in subaccounts of the Texas Parks and Wildlife Conservation and Capital Account No. 5004 are estimated to be \$568,734 <u>1,963,514</u> for Horned Toad specialty plates; \$220,338 <u>807,036</u> for Bluebonnet specialty plates; \$125,832 <u>396,111</u> for Whitetail Deer specialty plates; and \$85,098 <u>255,114</u> for Largemouth Bass specialty plates for a total of \$1,000,002 <u>3,421,775</u> as noted above.</p> <p><i>Request revisions to amounts and dates.</i></p>
<p>15</p>	<p>VI-38</p>	<p>Reporting Requirements: Full-Time Equivalent Positions. The Texas Parks and Wildlife Department shall submit a semi-annual report to the Legislative Budget Board and the Governor which lists the number of authorized, budgeted, and filled positions in Strategy C.1.1, Enforcement Programs and C.1.2, Game Warden Training Academy. The report must include the classification of each position.</p> <p><i>Request deletion of this rider for the 2010-11 biennium.</i></p> <p><i>This reporting requirement was enacted during the 77th Legislative session. Required reports have and will continue to be provided for the remainder of the 2008-09 biennium. However, the department requests deletion of this rider in 2010-11 biennium. The department could continue to provide this information, upon request.</i></p>
<p>16</p>	<p>VI-38</p>	<p>Reporting Requirements: Game Warden Academies. The Texas Parks and Wildlife Department (TPWD) shall submit an annual plan to ensure the fulfillment of the agency's FTEs for Game Wardens. The TPWD shall submit a report to the Legislative Budget Board and the Governor within 30 days of the completion of a Game Warden Academy which lists the total number of applicants, the number selected to attend the academy, and the number who successfully complete the academy. The report shall include the race, ethnicity, gender, prior law enforcement experience, and educational background of all applicants; the applicants selected to attend the academy; the graduates of the academy; and those graduates who accepted positions with the agency.</p> <p><i>Request deletion of this rider for the 2010-11 biennium.</i></p> <p><i>This reporting requirement was enacted during the 77th Legislative session. Required reports have and will continue to be provided for the remainder of the 2008-09 biennium. However, the department requests deletion of this rider in 2010-11 biennium. The department could continue to provide this information, upon request.</i></p>

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

17	VI-38	<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 \$0 in Appropriated Receipts for the biennium beginning September 1, 2009 2007), and Strategy A.2.4, Coastal Hatcheries Operations (estimated to be \$100,000 in Appropriated Receipts for the biennium beginning September 1, 2009 2007). These concession receipts shall be credited for the benefit of the specific state park or other agency facility where the funds are generated by volunteer groups. Concession receipts generated as a result of the efforts of department employees or leased concession contracts with third parties are appropriated in the strategies above and are not subject to this rider.</p> <p><i>Request minor revisions to years.</i></p>
18	VI-38	<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 \$3,657,000 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>Request deletion of this rider for the 2010-11 biennium.</i></p> <p><i>This rider was enacted during the 79th Legislative session but is now obsolete since the department has changed accounting practices to accurately reflect the costs associated with commissions retained by license agents.</i></p>
19	VI-38 to VI-39	<p>Unexpended Balances: Sale of Game Warden Academy. In the event that the sale of the department's existing Game Warden Academy is not finalized in the 2006-07 biennium, the Texas Parks and Wildlife Department (TPWD) is authorized to carry forward any unexpended balances of appropriations authorized by the Seventy-ninth Legislature and associated with the sale of the department's existing Game Warden Academy facility at 100 West 50th Street in Austin. 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>Request deletion of this provision regarding the UB of land sale proceeds authority and additional proceeds for the 2010-11 biennium, due to the property being sold. Provisions regarding construction of new state-owned residences have been moved under the state-owned housing rider.</i></p>

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

<p>20</p>	<p>VI-39</p>	<p>Capital Budget Expenditures from Federal and Other Funding Sources. The Texas Parks and Wildlife Department (TPWD) is hereby exempted from the capital budget rider provisions contained in Article IX of this Act when gifts, grants, <u>inter-agency funds</u>, inter-local funds and federal funds are received in excess of the amounts identified in the agency's capital budget rider and such funds are designated by the donor, grantor ee or <u>state/federal</u> agency solely for <u>land acquisition</u>, construction and repairs, or purchase of specific capital items.</p> <p>Additionally, the TPWD is hereby exempted from the capital budget rider provisions when pass through funds to local entities are received in excess of the amounts identified in the agency's capital budget rider and such funds are designated by the donor, grantor ee or <u>state/federal</u> agency solely for the acquisition of land. This provision does not exempt the TPWD from capital budget rider provisions for state land acquisition.</p> <p>Amounts expended from these funding sources shall not count towards the limitation imposed by capital budget provisions elsewhere in this Act. The TPWD shall notify the Legislative Budget Board and the Governor upon receipt of such funds, of the amount received and the items to be purchased.</p> <p><i>Request revision to add interagency contract funds to list of funds types exempted from capital budget provisions, include land acquisition capital category, and to make other minor corrections</i></p>
<p>21</p>	<p>VI-39</p>	<p>Headquarters based Vehicles. It is the intent of the Legislature that at any given point and time during the 2008-09 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 2010-11 biennium. TPWD is currently in compliance with the rider provisions.</i></p>
<p>22</p>	<p>VI-39</p>	<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, 2009 <u>2007</u>, and all proceeds collected on or after September 1, 2009 <u>2007</u> (balances and revenues estimated to be \$0 <u>\$12,900,000</u> in Appropriated Receipts) from the sale of Texas Parks and Wildlife Department (TPWD) lands, including the sale of land identified as underutilized and sold by the General Land Office. In accordance with Parks and Wildlife Code § 13.009, the balances and proceeds from the sale of these lands may be used only to improve or acquire other real property dedicated to the same purpose for which the land sold was dedicated. Excluding balances from the sale of the Game Warden Academy (estimated to be \$1,200,000) and Eagle Mountain Lake (estimated to be \$9,600,000), land sale proceeds (estimated to be \$2,100,000) may only be used to acquire adjacent tracts, in holdings of TPWD lands, or improvements and repairs at existing parks. Balances in proceeds from the sale of the Game Warden Academy are restricted to constructing and equipping the new Game Warden Academy. Any unexpended balances and revenue remaining as of August 31, 2010 <u>2008</u> are appropriated for the same purpose for the fiscal year beginning September 1, <u>2010</u> 2008.</p> <p><i>Revise language to eliminate references to specific tracts of land and to update year and dollar amounts. At present, the department does not know of any specific land sale proceeds that may be collected during the 2010-11 biennium.</i></p>

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

<p>23</p>	<p>VI-39 to VI-40</p>	<p>State Park Facilities and Operations Management. Using the funds appropriated above to the various strategies that are specified in the following provisions, or to any relevant strategy, the Texas Parks and Wildlife Department shall:</p> <ul style="list-style-type: none"> a. Require state park employees to use a standard definition to identify or flag health and safety-related repair needs in its facility management information system; and require the Infrastructure Division to monitor and set priorities to address new health and safety-related facility problems on a weekly basis. b. Redirect \$107,161 each fiscal year and three full time equivalent employees to Strategy B.1.3, Parks Support, from Strategy E.1.1, Central Administration, so that the Budget Management section can perform critical budget analyses, and so that public safety staff, such as the Law Enforcement Division, can produce reports on the number of accidents, injuries, as well as property damage and crime incidents in each state park. c. From Strategies B.1.1, State Park Operations and B.1.3, State Park Support, develop and implement an annual state park performance review process that evaluates visitor satisfaction, safety, staff performance, occupancy rates, park and concession profitability, and the facility maintenance of each state park and historic site. <p>From Strategies B.1.1, State Park Operations and B.1.3, State Park Support, ensure that all park managers conduct a thorough competitive analysis that shows their competitors' fee levels (e.g., private campgrounds such as KOA), visitor capacity, services, and amenities. These analyses should accompany the manager's annual fee proposals, and the entire package should be submitted electronically.</p> <p><i>Requesting deletion of this rider for the 2010-11 biennium. TPWD has complied with the above provisions as follows:</i></p> <p><i>A) The Risk Assessment Methodology, now referred to as the Project Portfolio Selection Methodology, has been created, successfully tested and the associated procedures approved. In addition, the software modification needs for applying this methodology in the FMIS database have been identified. TPWD will complete the FMIS enhancements and incorporate the procedures into the Infrastructure Operations Manual. B) Positions (FTEs) and related funding were transferred from Administrative Resources to the State Parks Division in September 2007. The Accountant II, Accountant IV and Administrative Assistant IV positions are filled and performing the tasks as designated in the rider. C) Data collection for the Annual State Park Performance Report began on September 1, 2007. Data continues to be collected and will be used for performance baseline measurement. D) Site-Specific Strategic Business Plans were reviewed by a team of cross-divisional personnel. Revenue generating and increasing visitation goals were incorporated into the Site-Specific Strategic Business Plans. The plans became effective on January 29, 2008, and are being implemented on a park by park basis.</i></p>
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3.B. Rider Revisions and Additions Request (continued)

<p>25</p>	<p>VI-40</p>	<p>Texas State Railroad. It is the intent of the Legislature that \$10,000,000 in federal Transportation Enhancement Program funds administered by the Texas Department of Transportation be made available for the Texas State Railroad project in fiscal year 2008 contingent upon the project being approved by the Texas Parks and Wildlife Commission for transfer to a consortium of the Cities of Palestine and Rusk and meeting 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 Texas State Railroad project to determine if the Texas State Railroad project meets the federal Transportation Enhancement Program guidelines in Title 23 of the United States Code. Out of funds appropriated above in Strategy B.1.1, State Park Operations is \$2,000,000 in fiscal year 2008 to provide a 20 percent match to the \$10,000,000 in Transportation Enhancement program funds. If the Texas State Railroad project is approved, any unexpended balances for the project at the end of fiscal year 2008 are authorized for the same purpose in fiscal year 2009.</p> <p><i>Requesting deletion of this rider for the 2010-11 biennium.</i></p> <p><i>An agreement was entered into for the transfer of the Texas State Railroad from the department to the Texas State Railroad Authority. Outlined in the agreement were several provisions including the transfer of \$2,000,000 in FY2008 to the Texas State Railroad Authority as match for federal Transportation Enhancement Program funds.</i></p>
<p>26</p>	<p>VI-40</p>	<p>Caddo Lake Boat Lane. Out of the funds appropriated above in Strategy A.2.1, Inland Fisheries Management, \$120,000 in each fiscal year from the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 shall be used for clearance and maintenance of boat lanes at Caddo Lake. Any unexpended balances in the \$120,000 designated for clearance and maintenance of boat lanes at Caddo Lake as of August 31, 2008 are hereby appropriated for the same purpose in the fiscal year beginning September 1, 2008.</p> <p><i>Requesting deletion of this rider for the 2010-11 biennium.</i></p> <p><i>TPWD has committed more than \$120,000 to vegetation treatment at Caddo Lake in recent years. In FY2008 TPWD received a multi-year Federal Sportfish Restoration Grant for Vegetation Control, of which \$100,000 was allocated for activities at Caddo Lake. In addition, TPWD received a \$40,000 grant from the Southeast Aquatic Resource Partnership for Caddo Lake Vegetation Control Activities.</i></p>

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

27	VI-40 to VI-41	<p>Appropriation of Receipts out of the General Revenue-Dedicated Accounts. For the biennium beginning September 1, 2009 2007 the Texas Parks and Wildlife Department (TPWD) is hereby appropriated any additional revenues that are certified by the Comptroller's finding of fact and are in excess of the amounts reflected in the Comptroller's Biennial Revenue Estimate for each year of the biennium (estimated to be \$0 1.0 million for the biennium in the General Revenue-Dedicated Game Fish and Water Safety Account No. 9 and \$0 2.0 million for the biennium in the General Revenue-Dedicated State Parks Account No. 64 in all Revenue Object Codes except Revenue Object Code 3461 and included in amounts appropriated above.) <u>Funds contingent on fee increases that generate additional revenues above the Comptroller's Biennial Revenue Estimate for each year of the biennium in the General Revenue-Dedicated Game, Fish, and Water Safety Account No. 9 (estimated at \$0) are also appropriated.</u></p> <p>Also included in amounts appropriated above in Strategy B.1.1, State Park Operations is an amount contingent on any enhanced collections from state park visitor fees (Revenue Object Code 3461) that are certified by the Comptroller's finding of fact and in excess of the amounts reflected in the Comptroller's Biennial Revenue Estimate for each year of the biennium (not to exceed \$8.0 million each fiscal year in the General Revenue-Dedicated State Parks Account No. 64). TPWD is authorized to transfer collected amounts to Strategy B.1.2, Minor Repair or other strategies as appropriate. Transfers of collected amounts are exempted from the limitation on transferability contained in Article IX, Section 14.01 of this Act.</p> <p>The department shall submit a plan to the Legislative Budget and the Governor by October 1, 2007 which indicates targeted and actual revenues for each state park for fiscal years 2005, 2006, and 2007, as well as revenue targets for fiscal years 2008 and 2009 for enhanced collections from existing state park user fees. The plan must demonstrate how each state park will contribute to the overall goal of increasing state park system revenue by \$8.0 million annually. The department must notify the Legislative Budget Board and the Governor before it increases state park user fees in the 2008-09 biennium, and the department is not authorized to generate the \$16.0 million in enhanced collections appropriated in this provision from increases in state park user fees, unless the proposed fee increase is a result of a comprehensive fee analysis as recommended in the State Auditor's Office Report No. 07-021 and has been reviewed by the Legislative Budget Board at least 30 days before the Commission takes formal action on the increase.</p> <p>Any fiscal year 2010 2008 unexpended balances from additional revenue collections in excess of the Biennial Revenue Estimate as of August 31, 2010 2008 are hereby appropriated for the fiscal year beginning September 1, 2010 2008. 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>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. In the event the Comptroller issues a finding of fact that additional revenue is available, the TPWD shall notify the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts the purposes for which the additional revenue is budgeted.</p> <p><i>Request revisions to change estimates and remove object specific and comprehensive fee analysis requirements. Also adds language to appropriate any additional revenues attributed to fee increases (contingent on Legislative support) that could help support General Revenue-Dedicated Game, Fish, and Water Safety Account No. 9 exceptional items requests. Required reports have and will continue to be provided for the remainder of the 2008-09 biennium. However, the department requests deletion of this section of the rider in 2010-11 biennium. The department could continue to provide this information, upon request.</i></p>
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3.B. Rider Revisions and Additions Request (continued)

<p>28</p>	<p>VI-41</p>	<p>Fish and Shellfish Consumption Advisories. Out of the amounts appropriated above in Strategies A.2.1, Inland Fisheries Management and A.2.3, Coastal Fisheries Management the Texas Parks and Wildlife Department shall use \$20,000 each fiscal year from the General Revenue Dedicated Game, Fish and Water Safety Account No. 9, to post signs at those water bodies for which the Seafood and Aquatic Life Group of the Texas Department of State Health Services has advisories and bans from consumption of contaminated fish or shellfish.</p> <p><i>Requesting deletion for the 2010-2011 biennium.</i></p> <p><i>Signs have been purchased and materials to place the signs are currently being purchased. Placement of the signs will be completed in the appropriate locations designated by the Texas Department of State Health Services where standing advisories and bans from consumption of contaminated fish or shellfish occur.</i></p>
<p>29</p>	<p>VI-41 to VI-42</p>	<p>Implementation of State Auditor's Recommendations.</p> <p>(a) It is the intent of the Legislature that the Texas Parks and Wildlife Department (department) use funds appropriated above to implement the recommendations contained in the State Auditor's <i>An Audit Report on Financial Processes at the Parks and Wildlife Department Report No. 07-021</i>.</p> <p>(b) Additionally, the department shall use funds appropriated above:</p> <ol style="list-style-type: none"> 1. To prepare a comprehensive implementation plan to carry out the recommendations set out in the State Auditor's Report No. 07-021, and submit the plan to the Legislative Budget Board and the Governor no later than August 31, 2007. The plan shall include the timelines the department stated in its management response to the audit report and address elements including: <ol style="list-style-type: none"> A. visitation and revenue reporting B. cost estimate processes C. financial controls; 2. To submit quarterly reports and a biennial report to the Legislative Budget Board, the Governor, and the State Auditor that indicate the extent to which each recommendation contained in the aforementioned implementation plan has been implemented, information about significant costs, and any factors that may impede full implementation. Quarterly reports must be submitted 30 days after each quarter ends; the biennial report must be submitted by November 30, 2008; 3. To annually report to the State Auditor's Office on the status of the implementation of the recommendations, pursuant to Section 321.014(f) of the Texas Government Code; 4. To notify the Governor, Legislative Budget Board, and the State Auditor at least six months before closing or transferring any state park. <p>(c) Out of funds appropriated above, the department shall redirect agency resources to add 16.0 auditor positions in the Internal Audit Division in order to implement the recommendations contained in the State Auditor's <i>An Audit Report on Financial Processes at the Parks and Wildlife Department Report No. 07-021</i>. The department shall maintain an internal auditing program in compliance with the provisions of the Texas Internal Auditing Act, which shall incorporate, at a minimum, the assignment of an internal auditor at each regional park office. Each internal auditor assigned pursuant to this provision shall report either directly to the members of the Texas Parks and Wildlife Commission or to the internal auditor appointed pursuant to Government Code § 2102.006.</p> <p>An internal auditor whose duty station is assigned pursuant to this provision may consider suggestions from a Parks Regional Director in developing proposals for the department's annual audit plan.</p>

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

	<p>(d) Out of funds appropriated above, the Comptroller may not release \$17,103,744 for the 2008-09 biennium (\$8,845,221 in fiscal year 2008 and \$8,258,523 in fiscal year 2009) without prior written notification from the Legislative Budget Board and the Governor that the department has satisfactorily adhered to the implementation plan required above. The department should report its progress in implementing the recommendations to the Legislative Budget Board, the Governor, and the State Auditor no later than July 1, 2007 and July 1, 2008 before appropriations may be released and available by September 1 of each fiscal year in the 2008-09 biennium.</p> <p><i>Requesting deletion for the 2010-2011 biennium.</i></p> <p><i>TPWD has addressed Rider 29's requirements by creating a Comprehensive Progress Report/Implementation Plan with regular reporting requirements to the Governor, Legislative Budget Board, and State Auditor's Office, in response to SAO Report No. 07-021. The first report was submitted July 1, 2007 with subsequent reports scheduled thereafter. Amending the Land Transaction and Conservation Planning Policy (LF-03-01) addresses the requirement to notify the Governor, LBB, and SAO at least six months prior to transfer or closure of state parks. Rider 29.B & D were addressed by the Commission's approval of the recommended LF-03-01 TPWD Land Transaction and Conservation Planning Policy draft in August 2007. The revised policy was implemented in September 2007. The agency transmitted the annual electronic calendar year 2007 report [Rider 29.B.3 & Texas Government Code Section 321.014(f)] and all quarterly reports (Rider 29.B.2) to the SAO and will continue to submit reports as required. In addition, all sixteen auditor positions were filled as of September 20, 2007.</i></p> <p><i>The department continues its on-going commitment to implementation of the SAO recommendations and compliance with this rider.</i></p>
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3.B. Rider Revisions and Additions Request (continued)

<p>30</p>	<p>VI-42 to VI-43</p>	<p>Business Plan for Construction or Repair of Facilities. Prior to proceeding with the construction or repair of facilities with funds appropriated by this Act, the Texas Parks and Wildlife Department (TPWD) shall submit a plan to the Legislative Budget Board by September 30, 2007 which includes the following elements:</p> <ul style="list-style-type: none"> a. The results of a study contracted with a private vendor having expertise in public attendance and collections to determine whether repairs or new construction will increase park attendance and generate additional revenue to cover costs; b. The status of controls to ensure park visitation data is accurate and to enhance collections from park visitors; c. Clearly defined criteria and methodologies to identify health and safety repair needs and a list of identified projects meeting the criteria; d. Cost estimate for each facility; e. Estimated construction timeline for each facility; f. The potential savings from using more economical materials for historic structural repairs; and, g. An analysis of capital repairs or new construction, which consider, among others factors, the following: <ul style="list-style-type: none"> (1) whether a public need exists that warrants repairs or new construction; (2) whether repairs or new construction will enhance or maintain the recreational benefits or preserve the historical significance of sites; and, (3) whether an adjacent state park or historic site can serve the demand for recreational opportunities. <p>The Texas Parks and Wildlife Department shall not proceed with the construction or repair of TPWD facilities with funds appropriated by this Act until the Legislative Budget Board is provided with and approves a plan which specifically addresses the elements in this provision. Further, TPWD shall provide monthly reports to the Legislative Budget Board and the Governor that identify all facility repair and constructions projects for which actual costs have varied from original cost estimates by 10 percent or more at any point during a project's lifespan; and any related changes in project cost estimates.</p> <p><i>Requesting deletion for the 2010-2011 biennium.</i></p> <p><i>TPWD contracted with Fisher-Heck, Inc. to conduct the independent study. Fisher-Heck completed their review of the Business Plan for Construction or Repair of Facilities and submitted their analysis to TPWD. Their findings supported TPWD's current business plan for the State Parks capital program. The consultant's review and analysis of the updated business plan was submitted to the LBB and appropriate oversight groups on March 31, 2008. After review, the LBB approved the release of bonds to begin critical state park repairs in a letter dated May 20, 2008. In addition, the 10 Percent Project Cost Variance Reports were submitted as scheduled and will continue to be transmitted routinely to all stakeholders.</i></p>
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3.B. Rider Revisions and Additions Request (continued)

<p>31</p>	<p>VI-43</p>	<p>State Park System Study. The Texas Parks and Wildlife Department (TPWD) shall conduct a study that will accomplish the following goals:</p> <ol style="list-style-type: none"> 1. The study will determine the resources and steps necessary to meet a definition of a high quality state park system. The criteria that should be used include: <ol style="list-style-type: none"> a. condition of facility infrastructure; b. frequency of maintenance schedule; c. amenities available; d. facilities with high demand/utilization; e. facilities with a high return on investment; f. facilities where a higher fee may be charged without impacting utilization; and g. any other criteria that the TPWD determines is appropriate. 2. It will identify those parks that meet those criteria; those parks that could meet that criteria with upgrades, the cost of those upgrades and additional revenue generated as a result of upgrades; and finally those parks that should be transferred to a non-state entity or closed. Another factor that the TPWD should consider is the degree to which the recreational value of a park to its visitors justifies its operating costs. 3. Based on that analysis, the TPWD shall determine the savings associated with transferring or closing the identified parks; and how the savings could be used to improve the remaining state parks so they meet the criteria for a high quality state park system. <p>The TPWD shall produce a work plan that indicates how the study will be conducted and report will be produced, with a study process timeline. The work plan should be submitted to the Legislative Budget Board and the Governor no later than January 1, 2008. The work plan and the actual work plan implementation should provide ample opportunity for public input and comments. A progress update that indicates the extent to which the TPWD has implemented its work plan should be submitted to the Governor and the Legislative Budget Board no later than July 1, 2008. The final report that is produced as a result of the study should contain findings and conclusions relevant to the first and second goals stated above. The report should specifically indicate how the TPWD determined the cost estimates and other significant factors that formed the basis for the report's findings and conclusions. It should also identify how the TPWD implemented its work plan, plus the methodology, steps, and processes that were involved in order to arrive at the report's findings and conclusions. The study final report should be submitted to the Legislative Budget Board and the Governor no later than October 1, 2008.</p> <p><i>Requesting deletion for the 2010-2011 biennium.</i></p> <p><i>The Consultant team of Fisher-Heck and PROS Consulting continues to research and compile information required for Rider 31's High-Quality Park System Study. The consultants have completed interviews with local and state leaders; conducted a survey of 1,600 households; and performed site visits to gauge current facility conditions and the visitor services provided. The team is currently developing a model to measure a park's "high quality" elements, performing an analysis of comparable service providers and gathering internal stakeholder inputs from TPWD State Parks and Executive management. A progress update was submitted to the Governor's Office and the LBB on July 1, 2008. The final report is scheduled for transmittal on October 1, 2008. Recommendations will be considered for implementation, as appropriate.</i></p>
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3.B. Rider Revisions and Additions Request (continued)

32	VI-43	<p>Border Security. Included in amounts appropriated above out of the General Revenue Fund is \$837,100 and 6.3 additional FTEs in fiscal year 2008 and \$854,400 and 15.0 additional FTEs in fiscal year 2009 in Strategy C.1.1, Enforcement Programs; \$413,693 and 8.7 additional FTEs in fiscal year 2008 in Strategy C.1.2, Warden Training Academy; and \$20,000 in fiscal year 2008 in Strategy E.1.2, Information Resources for the purposes of enhancing border security.</p> <p><i>All requirements outlined for border security are being performed to date. Due to the rider being informational it is no longer necessary and is being requested for deletion for the 2010-2011 biennium.</i></p>
33	VI-43 to VI-44	<p>Battleship TEXAS. Included in amounts appropriated elsewhere in this Act is \$25,000,000 from General Obligation Bonds contingent upon passage and voter approval of Senate Joint Resolution 65 and passage of Senate Bill 2033 and \$4,000,000 from Appropriated Receipts included in amounts appropriated above (\$410,000 in fiscal year 2008 and \$3,590,000 in fiscal year 2009) for repairs to the Battleship TEXAS. The Texas Parks and Wildlife Department (TPWD) is not authorized to expend General Obligation Bonds for project repairs until an initial naval engineering assessment of the condition of the ship has been completed and proposed courses of action and related costs for additional repairs have been reviewed and approved by the Legislative Budget Board. If the project is approved, TPWD shall file a report with the Legislative Budget Board, the Governor, and the Battleship TEXAS Foundation within 30 days following November 30, February 28, May 31, and August 31 of each fiscal year showing the progress and costs of the project, including a repair schedule and the purpose for each expenditure. Any unexpended balances for this purpose remaining as of August 31, 2008 are hereby appropriated for the fiscal year beginning September 1, 2008 for the same purposes.</p> <p><i>Requesting deletion for the 2010-2011 biennium. The reporting requirement has been incorporated under Rider 7.</i></p>

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

<p>34</p>	<p>VI-44</p>	<p>Local Park Grants. Out of funds appropriated above in Strategy B.2.1, Local Park Grants, the Texas Department of Parks and Wildlife (TPWD) shall allocate up to \$16,685,000 in matching funds for the following grants:</p> <ul style="list-style-type: none"> a. \$1,000,000 in matching funds for Townwood Park construction; b. \$60,000 in matching funds for renovations of the Kleberg County Youth Soccer Complex; c. \$800,000 in matching funds for park construction in Rio Grande City; d. \$1,125,000 in matching funds for Senator Frank Madla Memorial Park; e. \$600,000 in matching funds for expansion of rehabilitation services at the Gladys Porter Zoo; f. \$200,000 in matching funds for Raymae Park construction; g. \$600,000 in matching funds for Sylvester Turner Park construction; h. \$2,000,000 in matching funds for construction of the McAllen City Park; i. \$500,000 in matching funds for construction at the Sibley Nature Center; j. \$750,000 in matching funds for construction of the Will Looney Legacy Park; k. \$1,000,000 in matching funds for Beal Park construction; l. \$500,000 in matching funds for the City of DeSoto, Old Nance Farm; m. \$200,000 in matching funds for the City of Lancaster; n. \$300,000 in matching funds for Armand Bayou Nature Center Discovery Loop; o. \$400,000 in matching funds for the Rio Grande Valley Nature Center; p. \$1,400,000 in matching funds for nonprofit organizations and municipalities that operate local zoos; q. \$3,750,000 in matching funds for the City of Houston 11th Street Park; and, r. \$1,500,000 in matching funds for the Spring Creek Parkway in Harris and Montgomery Counties. <p>Grants designated in this provision must meet the procedural requirements under Chapter 24, Parks and Wildlife Code. Any unexpended balances as of August 31, 2008 in funds allocated above for local park grants are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2008.</p> <p><i>Requesting deletion for the 2010-2011 biennium.</i></p> <p><i>Texas Parks and Wildlife Commission has approved 7 of the 18 grant applications on the list as follows:</i></p> <p><i>\$600,000 in matching funds for expansion of rehabilitation services at the Gladys Porter Zoo; City of Brownsville</i> <i>\$500,000 in matching funds for construction at the Sibley Nature Center; City of Midland</i> <i>\$1,000,000 in matching funds for Beal Park construction; City of Midland</i> <i>\$500,000 in matching funds for the City of DeSoto, Old Nance Farm; City of DeSoto</i> <i>\$400,000 in matching funds for the Rio Grande Valley Nature Center; City of Weslaco</i> <i>\$3,750,000 in matching funds for the City of Houston 11th Street Park; City of Houston</i> <i>\$1,500,000 in matching funds for the Spring Creek Parkway in Harris and Montgomery Counties; Montgomery County</i></p> <p><i>An application has been received from the City of Lancaster for \$200,000 in matching funds and is currently under review.</i></p> <p><i>Staff has contacted all other sponsors and is providing on-going assistance with preparation of application materials. TPWD expects to have all 18 grants under contract prior to August 31, 2009.</i></p>
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3.B. Rider Revisions and Additions Request (continued)

<p>36</p>	<p>VI-44</p>	<p>Appropriation Authority for Proposition 8 and Senate Joint Resolution 65 / Senate Bill 2033 General Obligation Bond Proceeds. Included in the amounts appropriated above in Strategy D.1.1, Improvements and Major Repairs in fiscal year 2008 is \$17,000,000 in general obligation bond proceeds for projects for the Texas Parks and Wildlife Department (TPWD) as described in Article IX, Sec. 19.70, Appropriations of Remaining Proposition 8 General Obligation Bond Proceeds.</p> <p>In addition, included in amounts appropriated above in Strategy D.1.1, Improvements and Major Repairs in fiscal year 2008 is \$14,620,000 and in fiscal year 2009 is \$37,500,000 in general obligation bond proceeds for projects for TPWD as described in Article IX, Sec. 19.71, Contingency for Senate Joint Resolution 65 and Senate Bill 2033, Eightieth Legislature, 2007, Regular Session. Such appropriation is contingent upon approval of a proposition by Texas voters in November 2007 as authorized by Senate Joint Resolution 65.</p> <p>All projects funded herein with general obligation bond proceeds are subject to approval by the Legislative Budget Board prior to issuance of the bond proceeds by the Texas Public Finance Authority. Any unexpended and unobligated balances in general obligation bond proceeds described herein and remaining as of August 31, 2008 are hereby appropriated for the fiscal year beginning September 1, 2008 for the same purposes.</p> <p><i>Requesting deletion of this rider in 2010-11 as it is no longer applicable. Amounts will be above the line for the 2010-11 biennium and unexpended balance authority would be covered under Rider 7.</i></p>
<p>701</p>	<p>VI-</p>	<p><u>Part Federally Funded Full-Time Equivalent Positions.</u> Notwithstanding the provisions in Article IX of this Act, Texas Parks and Wildlife Department FTE's are exempt from FTE limitations indicated by this Act in cases where FTE's are funded with a required state match for federal funds at a minimum of fifty percent.</p> <p><i>Request rider to differentiate a required state match for federally funded FTE's for the 2010-11 biennium.</i></p>