

FORTY-SIXTH DAY

MONDAY, APRIL 11, 2005

PROCEEDINGS

The Senate met at 1:30 p.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Averitt, Barrientos, Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Hinojosa, Jackson, Janek, Lindsay, Lucio, Madla, Nelson, Ogden, Seliger, Shapiro, Shapleigh, Staples, Van de Putte, Wentworth, West, Whitmire, Williams, Zaffirini.

Absent-excused: Harris.

The President announced that a quorum of the Senate was present.

The Reverend Ron Curtis, First Baptist Church, Leander, offered the invocation as follows:

Father, thank You for Your grace that woke us this morning and Your grace that sustains this moment. I pray for the men and women in this Chamber who are giving their lives in serving the people of this great state. I pray that You will grant them wisdom to follow Your will for their personal life and for this wonderful state. I pray that You will grant them courage to make the right decisions even when it may go against the stream. Lord, I pray for their families who also make the sacrifice of being away from their loved ones during this extended period of time. Grant them the wisdom to place the ultimate gift of love that knows no limits in their family relationships. Lord, would You bless them this day? We ask this in the strong name of Jesus. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of Thursday, April 7, 2005, be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Harris was granted leave of absence for today on account of illness.

CO-AUTHOR OF SENATE BILL 60

On motion of Senator Lucio, Senator Van de Putte will be shown as Co-author of **SB 60**.

CO-AUTHOR OF SENATE BILL 244

On motion of Senator Wentworth, Senator Van de Putte will be shown as Co-author of **SB 244**.

CO-AUTHOR OF SENATE BILL 274

On motion of Senator Barrientos, Senator Van de Putte will be shown as Co-author of **SB 274**.

CO-AUTHOR OF SENATE BILL 566

On motion of Senator Deuell, Senator Zaffirini will be shown as Co-author of **SB 566**.

CO-AUTHOR OF SENATE BILL 691

On motion of Senator Madla, Senator Zaffirini will be shown as Co-author of **SB 691**.

CO-AUTHOR OF SENATE BILL 879

On motion of Senator Gallegos, Senator Van de Putte will be shown as Co-author of **SB 879**.

CO-AUTHOR OF SENATE BILL 983

On motion of Senator Van de Putte, Senator Gallegos will be shown as Co-author of **SB 983**.

CO-AUTHOR OF SENATE BILL 1001

On motion of Senator Madla, Senator Zaffirini will be shown as Co-author of **SB 1001**.

CO-AUTHORS OF SENATE BILL 1212

On motion of Senator West, Senators Ellis and Gallegos will be shown as Co-authors of **SB 1212**.

CO-AUTHOR OF SENATE BILL 1381

On motion of Senator Shapiro, Senator Nelson will be shown as Co-author of **SB 1381**.

CO-AUTHOR OF SENATE BILL 1577

On motion of Senator Williams, Senator Nelson will be shown as Co-author of **SB 1577**.

BILL SIGNED

The President announced the signing of the following enrolled bill in the presence of the Senate after the caption had been read: **SB 267**.

PHYSICIAN OF THE DAY

Senator Estes was recognized and presented Dr. T. David Greer of Henrietta as the Physician of the Day.

The Senate welcomed Dr. Greer and thanked him for his participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

April 11, 2005

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the House to inform the Senate that the House has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 10, Relating to making supplemental appropriations and reductions in appropriations.

HB 258, Relating to authorizing a sports recreation and wellness facility fee at The University of Texas–Pan American.

HB 503, Relating to tuition and fee exemptions for certain military personnel and certain children of those personnel.

HB 598, Relating to a recreational sports fee at Stephen F. Austin State University.

HB 604, Relating to participation as an annuitant under the Texas Employees Group Benefits Act.

HB 646, Relating to the provision of certain reports and records requested by the attorney general.

HB 780, Relating to the compensation of district judges in Cameron County.

HB 993, Relating to the installment payment of tuition and fees charged by a public junior college, public technical institute, or public state college for a summer term.

HB 994, Relating to the tuition charged for certain courses repeated by students attending public junior colleges and public technical institutes.

HB 1045, Relating to amendments to the Texas Timeshare Act.

HB 1062, Relating to the availability of judges and magistrates for proceedings related to chemically dependent persons.

HB 1063, Relating to a fee to support the wellness, recreational, and fitness complex at The University of Texas at Brownsville.

HB 1142, Relating to the jurisdiction of certain courts in Tarrant County.

HB 1201, Relating to the appointment of certain temporary insurance agents.

- HB 1224**, Relating to a study of the effects of take-or-pay contracts on water conservation.
- HB 1225**, Relating to the grounds for an exemption from cancellation of a water right for nonuse.
- HB 1339**, Relating to the appointment of a voting proxy by a legislative policy board member of a metropolitan planning organization.
- HB 1350**, Relating to the definition of a salvage motor vehicle.
- HB 1412**, Relating to the recreational facility fee at The University of Texas at El Paso.
- HB 1470**, Relating to the collection of certain administrative fees by a community supervision and corrections department.
- HB 1501**, Relating to the authority of a guardian of the estate of a ward to make certain gifts of the ward's estate for estate planning purposes.
- HB 1509**, Relating to the requirements for the validity of a signature on certain petitions.
- HB 1622**, Relating to the creation of a county court at law in Hill County.
- HB 1657**, Relating to the administration by the Texas Water Development Board of certain water-related programs financed by federal funds.
- HB 2108**, Relating to a student union fee at The University of Texas at Tyler.
- HB 2212**, Relating to the student union fee at The University of Texas at El Paso.
- HB 2272**, Relating to a student recreational and health facilities fee at Midwestern State University.
- HB 2441**, Relating to the recreational facility fee at The University of Texas at San Antonio.
- HCR 8**, Designating April 29, 2005, as Dale Earnhardt Day in Texas and paying special tribute to his life.
- HCR 36**, Giving legislative authorization to a Vietnam War monument for the Capitol grounds, subject to state law and rules of the State Preservation Board.
- HCR 141**, Commemorating the opening of the Fidel and Andrea R. Villarreal Elementary School in Zapata County and honoring the memory of Fidel and Andrea R. Villarreal.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

GUESTS PRESENTED

Senator Duncan was recognized and introduced to the Senate newly-sworn-in Justice of the Supreme Court of Texas, Phil Johnson of Lubbock, accompanied by his wife, Carla.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Averitt was recognized and introduced to the Senate student council members from Gerard Elementary School in Cleburne, accompanied by their teachers.

The Senate welcomed its guests.

**INTRODUCTION OF
BILLS AND RESOLUTIONS POSTPONED**

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

SENATE RESOLUTION 570

Senator Hinojosa offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to welcome the members of the Leadership Mission Class 22 to the State Capitol and to designate April 11, 2005, Leadership Mission Day at the Capitol; and

WHEREAS, Leadership Mission is a nine-month educational program founded in 1982 with the objective of identifying, preparing, and motivating the City of Mission's potential leaders; and

WHEREAS, Participants in the Leadership Mission program become better informed about city and county government, the community's health, economic, and education systems, and law enforcement; they meet with community leaders to discuss important issues and the challenges facing the community; for the second year now, Leadership Mission has accepted students from area high schools into the program, in addition to its adult participants; and

WHEREAS, Since it was founded in 1982, Leadership Mission graduates have gone on to become business and community leaders who serve on boards and commissions and contribute to the betterment of the City of Mission; Class 22 is the largest group to participate in Leadership Mission since the organization's inception; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby commend all those involved with Leadership Mission for their dedication and commitment to their community and extend best wishes for the future to all attending Leadership Mission Day at the Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared as an expression of high regard from the Texas Senate.

SR 570 was read and was adopted without objection.

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate representatives of Leadership Mission Day at the Capitol: Bob Wright, Sonia Longoria, Rosemarie Piper, Josh Warshak, and Peter Jaramillo, accompanied by a delegation of citizens from Mission.

The Senate welcomed its guests.

SENATE RESOLUTION 527

Senator West offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to join the members of the Delta Sigma Theta Sorority, Incorporated, in recognizing April 11, 2005, as Red and White Day at the State Capitol; and

WHEREAS, Delta Sigma Theta Sorority, Incorporated, was founded in 1913 by 22 women at Howard University to promote academic excellence and provide assistance to persons in need, and today the sorority has more than 900 chapters and 200,000 members worldwide; and

WHEREAS, Members of this sorority, such as Shirley Chisholm and Barbara Jordan, have been instrumental in forming and carrying out public policy; other eminent members include Brigadier General Hazel Johnson Brown, Ruby Dee Davis, and Elizabeth Catlett; and

WHEREAS, To accomplish its goals, this sorority has initiated numerous successful programs that address such issues as illiteracy, drug abuse, gang violence, and homelessness; its members have enhanced the lives of others all over the world; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby commend the members of Delta Sigma Theta Sorority, Incorporated, for their many contributions to the state and welcome them to Austin for Red and White Day at the State Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared for them as an expression of esteem from the Texas Senate.

SR 527 was read and was adopted without objection.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate a delegation of members of Delta Sigma Theta Sorority, Incorporated.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate the children of Fidel and Andrea R. Villarreal of Zapata: Laura Solis, Olga Figueroa, Hilda Villarreal, Aurelio Villarreal, Abelardo Villarreal, and Fidel Villarreal, Jr.

The Senate welcomed its guests.

SENATE RESOLUTION 581

Senator Gallegos offered the following resolution:

SR 581, In memory of Henry L. Martinez, Sr., of Houston.

The resolution was read.

Senator Gallegos, joined by Senator Janek, was recognized and introduced to the Senate family members of Henry L. Martinez, Sr.: his widow, Georgia Kall; his mother, Esperanza Ramirez, and her husband, Perfecto Ramirez, Jr.; his daughter, Brooke Martinez; and his son, Adrian Martinez; and a delegation of other family members and friends.

The Senate welcomed its guests and extended its sympathy.

On motion of Senator Gallegos, **SR 581** was adopted by a rising vote of the Senate.

In honor of the memory of Henry L. Martinez, Sr., of Houston, the text of the resolution is printed at the end of today's *Senate Journal*.

(Senator Carona in Chair)

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were read and were referred to the Committee on Nominations:

Austin, Texas
April 11, 2005

TO THE SENATE OF THE SEVENTY-NINTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Manufactured Housing Board for terms to expire as indicated:

To Expire January 31, 2009

Kimberly A. Shambley
Dallas, Texas

(replacing Cary Yates who resigned)

To Expire January 31, 2011

Valeri Stiers Malone
Wichita Falls, Texas

(Ms. Malone is being reappointed)

Michael H. Bray
El Paso, Texas

(Mr. Bray is being reappointed)

To be members of the Texas Public Finance Authority for terms to expire as indicated:

To Expire February 1, 2009:

H. L. Bert Mijares, Jr.
El Paso, Texas 79912

(replacing Daniel Serna of Arlington whose term expired)

To Expire February 1, 2011:

Marcellus A. Taylor
Lewisville, Texas

(replacing Helen Huey of Houston whose term expired)

Linda Lea McKenna
Harlingen, Texas

(replacing H. L. Bert Mijares of El Paso whose term expired)

To be a member of the Finance Commission of Texas for a term to expire February 1, 2010:

Cindy F. Lyons
El Paso, Texas

(Ms. Lyons is replacing Mr. Victor Puente of Arlington whose term expired)

Respectfully submitted,

/s/Rick Perry
Governor

ORDERED NOT PRINTED

On motion of Senator Ogden and by unanimous consent, the House Committee Substitute to **SB 1** was ordered not printed in the *Senate Journal*.

SENATE BILL 1 WITH HOUSE AMENDMENTS

Senator Ogden called **SB 1** from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the House amendments before the Senate.

Floor Amendment No. 1

Amend **CSSB 1** as follows:

On page I-10, Office of the Attorney General, under Section 13, Victims Assistance Grants, make the following change:

strike "60" and insert "100" so as to read:

Within ~~60~~ 100 days after the close of each fiscal year, the Office of the Attorney General shall submit a report detailing the expenditure of funds appropriated in Strategy C.1.2, Victims Assistance.

Floor Amendment No. 2

Amend **CSSB 1** by adding the following appropriately numbered rider in Article I of the bill after the appropriations to the Office of the Attorney General:

____. Victim-Related Services or Assistance. It is the intent of the legislature that excess money in the compensation to victims of crime fund, as certified under Subsection (b), Article 56.541, Code of Criminal Procedure, and appropriated in this

Act or any other Act enacted by the 79th Legislature, be expended only for compensation, services, or assistance provided directly to a victim or claimant for the purpose of supporting or assisting the recovery of the victim or claimant from the consequences of criminally injurious conduct.

Floor Amendment No. 3

Amend **CSSB 1**, on page I-14, Bond Review Board, add a new section as follows:

"Sec. ____. Cost Analysis and Legislative Report on Interest-Only Payments on State Bonds. The Bond Review Board shall identify, by agency and project, the total amount of general obligation and revenue bonds for which interest-only was paid on outstanding debt during fiscal years 2004 and 2005 and for which interest-only is paid on debt issued or debt outstanding in fiscal years 2006 and 2007. The Board shall determine the amount of additional costs incurred for each biennium and the long-term costs to the state if such a debt policy is continued. The Board shall report its findings to the Legislature, the Governor, and the Comptroller of Public Accounts not later than October 1, 2006."

Floor Amendment No. 6

Amend **CSSB 1** as follows:

In Article I, page I-30, Fiscal Programs – Comptroller of Public Accounts, insert an additional rider as follows:

Contingency Appropriation for H.B. 2201 ("FutureGen" project). Contingent upon enactment of H.B. 2201 or similar legislation authorizing grants for development in Texas of the coal-based integrated sequestration and hydrogen research project to be built in partnership with the United States Department of Energy, commonly referred to as the FutureGen project: (1) in fiscal year 2006, \$2 million out of appropriations to the Texas Enterprise Fund shall be transferred to the State Energy Conservation Office for the purpose of financing a state response to a Request for Proposals to be issued by the U.S. Department of Energy regarding the FutureGen project; and (2) further contingent on selection of a Texas site for the FutureGen project, \$20 million out of fiscal year 2006 or 2007 appropriations to the Texas Enterprise Fund shall be transferred to the State Energy Conservation Office for the purpose of providing grants to the managing entity of the FutureGen project.

Floor Amendment No. 7

Amend Floor Amendment No. 6 to **CSSB 1** proposed by Representative Chisum by striking "Article I, page I-30" and substituting "Article XI".

Floor Amendment No. 14

Amend **CSSB 1** (House committee printing) in Article I of the bill, on page I-50 by adding the following to Rider No. 12:

"The State Auditor shall examine the operations and expenditures of the Texas Enterprise Fund and prepare and issue a report to the 80th Legislature not later than October 1, 2006. The report shall detail all the expenditures, contracts and

agreements made with or under this fund prior to September 1, 2006. The report shall detail the number of jobs created by the corporation with whom a contract or agreement is made, the expenditure per job, the average salary or wage per job created in the State by the corporation receiving funds from the Texas Enterprise Fund, the net gain to state and local tax revenue, the projected net gain to state and local tax revenue for the next five years, the number of jobs which the corporation has or is projected to establish in a foreign state or country, and a cost-benefit analysis."

Floor Amendment No. 15

Amend Floor Amendment No. 14 to **CSSB 1** by Thompson (page 8, prefiled amendments packet), on line 3 of the amendment, by striking "State Auditor" and substituting "Legislative Budget Board".

Floor Amendment No. 19

Amend **CSSB 1**, Article I, on page I-53 by adding the following appropriately numbered rider to follow the bill pattern of the Trusteed Programs within the Office of the Governor and to read as follows:

_____. Appropriation for Grants for Fuel Ethanol and Biodiesel Production. All funds deposited in the fuel ethanol and biodiesel production account are appropriated to the Texas Economic Development and Tourism Office for the purpose of making grants as provided under Chapter 16, Agriculture Code.

Floor Amendment No. 21

Amend **CSSB 1** by adding the following appropriately numbered rider in Article I of the bill after the appropriation to the Department of Information Resources:

_____. Contingency for House Bill No. 1516 or Senate Bill No. 1547. (a) This rider is contingent on the enactment of House Bill No. 1516, Senate Bill No. 1547, or similar legislation by the 79th Legislature, Regular Session, 2005, that becomes law relating to the Department of Information Resources' management of state electronic and telecommunications services.

(b) The Department of Information Resources shall identify projected savings resulting from:

(1) the transfer of information resources, information resources technologies, and related services to the department in relation to the operation of the statewide technology centers; and

(2) the purchase of commodity software, commodity hardware, and other information services.

(c) The Department of Information Resources shall report the projected savings for each affected state agency, by fiscal year and by the major method of finance, to the Legislative Budget Board for certification. On certification by the Legislative Budget Board, the comptroller shall reduce the appropriations to the affected agency by the amount certified.

Floor Amendment No. 22

Amend Floor Amendment No. 21 to **CSSB 1** proposed by Representative Isett by striking "Article I of the bill after the appropriation" and substituting "Article XI,".

Floor Amendment No. 24

Amend **CSSB 1** as follows:

(1) On page VII-8, after the appropriations to the Texas Lottery Commission reduce the general revenue appropriation in Strategy A.1.9, Mass Media Advertising, by \$6,464,359 for fiscal year 2006 and \$6,445,125 for fiscal year 2007.

(2) After the appropriations to the Department of Aging and Disability Services add the following rider:

___ . Contingency Appropriation: House Bill 288: Personal Needs Allowance. Contingent upon passage of House Bill 288, or similar legislation relating to reinstating the personal needs allowance, by the Seventy-ninth Legislature, Regular Session, the Department of Aging and Disability Services, shall use \$6,464,359 for fiscal year 2006 and \$6,445,125 for fiscal year 2007 to restore the personal needs allowance to \$60 a month.

Floor Amendment No. 25

Amend the Chavez amendment No. 24 to **CSSB 1** (page 21, prefiled amendments packet) by adding the following at the end of the amendment:

(1) Add the following appropriately numbered rider in Article II of the bill after the appropriations to the Health and Human Services Commission:

___ . Contingent Appropriation: Personal Needs Allowance. Contingent on the enactment and becoming law of House Bill 24, or similar legislation of the 79th Legislature, Regular Session, 2005, that results in an increase in the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities to at least \$75 and in addition to other amounts appropriated by this Act, the amount of \$30,500,000 is appropriated out of the General Revenue Fund to the Health and Human Services Commission for the state fiscal year ending August 31, 2006, for the purpose of increasing the personal needs allowance to at least \$75, and the additional amount of \$30,500,000 is appropriated out of the General Revenue Fund to the Health and Human Services Commission for the state fiscal year ending August 31, 2007, for the same purpose.

(2) In Article VII, on page VII-8, A.1.9. Mass Media Advertising Contracts, by striking "\$33,000,000" for Year Ending August 31, 2006 and substituting "\$1,000,000" for Year Ending August 31, 2006 and by striking "\$33,000,000" for Year Ending August 31, 2007 and substituting "\$1,000,000" for Year Ending August 31, 2007.

Floor Amendment No. 26

Amend **CSSB 1**, Article II, on page II-28 by adding the following appropriately numbered rider to follow the bill pattern of the Department of Assistive and Rehabilitative Services to read as follows:

___ . Contingency Appropriation for House Bill 3235. Contingent upon enactment of House Bill 3235, or similar legislation relating to providing interpreter services to certain recipients of medical assistance or their parents or guardians, in

addition to amounts appropriated above, the Department of Assistive and Rehabilitative Services is hereby appropriated \$487,042 in fiscal year 2006 and \$131,094 in fiscal year 2007. In addition, the Number of Full-Time-Equivalent Positions (FTEs) is hereby increased by 0.5 in fiscal year 2006 and by 0.5 in fiscal year 2007.

Floor Amendment No. 27

Amend Floor Amendment No. 26 to **CSSB 1** proposed by Representative Uresti as follows:

(1) By striking "Article II, on page II-28" and substituting "Article XI"

(2) By striking each occurrence of "Department of Assistive and Rehabilitative Services" and substituting "Health and Human Services Commission".

Floor Amendment No. 29

Amend **CSSB 1**, Article II, on page II-28 by adding the following appropriately numbered rider to follow the bill pattern of the Department of Assistive and Rehabilitative Services to read as follows:

____. Contingency Appropriation for House Bill 3235. Contingent upon enactment of House Bill 3235, or similar legislation relating to providing interpreter services to certain recipients of medical assistance or their parents or guardians, in addition to amounts appropriated above, the Department of Assistive and Rehabilitative Services is hereby appropriated \$487,042 in fiscal year 2006 and \$131,094 in fiscal year 2007.

Floor Amendment No. 30

Amend Floor Amendment No. 29 to **CSSB 1** proposed by Representative Uresti as follows:

(1) By striking "Article II, on page II-28" and substituting "Article XI"

(2) By striking each occurrence of "Department of Assistive and Rehabilitative Services" and substituting "Health and Human Services Commission".

Floor Amendment No. 31

Amend **CSSB 1** as follows:

In Article II, under the appropriations to the Department of Family and Protective Services (page II-35) make the following change:

20. Faith-based Foster Family Recruitment and Training. From funds appropriated above, up to \$500,000 in fiscal year 2006 and up to \$706,000 in fiscal year 2007 shall be used for the purposes of developing and implementing a program to recruit and train foster families from faith-based communities. The Department shall keep statistics documenting the number of families recruited and trained. The Department will report back to the legislature with such statistics.

Floor Amendment No. 32

Amend **CSSB 1** as follows:

In Article II, under the appropriations to the Department of Family and Protective Services (page II-36) add the appropriately numbered rider:

____ Baby Moses Investigations. The Department is not to expend appropriated funds on investigations to ascertain the identity of a parent who voluntarily delivers a child to an appropriate emergency infant care provider unless the Department has reason to believe that physical or sexual abuse has occurred.

Floor Amendment No. 35

Amend **CSSB 1** as follows:

In Article II, add the following language to the appropriately numbered rider under the appropriations to the Department of Health (page II-52):

___ Abstinence-based Sexuality Education. Of the General Revenue funds appropriated in Strategy A.3.2., Abstinence Education, The Department of Health will ensure that agencies receiving such funds will include components in their educational programs that relate to the prevention of teen dating violence and sexual assault. Programs would also have materials available for participants to contact local agencies serving victims of teen dating violence and sexual assault victims.

Amendment No. 36

Amend Floor Amendment No. 35 to **CSSB 1** as follows:

Make the following change:

In Article II, add the following appropriately numbered rider under the appropriations to the ~~Department of Health~~ Department of State Health Services (page II-52)

Floor Amendment No. 43

Amend **CSSB 1** (House committee printing) in Article II of the bill following appropriations to the Department of State Health Services (page II-63) by adding the following rider, numbered appropriately:

___ Hill Country Community MHMR Center Inpatient Services for Medically Indigent. Of the amount appropriated to the Department of State Health Services in Strategy C.1.3, Mental Health State Hospitals, the Department of State Health Services shall allocate the sum of \$3,112,191 in general revenue for the state fiscal year beginning September 1, 2005, to the Hill Country Community MHMR Center to provide inpatient mental health services for medically indigent patients, and shall allocate the sum of \$3,112,191 in general revenue for the state fiscal year beginning September 1, 2006, to the Hill Country Community MHMR Center to provide inpatient mental health services for medically indigent patients.

Floor Amendment No. 44

Amend Floor Amendment No. 43 to **CSSB 1** proposed by Representative Hilderbran by striking "Article II" and substituting "Article XI" and by striking "(page II-63)".

Floor Amendment No. 48

Amend **CSSB 1** as follows:

(1) In Article II, in the appropriations to the Health and Human Services Commission (page II-65), strike strategy C.1.2. IMMIGRANT HEALTH INSURANCE and reduce the amount of general revenue funds appropriated in each fiscal year of the biennium to the Health and Human Services Commission accordingly.

(2) Throughout Article II, strike each reference to "Immigrant Health Insurance".

(3) In Article IX, in Section 10.08 (page IX-55), strike the reference to strategy C.1.2. Immigrant Health Insurance.

Floor Amendment No. 49

1. Amend Floor Amendment No. 48 to **CSSB 1** proposed by Representative Isett by striking "Article II" and substituting "Article XI" on lines 2 and 7 of the amendment.

2. Strike "(page II-65)" on line 3 of the amendment.

3. Strike lines 9 and 10.

Amendment No. 52

Amend **CSSB 1** by amending Rider 37 Article II relating to the appropriation to the Health and Human Services Commission as follows:

Rider 37. High Performance Bonus for Administration of the Food Stamp Program. High Performance Bonuses are annual incentive payments to state agencies that meet standards for high or most improved performance established by the Secretary of the U.S. Department of Agriculture. The authority to expend high performance bonuses for administrative costs paid in a prior fiscal year is subject to the following conditions:

a. Within 30 days of receiving notice of the state's eligibility for a performance bonus, the Health and Human Services Commission shall notify the Legislative Budget Board and the Governor;

b. At least 45 days prior to budgeting a performance bonus, the Health and Human Services Commission shall provide documentation of the proposed use of these funds to the Legislative Budget Board and the Governor. The report shall identify the impact on established performance targets, measures, and full-time equivalent positions, and shall be prepared in a format specified by the Legislative Budget Board.

c. In the event that the state receives a performance bonus, the Health and Human Services Commission is appropriated all funds received by the agency as Earned Federal Funds (General Revenue) subject to all limitations in this rider and to the following:

(1) ~~a portion~~ at least 15% of these funds, in each year of the biennium, shall be used by the Health and Human Services Commission for the development and operation of a nutrition education and outreach program, or for activities that otherwise improve low-income consumers' access to basic nutrition and healthy foods; and

(2) a portion of these funds, in each year of the biennium, shall be used by the Health and Human Services Commission to provide bonuses to position classifications whose efforts directly contributed to meeting these performance standards, or to position classifications who meet or exceed customer service performance measures developed by the commission, or whose efforts directly contributed to increasing the percentage of eligible persons who receive Food Stamps.

(3) Any High Performance bonus received by the Health and Human Services Commission between June 2, 2005 and August 31, 2005 is hereby appropriated to the commission.

d. Before an employee can be eligible for a bonus, the employee must have been employed in the program for the related twelve months, remains employed in the program, and whose performance meets expectations.

e. The commission has the authority to determine whether employees who have received bonuses under this provision are eligible for merit salary increases during a twelve-month period prior to or after receipt of the bonus.

f. The commission shall prepare annual reports by October 1 of each year of the biennium summarizing the commission's progress in implementing the outreach program required in section (c) and file those reports with the standing committees of the Senate and House of Representatives having primary jurisdiction over health and human services.

Floor Amendment No. 54

Amend House committee report on **CSSB 1**, Article II as follows:

1) Under appropriations to the Health and Human Services Commission add the following new rider provision:

PERINATAL AND PRENATAL CARE. It is the intent of the Legislature that the Health and Human Services Commission evaluate opportunities to utilize existing resources to improve the provision of perinatal and prenatal care to Medicaid and CHIP eligible clients. The evaluation shall include; a review of relevant federal regulations and policies, identification of strategies to maximize available federal funding sources and an assessment of potential impact upon local public hospitals and other Medicaid/CHIP providers.

The Commission shall report its findings to the Governor, Legislative Budget Board and appropriate substantive committees of the House and Senate.

Floor Amendment No. 56

Amend **CSSB 1**, Article II, by inserting the following appropriately numbered RIDER under the FY 2006-2007 bill pattern for the Health and Human Services Commission:

___. Air Ambulance Services. Out of funds appropriated above, the Health and Human Services Commission shall conduct a study of air ambulance service rates in Texas and their equivalents to comparable Medicare fee schedules as well as rates paid in other states under Medicaid services. The Commission shall provide a copy of this report to the Legislative Budget Board and the Governor's Office no later than December 31, 2005. Following the submission of this report and with the consent of the Office of the Governor and the Legislative Budget Board, the Commission shall implement the recommendations of the report and shall amend their Memorandum of Understanding with the Texas Department of Transportation to include air ambulance services within the scope of medical transportation.

Floor Amendment No. 57

Amend **CSSB 1**, on page II-83, Health and Human Services Commission, by adding a new section as follows and renumbering any remaining sections accordingly:

"Sec. ___. Out of the funds appropriated above, the Commission shall submit necessary application for waiver to the Centers for Medicare and Medicaid Services no later than December 31, 2005 for a five-year demonstration project through the

medical assistance program under general law to expand access to preventative health and family planning services for adult women, between the ages of 18-64, who are living at or below 185 percent of the federal poverty level. It is the intent of the Legislature that any waiver obtained by the Commission shall not be used to provide abortion services or require appropriations of general revenue that exceed the cost savings to be realized by the waiver in the first two years of implementation and in future biennia."

Floor Amendment No. 58

Amend **CSSB 1** by adding the following appropriately numbered rider in Article II of the bill after the appropriations to the Health and Human Services Commission:

___ . Umbilical Cord Blood Bank. Out of funds appropriated above, the Health and Human Services Commission shall use up to \$2,300,000 in General Revenue for an unrelated donor umbilical cord blood bank, subject to the following limitations:

a. The entity awarded a grant or contract by the Health and Human Services Commission shall provide local matching funds in an amount equal to funding provided by the Commission. The Comptroller shall certify that an appropriate amount of local matching funds have been made available prior to releasing state funding; and

b. Any unexpended balances of these funds remaining as of August 31, 2006, are appropriated to the Health and Human Services Commission for the fiscal year beginning September 1, 2006 for the same purpose.

Floor Amendment No. 59

Amend Floor Amendment No. 58 by Menendez to **CSSB 1** (page 55, prefiled amendments packet) as follows:

(1) On page 1, lines 2 and 3, strike "Article II of the bill after the appropriations to the Health and Human Services Commission:" and substitute "Article XI of the bill:"

(2) On page 1, lines 4-6, strike "Out of funds appropriated above, the Health and Human Services Commission shall use up to \$2,300,000 in General Revenue for" and substitute:

The sum of \$1,000,000 is appropriated from general revenue to the Health and Human Services Commission for the state fiscal year starting September 1, 2005, for

Floor Amendment No. 62

Amend **CSSB 1** (House committee printing) in Article II of the bill, following the appropriations to the Health and Human Services Commission, by adding the following appropriately numbered rider:

___ . GRADUATE MEDICAL EDUCATION IN CERTAIN BORDER AREAS.

a. From amounts appropriated by this Act to the Health and Human Services Commission to support Graduate Medical Education, the commission shall formulate and implement a Medicaid reimbursement methodology for graduate medical education that promotes and encourages residency training programs along the Texas-Mexico border. The methodology shall provide that eligible residency training programs shall be reimbursed for direct medical education (DME) costs in addition to indirect medical education (IME) costs to the same extent as allowed for

reimbursement under the Medicare program. An eligible residency training program is not limited with respect to the number of residency training slots for which the program may receive funding.

b. To be eligible for reimbursement under the methodology implemented under this rider, a residency training program must:

(1) be sponsored by or affiliated with a public university;

(2) include clinical training of resident physicians:

(A) in a federally qualified health center, as defined by 42 U.S.C. Section 1395x (aa) (4); and

(B) in a hospital that is located within 20 miles of the international border with Mexico;

(3) serve a patient population that includes patients residing in a rural area, as defined by 42 U.S.C. Section 1395ww (d) (2) (D); and

(4) operate in a county in which at least one-third of the population lives in households with incomes at or below federal poverty guidelines, or in a county contiguous to such a county.

Floor Amendment No. 63

Amend Floor Amendment No. 62 by Martinez to **CSSB 1** (page 65, prefiled amendments package) by striking lines 2-8 of the amendment and substituting:

XI of the bill by adding the following rider, numbered appropriately, following the Article XI riders concerning the Health and Human Services Commission (page XI-11):

___. GRADUATE MEDICAL EDUCATION IN CERTAIN BORDER AREAS.

a. The sum of \$5 million is appropriated to the Health and Human Services Commission for the state fiscal biennium beginning September 1, 2005, for the commission to formulate and implement a Medicaid

Floor Amendment No. 64

Amend **CSSB 1** by adding on page II-__ in the bill pattern of the Health and Human Services Commission a rider that reads as follows:

Unborn Children Health Coverage under Title XXI (CHIP). The Health and Human Services Executive Commissioner may provide unborn children health benefit coverage for mothers not otherwise eligible for Medicaid and include this population as a covered group in the Texas Title XXI State Plan. To be eligible, the pregnant mother of these children must live in Texas and have countable income at or below 200 percent of the federal poverty level. Those made eligible will receive the benefits included in the Title XXI State Plan. Title XXI benefits to unborn children will be financed solely by voluntary contributions using intergovernmental transfers from local government entities and federal matching funds under Title XXI.

Floor Amendment No. 65

1. Amend Floor Amendment No. 64 to **CSSB 1** proposed by Representative Anchia (page 68, amendment packet) by striking "on page II" and substituting "in Article XI."

Floor Amendment No. 66

Amend **CSSB 1** (House committee printing) in Article II of the bill following the special provisions relating to all health and human services agencies (page II-104) by adding the following rider, numbered appropriately, and by renumbering subsequent riders accordingly:

_____. Equal Opportunity Principles in Contracting for Social Services. The legislature intends that each state agency that contracts with or makes a grant to a nongovernmental entity to provide social services, using money appropriated by this Act, enter the contract or make the grant in a manner that is consistent with the equal opportunity principles and safeguards provided by federal law under 42 U.S.C. Section 604a.

Floor Amendment No. 67

Amend Floor Amendment No. 66 to **CSSB 1** by Isett (page 69, prefiled amendments packet) by adding the following immediately after "42 U.S.C. Section 604a.":

In addition, the legislature intends that state money appropriated by this Act will not be obligated for a contract with a nongovernmental entity to provide direct or indirect social services unless the contract provides the following conditions:

(1) the timeline and schedule for any project or purpose related to the contract remains unchanged;

(2) any anticipated savings to result from entering into the contract must be undiminished;

(3) this state's investment in any asset, including intellectual property, that is a subject of the contract must be protected and the asset and service-oriented architecture must be employed during performance as required by criteria stated in a request for proposals related to the contract; and

(4) no function that the contract specifies the contractor is to perform will be performed by this state unless the relevant state agency has agreed to assume that function after conducting a full analysis of the costs to the state of assuming the function.

Floor Amendment No. 69

Amend **CSSB 1** as follows:

(1) On page VII-8, in the appropriations for the Texas Lottery Commission reduce the general revenue appropriation in Strategy A.1.9, Mass Media Advertising, by \$600,000 for fiscal year 2006 and fiscal year 2007.

(2) Following the appropriations to the Department of State Health Services adding the following rider:

_____. El Paso Area Targeted School Drop-Out Prevention: The Department of State Health Services shall allocate \$500,000 each fiscal year of the 2006-2007 biennium to an El Paso area program serving pregnant and parenting teens at risk for dropping out of school. Any unexpended balances out of the appropriation as of August 31, 2006, are hereby appropriated for the fiscal year beginning September 1, 2006, for the same purpose. Funds allocated for these purposes shall not be used for family planning services.

Floor Amendment No. 70

Amend the Chavez Amendment No. 69 to **CSSB 1** (page 37, prefiled amendment packet) by striking lines 2-16 of the amendment and substituting the following:

(1) On page V-1, reduce the Strategy C.1.1 general revenue appropriations to the Adjutant General's Department by \$500,000 for each year of the biennium.

(2) Add the following in Article XI following the Article XI items for the Department of State Health Services:

____. EL PASO AREA TARGETED SCHOOL DROP-OUT PREVENTION. The Department of State Health Services is appropriated \$500,000 out of the general revenue fund each fiscal year of the 2006-2007 biennium to support the operation of an El Paso area program serving pregnant and parenting teens at risk for dropping out of school. Any unexpended balances out of the appropriation as of August 31, 2006, are appropriated for the fiscal year beginning September 1, 2006, for the same purpose. Funds allocated for these purposes may not be used for family planning services.

Floor Amendment No. 78

Amend **CSSB 1**, Article III, page III-20, Rider 81, under the appropriation for the Texas Education Agency, by inserting the following between "school districts." and "The Legislative Budget Board":

"The increase in general revenue shall not result in a decrease in funds appropriated elsewhere in this bill, except that this does not prohibit neutral swaps in methods of finance."

Floor Amendment No. 79

Amend the Hochberg Amendment No. 78 to **CSSB 1** to read as follows:

Amend **CSSB 1**, Article III, page III-20, Rider 81, under the appropriation for the Texas Education Agency, by inserting the following between "school districts." and "The Legislative Budget Board":

"The increase in general revenue shall not result in a decrease in funds appropriated elsewhere in this bill, except that this does not prohibit neutral swaps in methods of finance or reductions in funds due to savings resulting from performance review efficiencies or similar governmental efficiencies."

Floor Amendment No. 85

Amend **CSSB 1** (House committee printing) in Article III of the bill, following the appropriations to the Texas Education Agency, by adding the following appropriately numbered rider:

____. PROGRAM TO ENCOURAGE CERTIFICATION TO TEACH BILINGUAL EDUCATION, ENGLISH AS A SECOND LANGUAGE, OR SPANISH. From funds appropriated above that may be used for instruction or educator training or support in bilingual education, English as a second language, or Spanish, the Texas Education Agency, in consultation with the affected institutions of higher education, shall develop and operate a program to assist students enrolled at institutions of higher education in educator preparation programs in bilingual

education, English as a second language, or Spanish by providing financial incentives, such as tuition assistance and loan forgiveness, to encourage those students to become certified to teach bilingual education, English as a second language, or Spanish.

Floor Amendment No. 87

Amend **CSSB 1** by adding the following appropriately numbered rider in Article III of the bill after the appropriations of the Texas Education Agency.

____. **TEXTBOOKS FOR JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAMS.** The Commissioner shall provide juvenile justice alternative education programs with any instructional materials necessary to support classroom instruction in those programs. The cost of the instructional material shall be covered by State Textbook Funds appropriated above.

Floor Amendment No. 88

Amend Floor Amendment No. 87 by Jones of Dallas to **CSSB 1** (page 83, prefiled amendments packet) by striking line 7 of the amendment and substituting the following:

that the Commissioner, in the Commissioner's discretion, determines to be necessary to support classroom instruction in those programs. The

Floor Amendment No. 91

Amend **CSSB 1** by amending Article III, THECB Bill Pattern as follows:

1. Create a new Strategy D.1.13. Strategy: Professional Nursing Shortage Reduction Program and fund with \$3,000,000 in FY 2006 and \$3,000,000 in FY 2007 by transferring funds as follows:

a. Transfer \$3,000,000 in FY 2006 and \$3,000,000 in FY 2007 to new Strategy D.1.13 (Professional Nursing Shortage Reduction Program) from Article III, THECB Bill Pattern, Strategy E.1.4 (Nursing Enrollment Growth).

2. Add a rider that reads as follows:

____. The funds appropriated under Strategy D.1.13 for the Professional Nursing Shortage Reduction Program (Sec. 61.9621-.9628, Education Code) are trusted to the Texas Higher Education Coordinating Board to achieve the following outcomes: 1) increasing the number of graduates from professional nursing programs, 2) increasing the percentage of students in professional nursing programs that graduate within a reasonable time as determined by the board, and 3) increasing the number of graduates from master's and doctoral programs in nursing that join the faculty of a professional nursing program. Funds shall only be used to: 1) create additional nurse faculty positions, 2) provide temporary salary supplements for professional nursing faculty, and 3) engage qualified preceptors to expand faculty capacity. "Professional nursing program" has the meaning assigned by Sec. 61.9621, Education Code.

The funds shall be distributed in an equitable manner to institutions based on the increase in the number of graduates over those produced in the preceding fiscal year. Funds appropriated for FY 2006 shall be distributed for increases in the number of graduates produced in FY 2005. Funds appropriated for FY 2007 shall be distributed for increases in the number of graduates produced in FY 2006.

To be eligible for funds, an institution shall submit to the board no later than September 15, its projected increase in graduates from its professional nursing program over the preceding fiscal year unless the board sets a different submission date. A preliminary distribution of a percentage of the appropriated funds for each fiscal year shall be made to institutions by November 1 or 45 days after the board-established date for submission of projected graduates. Final distribution shall be reconciled at the end of each fiscal year based on actual increases achieved.

An institution is eligible to receive funds appropriated for FY 2006 only if it commits for FY 2006 to spend funds on its professional nursing program at least equal to the funds spent in FY 2005 and for funds appropriated for FY 2007 only if it commits for FY 2007 to spend funds equal at least to the funds spent in FY 2006. Funds received under Strategy D.1.13 shall not be included in these calculations.

Five percent of the funds appropriated under Strategy D.1.13 are appropriated for administrative expenses as authorized by Sec. 61.9628, Education Code.

The board shall have the authority to transfer funds from Strategy D.1.8 (Professional Nursing Financial Aid) to Strategy D.1.13 (Professional Nursing Shortage Reduction Program) for the purposes set out in this rider.

Any funds not expended in FY 2006 may be expended in FY 2007.

Floor Amendment No. 92

Amend Floor Amendment No. 91 by Truitt and Hochberg to **CSSB 1** (pages 87-88, prefiled amendments package), in item 2 of the amendment as follows:

- (1) strike the second and third paragraphs of item 2 of the amendment; and
- (2) substitute for the stricken language:

The funds appropriated shall be distributed in an equitable manner to institutions based on increases in numbers of nursing students graduating.

Floor Amendment No. 99

Amend **CSSB 1** as follows:

2) On page III-51, Higher Education Coordinating Board, add the following new section and number it accordingly:

"Sec. __. Contingency Appropriation for House Bill 3076 and House Joint Resolution 96. Contingent upon enactment of House Bill 1979 and adoption of House Joint Resolution 96 or similar legislation authorizing the issuance of general obligation bonds for stem cell research, there is hereby appropriated out of the general revenue fund the amount of \$26,550,000 for Fiscal Year 2007. The appropriation authorized in the section may be used by the Higher Education Coordinating Board only for the purpose of paying the principle and interest on debt service payments related to the issuance of bonds for stem cell research."

1) On page I-46, reduce the general revenue appropriation for Fiscal Year 2006 for Strategy A.1.8. Texas Enterprise Fund by \$26,550,000.

Floor Amendment No. 100

Amend Floor Amendment No. 99 proposed by Representative Naishtat to **CSSB 1** by striking "Article III" and substituting "Article XI".

Floor Amendment No. 101

Amend **CSSB 1** (House committee printing) in Article III of the bill, following the appropriations to the Texas Higher Education Coordinating Board, by adding the following appropriately numbered rider:

____. _____. PROGRAM TO ENCOURAGE CERTIFICATION TO TEACH BILINGUAL EDUCATION, ENGLISH AS A SECOND LANGUAGE, OR SPANISH. Of the funds appropriated above that may be used for this purpose, the Higher Education Coordinating Board may use an amount that is not less than \$150,000 for each year of the state fiscal biennium ending August 31, 2007, to develop and operate a program at the University of North Texas System Center at Dallas, in consultation with the university, to provide financial incentives, such as tuition assistance and loan forgiveness, to encourage students who enroll in an educator preparation program at the university to become certified to teach bilingual education, English as a second language, or Spanish.

Floor Amendment No. 102

Amend **CSSB 1** as follows:

(1) In Article III of the bill, following the appropriations to the Higher Education Coordinating Board, insert the following appropriately numbered rider:

____. Chiropractic Colleges. In addition to any other amounts appropriated by this Act to the Higher Education Coordinating Board, the amount of \$250,000 is appropriated out of the General Revenue Fund for the fiscal year ending August 31, 2006, and the amount of \$250,000 is appropriated out of the General Revenue Fund for the fiscal year ending August 31, 2007, to the Higher Education Coordinating Board to contract with Texas Chiropractic College for the purpose of preparation or instruction of Texas resident undergraduate chiropractic students as doctors of chiropractic.

(2) In Article V of the bill, in the Article V appropriations to the Department of Criminal Justice, Goal C: Incarcerate Felons, reduce the appropriation for Strategy C.1.10, Contracted Temporary Capacity (page V-10), by \$250,000 for the fiscal year ending August 31, 2006, and by \$250,000 for the fiscal year ending August 31, 2007.

(3) In Article V, following the appropriations to the Department of Criminal Justice, in Rider 71 (pages V-22-V-23), make the following changes:

(A) in the third paragraph, strike \$8,097,872 both times it occurs and substitute \$7,972,872;

(B) in the fourth paragraph, strike \$11,752,857 both times it occurs and substitute \$11,627,857;

(C) in the fifth paragraph, strike \$17,312,870 both times it occurs and substitute \$17,187,870; and

(D) in the sixth paragraph, strike \$26,501,672 and substitute \$26,376,672.

(4) Conform totals and methods of financing appropriately.

Floor Amendment No. 103

Amend Floor Amendment No. 102 proposed by Representative Fred Brown to **CSSB 1** by striking "Article III" and substituting "Article XI".

Amendment No. 104

Amend **CSSB 1** as follows:

(1) On page III-107, University of Houston - Victoria, add a new strategy under Goal C to and adjust totals accordingly:

	2006	2007
C.4.1. Strategy: Small Business Development Center	195,500	195,500

(2) On page III-237 add the following at the end of Section 55(d):

	2006	2007
University of Houston - Victoria	195,500	195,500

(3) On page III-237 in Section 55(d) adjust the total for the Lead Center to:

	2006	2007
University of Texas - San Antonio	3,179,898	3,179,898

(4) On page III-72, University of Texas at San Antonio, Goal C, adjust the total to:

	2006	2007
Strategy C.3.1. Small Business Development Center	3,179,898	3,179,898

Floor Amendment No. 106

Amend **CSSB 1**, Art III-232, Special Provisions Relating Only to State Agencies of Higher Education, Sec. 39. A&M Service Agencies' Infrastructure as follows:

Strike #2. Included in the appropriations for the A&M Service Agencies . . .

Add the following language as appropriate:

Funds identified as Infrastructure Support Outside Brazos County for the Texas Agricultural Experiment Station, Texas Cooperative Extension, Texas Forest Service, and the Texas Veterinary Medical Diagnostic Laboratory are to be applied to each agency's infrastructure needs for facilities located outside of Brazos County under the Texas Higher Education Coordinating Board's recommended formula for the A&M service agencies' infrastructure outside Brazos County.

Amendment No. 107

Amend **CSSB 1** in Article III, in the Special Provisions Relating Only to State Agencies of Higher Education, by adding the following appropriately numbered rider:

Sec. ____ . DISPLAY AND AVAILABILITY OF HEALTH INFORMATION.

No funds appropriated by this Act to an institution of higher education, as defined by Section 61.003, Education Code, may be expended to support a student health center or similar facility that displays or makes available to students pamphlets, brochures, or similar printed matter relating to health issues unless the health center or facility displays and makes available to students in the same manner copies of the current edition of the brochure entitled "A Woman's Right to Know" published by the Texas Department of Health.

Floor Amendment No. 108

Amend Floor Amendment No. 107 by Chisum to **CSSB 1** (page 100, prefiled amendments packet) by striking lines 5-13 and substituting:

The legislature intends that an institution of higher education, as defined by Section 61.003, Education Code, that spends appropriated money to support a student health center or similar facility that displays or makes available to students pamphlets, brochures, or similar printed material relating to health issues, will make available to female students copies of the current edition of the brochure published by the Department of State Health Services entitled "A Woman's Right to Know."

Floor Amendment No. 109

Amend **CSSB 1** (House committee printing) in Article III of the bill, in the Special Provisions Relating Only to State Agencies of Higher Education, by adding the following appropriately numbered section:

Sec. __. Limitation on Formula Funding Contact and Semester Credit Hours. It is the intent of the Legislature to control costs and limit general revenue formula appropriations to institutions of higher education by excluding contact hours or semester credit hours related to a course for which a student is generating formula funding for the third time from being counted in the hours reported by the Higher Education Coordinating Board to the Legislative Budget Board for formula funding.

Floor Amendment No. 110

Amend Floor Amendment No. 109 by Brown to **CSSB 1** (page 101, prefiled amendment packet) by adding the following immediately after the final line of the text of the amendment:

Contingent on the passage and becoming law of H.B. No. 20 or similar legislation, money saved by the limitation described by this section and the amount of money for funding not provided for semester credit hours over 45 credit hours of a degree program are appropriated to fund the summer school pilot program for Texas A&M University established under H.B. No. 20 or similar legislation for the state fiscal year beginning September 1, 2005.

Floor Amendment No. 111

Amend **CSSB 1** (House committee printing) in Article III of the bill, in the Special Provisions Relating Only to State Agencies of Higher Education, by adding the following appropriately numbered section:

Sec. _____. Report Concerning Designated Tuition. (a) Not later than January 1, 2007, the governing board of each public institution of higher education that charges students designated tuition under Section 54.0513, Education Code, shall report to the legislature, for the 2004-2005 and 2005-2006 academic years:

- (1) the amount the institution has collected in designated tuition;
- (2) the purposes for which the institution spent the money derived from designated tuition and the amount of that money spent for each of those purposes; and
- (3) the amount set aside from designated tuition for resident undergraduate and graduate student assistance under Sections 56.011 and 56.012, Education Code.

Floor Amendment No. 115

Amend **CSSB 1** on page IV-23 of the bill by striking rider 14 and substituting the following:

14. ACTUAL INNOCENCE PROJECTS. Out of amounts appropriated above in Strategy A.2.1, Indigent Defense, \$500,000 in each year of the biennium from the General Revenue-Dedicated Fair Defense Account No. 5073 shall be used by the Task Force on Indigent Defense to contract with The University of Texas at Arlington and the law schools at the University of Houston, The University of Texas, Texas Tech University, and Texas Southern University for innocence projects. It is the intent of the Legislature that the amount of each contract with each university shall be \$100,000. Any unexpended balances in the \$500,000 in funds designated for innocence projects as of August 31, 2006, are hereby appropriated to Strategy A.2.1, Indigent Defense for the same purpose for the fiscal year beginning September 1, 2006.

Floor Amendment No. 116

Amend Floor Amendment No. 115 by Goodman to **CSSB 1** (page 106, prefiled amendments packet) by striking lines 2 through 16 and substituting "rider 14."

Floor Amendment No. 117

Amend **CSSB 1** as follows:

(1) Add the following appropriately numbered rider to Article V of the bill after the appropriations to the Adjutant General's Department:

_____. CONTINGENCY APPROPRIATION FOR House Bill 2691. Contingent upon the enactment of House Bill 2691 or similar legislation by the 79th Legislature, Regular Session, 2005, that becomes law, the amount of \$5,000,000 is appropriated to the Adjutant General's Department out of the general revenue fund for the state fiscal biennium beginning September 1, 2005, for the purpose of implementing any of the purposes of that legislation.

(2) In Article I of the bill, in the general revenue fund appropriations to the Trusteed Programs within the Office of the Governor, in the Strategy A.1.8 appropriations to the Texas Enterprise Fund (House committee printing, page I-46), strike "\$140,750,000" and substitute "\$135,750,000".

(3) Adjust totals and methods of financing accordingly.

Floor Amendment No. 118

Amend Floor Amendment No. 117 proposed by Representative Gallego to **CSSB 1** by striking "Article V" and substituting "Article XI".

Floor Amendment No. 124

Amend **CSSB 1** as follows:

(1) On page V-10, in the Texas Department of Criminal Justice's bill pattern, decrease the General Revenue Fund appropriation in Strategy C.2.1, Texas Correctional Industries, by \$1,524,842 in fiscal year 2006 and \$1,524,843 in fiscal year 2007.

(2) On page V-10, in the Texas Department of Criminal Justice's bill pattern, increase the Private Sector Prison Industry Expansion Account No. 5060 appropriation (General Revenue - Dedicated) in Strategy C.2.1, Texas Correctional Industries, by \$1,524,842 in fiscal year 2006 and \$1,524,843 in fiscal year 2007.

Floor Amendment No. 125

Amend the Allen Amendment No. 124 to **CSSB 1** (page 114, prefiled amendments packet) by adding the following at the end of the amendment:

(3) Add the following appropriately numbered rider following the appropriations to the Department of State Health Services:

___ . Use of Unused Unopened Nursing Home Prescription Drugs. The Department of State Health Services shall require nursing homes to send in a secure manner unopened packages of prescription drugs that would otherwise be destroyed because the intended recipient of the drugs has died to the appropriate entity as directed by the Correctional Managed Health Care Committee for use in the Correctional Managed Care program.

Floor Amendment No. 126

Amend **CSSB 1**, Article V, Department of Criminal Justice, as follows:

1. On page V-11, Strategy A.1.1. Basic Supervision, add the following efficiency measure: "Average monthly caseload".

2. On page V-12, Strategy E.2.1, Parole Supervision, add the following efficiency measure: "Average monthly caseload".

Floor Amendment No. 130

Amend **CSSB 1** (House committee printing) by amending Rider 20 following the appropriations to the Texas Department of Agriculture (page VI-6) by adding the following text:

____. The Texas Health and Human Services Commission shall provide on a quarterly basis data on children certified for food stamps to the Texas Department of Agriculture. The Texas Department of Agriculture shall use this information to update quarterly for independent school districts a list of students who are eligible based on their receipt of food stamps to be directly certified for the School Lunch and Breakfast programs.

Floor Amendment No. 131

Amend **CSSB 1** in Article VI, in the Texas Parks and Wildlife Department bill pattern, by adding the following appropriately numbered rider:

____. Reallocation of Funds to Local Park Grants. Included in funds appropriated above in Strategy B.2.1, Local Park Grants, are federal funds in each fiscal year for providing grants to local parks. In the event that federal funds are not available or fall short of appropriated amounts for this purpose in the 2006-07 biennium, out of funds appropriated above the Texas Parks and Wildlife Department is directed to reallocate funds from other strategies to replace federal funds appropriated for local park grants.

Floor Amendment No. 132

Amend the Pickett Amendment No. 131 to **CSSB 1** (page 124 of prefiled amendments) by striking lines 5-13 and substituting:

_____. REALLOCATION OF FUNDS TO LOCAL PARK GRANTS. To the extent savings result from restructuring Parks and Wildlife Department bonds, an amount equal to the difference in debt service that results from the restructuring is appropriated to the Parks and Wildlife Department for the state fiscal biennium beginning September 1, 2005, to provide local park grants under Strategy B.2.1.

Floor Amendment No. 141

Amend **CSSB 1** on page VII-18, Goal B, Transportation Construction, Percent of Construction Projects Completed on Time, by striking the number "74%" in fiscal year 2006 and inserting the number "81.47%" and by striking the number "74%" in fiscal year 2007 and inserting the number "82%".

Floor Amendment No. 142

Amend Article VII, **CSSB 1** as follows:

(1) On page VII-26, insert the following appropriately numbered rider and renumber any subsequent riders accordingly:

"_____. State Transportation Improvement Program - Accountability Report. For each fiscal year in the biennium, the Texas Department of Transportation shall provide a report, with results statewide by district, on the percentage of projects listed in the State Transportation Improvement Program (STIP) that were let on or before the letting date provided in the STIP.

Floor Amendment No. 144

Amend **CSSB 1**, Article VII, Department of Transportation, on page VII-26, by adding the following new section:

"Sec. __. Verification of Revenue for Debt Service on Texas Mobility Fund Bonds. Prior to the issuance of any bonds to fund the \$1,919,560,001 appropriated by this Act out of the Texas Mobility Fund, the Department shall obtain a written verification from the Comptroller of Public Accounts that the revenue pledged by the Department to support the bonds is in compliance with state law governing the Texas Mobility Fund and that the revenue is sufficient to support the principle and interest payments on the debt."

Floor Amendment No. 147

Amend **CSSB 1** by adding the following appropriately numbered rider in Article VII of the bill after the appropriations to the Department of Transportation:

_____. TAMAULIPAS OFFICE. Out of the funds appropriated above in Strategy E.1.4., Regional Administration, an amount not to exceed \$250,000 shall be used by the Department of Transportation to establish, through use of a nonprofit corporation that is experienced in transportation and is headquartered in a county of this state adjacent to the Mexican state of Tamaulipas, an office representing the department in Ciudad Victoria, Tamaulipas, to facilitate relations between this state and the state of Tamaulipas on transportation and tourism issues and any other issue within the jurisdiction of the department.

Floor Amendment No. 148

Amend the A. Martinez Amendment No. 147 to **CSSB 1** (prefiled amendments page 137) as follows:

(1) On lines 2-3 strike "Article VII of the bill after the appropriations to the Department of Transportation" and substitute "Article XI of the bill following the items for the Department of Transportation".

(2) On line 4, strike "above" and substitute "to the Department of Transportation".

Amendment No. 151

Amend **CSSB 1** by adding the following appropriately numbered rider in Article VII after the appropriations to the Texas Workforce Commission by amending to add the following:

RESTRICTIONS ON USE OF CERTAIN DEDICATED CHILD CARE FUNDS. To the extent the state is required to dedicate more than four percent of the amount of federal child care development funds for the purposes provided by 42 U.S.C. Section 9858e, the commission, unless otherwise required by federal law, shall ensure that any amount of the dedicated funds in excess of four percent:

(1) is disbursed to boards for activities and initiatives that improve the quality of child care; and

(2) is not used for the direct provision of child care.

Floor Amendment No. 152

Amend Floor Amendment No. 151 by Villarreal to **CSSB 1** (page 142, prefiled amendments packet) by striking lines 1-2 and substituting the following:

Amend **CSSB 1** (House committee printing) by adding the following appropriately numbered rider to Article XI of the bill following the provisions for the Texas Workforce Commission:

Amendment No. 153

Amend **CSSB 1** under the appropriations to the Texas Workforce Commission by amending _____ to add the following language at the end:

In an effort to increase the numbers of individuals in Texas who are gainfully employed as well as maximize federal funds available to the state at the state and local levels, promotion of the federal Earned Income Tax Credit (EITC) program for recipients of Temporary Assistance for Needy Families (TANF) shall be funded out of funds appropriated above. The Texas Workforce Commission shall expend \$500,000 for the biennium of these funds for a matching grant program. Local collaborations - which may include United Ways, foundations, community- and faith-based organizations, cities, and/or counties - shall receive a 1:1 match of up to \$25,000 per year. One collaboration shall receive funding per local workforce development board area per year. Local projects shall promote the importance of work and assist in determining the eligibility of potential recipients in addition to the promotion of the tax credit. Nothing in this rider precludes the expenditure of general revenue dollars on EITC promotion to the extent such dollars are available.

Floor Amendment No. 154

Amend Floor Amendment No. 153 proposed by Representative Mike Villarreal to **CSSB 1** by:

1) striking "Amend **CSSB 1** under the appropriations to the Texas Workforce Commission by amending _____ to add the following language to the end:" and substituting "On page XI-71, add the following rider language:" and

2) striking and substituting the following:

~~In the effort to increase the numbers of individuals in Texas who are gainfully employed as well as maximize federal funds available to the state at the state and local levels, promotion of the federal Earned Income Tax Credit (EITC) program for recipients of Temporary Assistance for Needy Families (TANF) shall be funded out of funds appropriated above. The Texas Workforce Commission shall expend \$500,000 for the biennium of these funds for a matching grant program. Local collaborations - which may include United Ways, foundations, community and faith based organizations, cities, and/or counties - shall receive a 1:1 match of up to \$25,000 per year. One collaboration shall receive funding per local workforce development board area per year. Local projects shall promote the importance of work and assist in determining the eligibility of potential recipients in addition to the promotion of the tax credit. Nothing in this rider precludes the expenditure of general revenue dollars on EITC promotion to the extent such dollars are available.~~

Contingency for House Bill 1995. Contingent upon the enactment of House Bill 1995, or similar legislation by the Seventy-ninth Legislature, Regular Session, 2005, relating to a grant program to encourage investment of federal earned income tax credit funds, and in the effort to increase the numbers of individuals in Texas who are gainfully employed as well as maximize federal funds available to the state at the state and local levels, promotion of the federal Earned Income Tax Credit (EITC) program for recipients of Temporary Assistance for Needy Families (TANF) shall be funded out of funds appropriated above. The Texas Workforce Commission shall expend \$500,000 for the biennium of these funds for a matching grant program. Local collaborations - which may include United Ways, foundations, community- and faith-based organizations, cities, and/or counties - shall receive a 1:1 match of up to \$25,000 per year. One collaboration shall receive funding per local workforce development board area per year. Local projects shall promote the importance of work and assist in determining the eligibility of potential recipients in addition to the promotion of the tax credit. Nothing in this rider precludes the expenditure of general revenue dollars on EITC promotion to the extent such dollars are available.

Floor Amendment No. 155

Amend **CSSB 1** in Article VIII of the bill, following the appropriation to the Texas Department of Insurance (page VIII-27), by inserting the following appropriately numbered rider:

_____. It is the intent of the legislature that the Texas Department of Insurance, out of the funds appropriated above, make expenditures necessary to create or maintain a website and publish printed promotional materials that encourage insurance consumers to comparison shop by providing those consumers the information they need to be informed consumers.

Floor Amendment No. 160

Amend **CSSB 1** (House committee printing) in Article IX of the bill as follows:

(1) Strike the list of "Classified Positions for the 2006-07 Biennium" (pages IX-2 through IX-16) and substitute the following:

<u>Class Number</u>	<u>Class Title</u>	<u>Salary Group</u>
0006	Receptionist	A05
0053	Clerk I	A04
0055	Clerk II	A06
0057	Clerk III	A08
0059	Clerk IV	A10
0130	Customer Service Representative I	A09
0132	Customer Service Representative II	A11
0134	Customer Service Representative III	A13
0136	Customer Service Representative IV	A15
0150	Administrative Assistant I	A08
0152	Administrative Assistant II	A11
0154	Administrative Assistant III	A13
0156	Administrative Assistant IV	A15
0160	Executive Assistant I	B09
0162	Executive Assistant II	B11
0203	Data Entry Operator I	A06
0205	Data Entry Operator II	A08
0207	Data Entry Operator III	A10
0218	Computer Record Control Clerk I	A07
0220	Computer Record Control Clerk II	A09
0223	Computer Operator I	A09
0225	Computer Operator II	A11
0227	Computer Operator III	A14
0233	Computer Operations Supervisor I	B08
0234	Computer Operations Supervisor II	B10
0236	Systems Support Specialist I	A12
0237	Systems Support Specialist II	A14
0238	Systems Support Specialist III	A16
0239	Programmer I	B06
0240	Programmer II	B08
0241	Programmer III	B10
0242	Programmer IV	B12
0243	Programmer V	B14
0244	Programmer VI	B16
0245	Programmer VII	B18
0254	Systems Analyst I	B08
0255	Systems Analyst II	B10
0256	Systems Analyst III	B12
0257	Systems Analyst IV	B14
0258	Systems Analyst V	B16
0259	Systems Analyst VI	B18
0271	Data Base Administrator I	B08
0272	Data Base Administrator II	B10
0273	Data Base Administrator III	B12

0274	Data Base Administrator IV	B14
0275	Data Base Administrator V	B16
0276	Data Base Administrator VI	B18
0277	Web Administrator I	B10
0278	Web Administrator II	B12
0279	Web Administrator III	B14
0281	Telecommunications Specialist I	B07
0282	Telecommunications Specialist II	B09
0283	Telecommunications Specialist III	B11
0284	Telecommunications Specialist IV	B13
0285	Telecommunications Specialist V	B15
0287	Network Specialist I	B08
0288	Network Specialist II	B10
0289	Network Specialist III	B12
0290	Network Specialist IV	B14
0291	Network Specialist V	B16
0293	Business Continuity Coordinator I	B13
0294	Business Continuity Coordinator II	B15
0295	Business Continuity Coordinator III	B17
0330	Printing Services Technician I	A07
0331	Printing Services Technician II	A09
0332	Printing Services Technician III	A11
0333	Printing Services Technician IV	A13
0334	Printing Services Technician V	A15
0335	Printing Services Technician VI	A16
0340	Microfilm Camera Operator I	A06
0341	Microfilm Camera Operator II	A08
0350	Micrographics Technician I	A09
0352	Micrographics Technician II	A11
0354	Micrographics Technician III	A13
0356	Micrographics Technician IV	A15
0367	Photographer	A16
0516	Planner I	B09
0517	Planner II	B11
0518	Planner III	B12
0519	Planner IV	B13
0590	Research and Statistics Technician I	A11
0592	Research and Statistics Technician II	A13
0600	Research Specialist I	B07
0602	Research Specialist II	B09
0604	Research Specialist III	B10
0606	Research Specialist IV	B11
0608	Research Specialist V	B13
0624	Statistician I	B07
0626	Statistician II	B09
0628	Statistician III	B11
0630	Statistician IV	B13
0640	Economist I	B08
0642	Economist II	B10
0644	Economist III	B12
0810	Teacher Aide I	A07

0812	Teacher Aide II	A09
0813	Teacher Aide III	A11
0814	Teacher Aide IV	A13
1000	Accounting Technician I	A11
1002	Accounting Technician II	A13
1012	Accountant I	B06
1014	Accountant II	B08
1016	Accountant III	B09
1018	Accountant IV	B11
1020	Accountant V	B12
1022	Accountant VI	B13
1024	Accountant VII	B15
1042	Auditor I	B07
1044	Auditor II	B09
1046	Auditor III	B11
1048	Auditor IV	B13
1050	Auditor V	B15
1052	Auditor VI	B17
1059	Taxpayer Compliance Officer I	B03
1060	Taxpayer Compliance Officer II	B04
1061	Taxpayer Compliance Officer III	B06
1062	Taxpayer Compliance Officer IV	B08
1063	Taxpayer Compliance Officer V	B10
1073	Accounts Examiner I	B04
1074	Accounts Examiner II	B06
1075	Accounts Examiner III	B08
1076	Accounts Examiner IV	B10
1077	Accounts Examiner V	B12
1080	Financial Analyst I	B11
1082	Financial Analyst II	B13
1084	Financial Analyst III	B15
1100	Financial Examiner I	B07
1102	Financial Examiner II	B09
1104	Financial Examiner III	B11
1106	Financial Examiner IV	B13
1108	Financial Examiner V	B15
1110	Financial Examiner VI	B17
1112	Financial Examiner VII	B19
1130	Investment Analyst I	B12
1131	Investment Analyst II	B15
1132	Investment Analyst III	B18
1133	Investment Analyst IV	B20
1150	Portfolio Manager I	B18
1151	Portfolio Manager II	B20
1152	Portfolio Manager III	B21
1153	Portfolio Manager IV	B22
1155	Budget Analyst I	B06
1156	Budget Analyst II	B09
1157	Budget Analyst III	B11
1158	Budget Analyst IV	B13
1161	Trader I	B16

1162	Trader II	B19
1165	Chief Investment Officer	B22
1175	Chief Trader I	B21
1176	Chief Trader II	B22
1240	Reimbursement Officer I	A09
1242	Reimbursement Officer II	A11
1244	Reimbursement Officer III	A13
1246	Reimbursement Officer IV	A15
1248	Reimbursement Officer V	A17
1320	Inspector I	B01
1321	Inspector II	B03
1322	Inspector III	B05
1323	Inspector IV	B07
1324	Inspector V	B08
1325	Inspector VI	B10
1326	Inspector VII	B12
1350	Investigator I	B04
1351	Investigator II	B06
1352	Investigator III	B08
1353	Investigator IV	B09
1354	Investigator V	B10
1355	Investigator VI	B12
1356	Investigator VII	B13
1372	Seed Analyst I	B03
1374	Seed Analyst II	B05
1376	Seed Analyst III	B07
1378	Seed Analyst IV	B09
1550	Staff Services Officer I	B08
1551	Staff Services Officer II	B10
1552	Staff Services Officer III	B11
1553	Staff Services Officer IV	B12
1554	Staff Services Officer V	B13
1570	Program Specialist I	B09
1571	Program Specialist II	B10
1572	Program Specialist III	B11
1573	Program Specialist IV	B12
1574	Program Specialist V	B13
1575	Program Specialist VI	B15
1576	Program Specialist VII	B17
1580	Program Supervisor I	B09
1582	Program Supervisor II	B11
1584	Program Supervisor III	B13
1600	Manager I	B13
1601	Manager II	B14
1602	Manager III	B15
1603	Manager IV	B16
1604	Manager V	B17
1620	Director I	B17
1621	Director II	B18
1622	Director III	B19
1623	Director IV	B20

1624	Director V	B21
1630	Deputy Director	B22
1640	Deputy Comptroller	B22
1727	Human Resources Assistant	A11
1729	Human Resources Specialist I	B05
1731	Human Resources Specialist II	B07
1733	Human Resources Specialist III	B09
1735	Human Resources Specialist IV	B11
1737	Human Resources Specialist V	B13
1780	Training Assistant	A11
1781	Training Specialist I	B05
1782	Training Specialist II	B07
1783	Training Specialist III	B09
1784	Training Specialist IV	B11
1785	Training Specialist V	B13
1821	Marketing Specialist I	B04
1822	Marketing Specialist II	B06
1823	Marketing Specialist III	B08
1824	Marketing Specialist IV	B10
1830	Information Specialist I	B06
1831	Information Specialist II	B08
1832	Information Specialist III	B10
1833	Information Specialist IV	B13
1840	Audio/Visual Technician I	A09
1841	Audio/Visual Technician II	A11
1842	Audio/Visual Technician III	A14
1843	Audio/Visual Technician IV	A16
1860	Management Analyst I	B10
1862	Management Analyst II	B12
1864	Management Analyst III	B14
1870	Technical Writer I	B08
1871	Technical Writer II	B10
1880	State and Federal Relations Representative I	B15
1881	State and Federal Relations Representative II	B17
1882	State and Federal Relations Representative III	B19
1890	Government Relations Specialist I	B15
1892	Government Relations Specialist II	B17
1912	Inventory Coordinator I	A12
1913	Inventory Coordinator II	A14
1920	Grant Coordinator I	B10
1921	Grant Coordinator II	B12
1954	Purchaser I	B04
1955	Purchaser II	B06
1956	Purchaser III	B08
1957	Purchaser IV	B10
1958	Purchaser V	B12
1960	Contract Administration Manager I	B17
1962	Contract Administration Manager II	B19
1970	Contract Technician I	A09
1972	Contract Technician II	A11
1974	Contract Technician III	A13

1976	Contract Specialist I	B07
1978	Contract Specialist II	B08
1980	Contract Specialist III	B09
1982	Contract Specialist IV	B10
1990	Property Manager I	B08
1992	Property Manager II	B10
1994	Property Manager III	B12
2050	Land Surveyor I	B11
2054	Land Surveyor II	B13
2056	Land Surveyor III	B15
2061	Appraiser I	B07
2062	Appraiser II	B09
2064	Appraiser III	B11
2065	Appraiser IV	B13
2080	Right of Way Agent I	B04
2082	Right of Way Agent II	B06
2084	Right of Way Agent III	B08
2086	Right of Way Agent IV	B10
2093	Utility Specialist I	B12
2094	Utility Specialist II	B14
2119	Engineering Aide	A06
2121	Engineering Technician I	A08
2122	Engineering Technician II	A10
2123	Engineering Technician III	A12
2124	Engineering Technician IV	A14
2125	Engineering Technician V	A16
2126	Engineering Specialist I	B08
2127	Engineering Specialist II	B09
2128	Engineering Specialist III	B10
2129	Engineering Specialist IV	B11
2130	Engineering Specialist V	B12
2131	Engineering Specialist VI	B13
2132	Engineering Specialist VII	B14
2137	Engineering Assistant	B07
2151	Engineer I	B12
2152	Engineer II	B13
2153	Engineer III	B14
2154	Engineer IV	B15
2155	Engineer V	B16
2156	Engineer VI	B17
2157	Engineer VII	B18
2167	Graphic Designer I	B06
2168	Graphic Designer II	B08
2181	Drafting Technician I	A15
2182	Drafting Technician II	A17
2255	Project Design Assistant	B08
2260	Architect I	B11
2264	Architect II	B13
2266	Architect III	B15
2350	Earth Science Technician	B08
2356	Geologist I	B09

2360	Geologist II	B11
2364	Geologist III	B13
2365	Geologist IV	B15
2456	Hydrologist I	B09
2460	Hydrologist II	B11
2464	Hydrologist III	B13
2465	Hydrologist IV	B15
2471	Chemist I	B05
2472	Chemist II	B07
2473	Chemist III	B09
2474	Chemist IV	B11
2475	Chemist V	B13
2476	Chemist VI	B15
2583	Sanitarian I	B09
2584	Sanitarian II	B11
2585	Sanitarian III	B13
2650	Environmental Specialist I	B05
2651	Environmental Specialist II	B07
2652	Environmental Specialist III	B09
2653	Environmental Specialist IV	B11
2654	Environmental Specialist V	B13
2655	Environmental Specialist VI	B15
2681	Natural Resources Specialist I	B05
2682	Natural Resources Specialist II	B07
2683	Natural Resources Specialist III	B09
2684	Natural Resources Specialist IV	B11
2685	Natural Resources Specialist V	B13
2686	Natural Resources Specialist VI	B15
2687	Park Specialist I	B06
2688	Park Specialist II	B08
2689	Park Specialist III	B10
2691	Fish and Wildlife Technician I	A11
2692	Fish and Wildlife Technician II	A13
2693	Fish and Wildlife Technician III	A15
2694	Fish and Wildlife Technician IV	A17
2695	Park Ranger I	A07
2696	Park Ranger II	A09
2697	Park Ranger III	A11
2698	Park Ranger IV	A13
2699	Park Ranger V	A15
2720	Lifeguard	A03
2730	Safety Officer I	B07
2731	Safety Officer II	B09
2732	Safety Officer III	B11
2733	Safety Officer IV	B13
2740	Risk Management Specialist I	B07
2741	Risk Management Specialist II	B09
2742	Risk Management Specialist III	B10
2743	Risk Management Specialist IV	B12
2744	Risk Management Specialist V	B13
2761	Rescue Specialist I	B08

2762	Rescue Specialist II	B10
2763	Rescue Specialist III	B12
2802	Actuary I	B13
2803	Actuary II	B15
2804	Actuary III	B17
2805	Actuary IV	B19
2806	Actuary V	B21
2808	Chief Actuary	B22
2824	Insurance Technician	A10
2841	Insurance Specialist I	B04
2842	Insurance Specialist II	B06
2843	Insurance Specialist III	B08
2844	Insurance Specialist IV	B09
2845	Insurance Specialist V	B10
2911	Retirement System Benefits Specialist I	B02
2912	Retirement System Benefits Specialist II	B04
2913	Retirement System Benefits Specialist III	B06
2914	Retirement System Benefits Specialist IV	B08
2920	Claims Assistant	A12
2921	Claims Examiner I	B07
2922	Claims Examiner II	B08
2923	Claims Examiner III	B09
2924	Claims Examiner IV	B10
3020	Employment Specialist I	B02
3021	Employment Specialist II	B03
3022	Employment Specialist III	B04
3023	Employment Specialist IV	B05
3024	Employment Specialist V	B06
3025	Employment Specialist VI	B07
3026	Employment Specialist VII	B08
3151	Unemployment Insurance Claims Examiner I	A11
3153	Unemployment Insurance Claims Examiner II	A13
3154	Unemployment Insurance Claims Examiner III	A15
3171	Unemployment Insurance Specialist I	B07
3173	Unemployment Insurance Specialist II	B09
3501	Attorney I	B10
3502	Attorney II	B12
3503	Attorney III	B14
3504	Attorney IV	B16
3505	Attorney V	B18
3506	Attorney VI	B20
3510	Assistant Attorney General I	B10
3511	Assistant Attorney General II	B12
3512	Assistant Attorney General III	B14
3513	Assistant Attorney General IV	B16
3514	Assistant Attorney General V	B18
3515	Assistant Attorney General VI	B20
3516	Assistant Attorney General VII	B21
3517	First Assistant Attorney General	B22
3520	General Counsel I	B14
3521	General Counsel II	B16

3522	General Counsel III	B18
3523	General Counsel IV	B20
3524	General Counsel V	B21
3559	Hearings Reporter	B12
3565	Legal Secretary I	A09
3566	Legal Secretary II	A11
3567	Legal Secretary III	A13
3568	Legal Secretary IV	A15
3572	Legal Assistant I	B06
3574	Legal Assistant II	B08
3576	Legal Assistant III	B10
3604	Law Clerk	B03
3610	Court Law Clerk I	B09
3611	Court Law Clerk II	B11
3620	Deputy Clerk I	A09
3622	Deputy Clerk II	A11
3624	Deputy Clerk III	A14
3626	Deputy Clerk IV	A17
3630	Chief Deputy Clerk	B13
3635	Clerk of the Court	B17
3640	Administrative Law Judge I	B15
3642	Administrative Law Judge II	B17
3644	Administrative Law Judge III	B18
3646	Master Administrative Law Judge IV	B20
3650	Associate Judge I	B18
3652	Associate Judge II	B20
3660	Ombudsman I	B09
3662	Ombudsman II	B10
3672	Benefit Review Officer	B12
4001	Dietetic Technician I	A07
4002	Dietetic Technician II	A09
4007	Dietitian	B07
4016	Nutritionist I	B07
4017	Nutritionist II	B10
4018	Nutritionist III	B12
4070	Public Health Technician I	B03
4072	Public Health Technician II	B05
4074	Public Health Technician III	B07
4076	Public Health Technician IV	B09
4082	Epidemiologist I	B11
4083	Epidemiologist II	B13
4084	Epidemiologist III	B15
4125	Veterinarian I	B14
4127	Veterinarian II	B16
4129	Veterinarian III	B18
4140	Laboratory Technician I	A05
4142	Laboratory Technician II	A07
4144	Laboratory Technician III	A09
4146	Laboratory Technician IV	A11
4220	Microbiologist I	B05
4221	Microbiologist II	B07

4222	Microbiologist III	B09
4223	Microbiologist IV	B11
4224	Microbiologist V	B13
4225	Microbiologist VI	B15
4292	Radiological Technologist I	B05
4293	Radiological Technologist II	B07
4294	Radiological Technologist III	B09
4342	Orthopedic Equipment Technician I	A08
4344	Orthopedic Equipment Technician II	A10
4346	Orthopedic Equipment Technician III	A12
4360	Registered Therapist Assistant	A15
4361	Registered Therapist I	B06
4362	Registered Therapist II	B08
4363	Registered Therapist III	B10
4364	Registered Therapist IV	B12
4365	Registered Therapist V	B14
4366	Registered Therapist VI	B15
4374	Medical Aide I	A05
4376	Medical Aide II	A07
4385	Medical Technician I	A09
4386	Medical Technician II	A11
4387	Medical Technician III	A13
4390	Health Physicist I	B14
4392	Health Physicist II	B16
4394	Health Physicist III	B18
4401	Medical Technologist I	B05
4402	Medical Technologist II	B07
4403	Medical Technologist III	B09
4404	Medical Technologist IV	B11
4405	Medical Technologist V	B13
4410	Certified Nurse Assistant I	A05
4412	Certified Nurse Assistant II	A07
4428	Respiratory Care Practitioner	A14
4430	Licensed Vocational Nurse I	A09
4432	Licensed Vocational Nurse II	A11
4434	Licensed Vocational Nurse III	A13
4435	Resident Physician	B10
4436	Physician I	B20
4437	Physician II	B21
4438	Physician III	B22
4440	Physician Assistant	B17
4444	Nurse I	B08
4446	Nurse II	B10
4448	Nurse III	B12
4450	Nurse IV	B13
4451	Nurse Practitioner	B15
4453	Medical Research Specialist	B17
4455	Dentist I	B17
4457	Dentist II	B19
4459	Dentist III	B21
4462	Psychologist I	B14

4464	Psychologist II	B16
4465	Psychologist III	B18
4466	Psychological Assistant	B04
4468	Associate Psychologist I	B08
4469	Associate Psychologist II	B09
4470	Associate Psychologist III	B10
4471	Associate Psychologist IV	B11
4472	Associate Psychologist V	B12
4476	Psychiatrist I	B20
4477	Psychiatrist II	B21
4478	Psychiatrist III	B22
4482	Dental Assistant I	A06
4483	Dental Assistant II	A08
4489	Dental Hygienist	B09
4492	Pharmacist I	B16
4493	Pharmacist II	B18
4498	Pharmacy Technician I	A08
4499	Pharmacy Technician II	A10
4501	Correctional Officer I	A07
4502	Correctional Officer II	A09
4503	Correctional Officer III	A11
4504	Correctional Officer IV	A12
4505	Correctional Officer V	A14
4510	Sergeant of Correctional Officers	B07
4511	Lieutenant of Correctional Officers	B08
4512	Captain of Correctional Officers	B09
4513	Major of Correctional Officers	B10
4520	Juvenile Correctional Officer I	A07
4521	Juvenile Correctional Officer II	A09
4522	Juvenile Correctional Officer III	A11
4523	Juvenile Correctional Officer IV	A13
4524	Juvenile Correctional Officer V	A15
4525	Juvenile Correctional Officer VI	A16
4540	Parole Officer I	B06
4541	Parole Officer II	B07
4542	Parole Officer III	B08
4543	Parole Officer IV	B10
4544	Parole Officer V	B12
4550	Assistant Warden	B14
4551	Warden I	B16
4552	Warden II	B18
4560	Counsel Substitute I	A11
4561	Counsel Substitute II	A13
4562	Counsel Substitute III	A15
4571	Correctional Transportation Officer	A12
4646	Industrial Specialist I	A11
4647	Industrial Specialist II	A12
4648	Industrial Specialist III	A13
4649	Industrial Specialist IV	A14
4650	Industrial Specialist V	A16
4651	Industrial Specialist VI	A18

4671	Agriculture Specialist I	A12
4672	Agriculture Specialist II	A13
4673	Agriculture Specialist III	A14
4674	Agriculture Specialist IV	A15
4675	Agriculture Specialist V	A16
5023	Protective Services Specialist I	B05
5024	Protective Services Specialist II	B06
5025	Protective Services Specialist III	B07
5026	Protective Services Specialist IV	B08
5027	Protective Services Specialist V	B09
5046	Disability Case Review Specialist	B03
5050	Rehabilitation Therapy Technician I	A05
5051	Rehabilitation Therapy Technician II	A07
5052	Rehabilitation Therapy Technician III	A09
5053	Rehabilitation Therapy Technician IV	A11
5054	Rehabilitation Therapy Technician V	A13
5062	Vocational Rehabilitation Counselor I	B07
5063	Vocational Rehabilitation Counselor II	B08
5064	Vocational Rehabilitation Counselor III	B09
5079	Chaplaincy Services Assistant	A11
5081	Chaplain I	B06
5082	Chaplain II	B09
5083	Chaplain III	B11
5090	Rehabilitation Teacher I	B02
5091	Rehabilitation Teacher II	B04
5092	Rehabilitation Teacher III	B06
5105	Veterans Assistance Counselor I	B06
5106	Veterans Assistance Counselor II	B07
5107	Veterans Assistance Counselor III	B08
5108	Veterans Assistance Counselor IV	B10
5109	Veterans Assistance Counselor V	B12
5112	Substance Abuse Counselor I	B05
5113	Substance Abuse Counselor II	B06
5120	MHMR Services Aide	A04
5121	MHMR Services Assistant I	A06
5122	MHMR Services Assistant II	A07
5123	MHMR Services Assistant III	A08
5124	MHMR Services Supervisor	A10
5130	Qualified Mental Retardation Professional I	B05
5131	Qualified Mental Retardation Professional II	B06
5132	Qualified Mental Retardation Professional III	B07
5133	Qualified Mental Retardation Professional IV	B08
5140	Recreation Program Specialist I	A09
5142	Recreation Program Specialist II	A11
5144	Recreation Program Specialist III	A13
5201	Resident Specialist I	A07
5203	Resident Specialist II	A09
5205	Resident Specialist III	A11
5207	Resident Specialist IV	A13
5209	Resident Specialist V	A15
5221	Clinical Social Worker I	B05

5222	Clinical Social Worker II	B07
5223	Clinical Social Worker III	B09
5224	Clinical Social Worker IV	B11
5226	Case Manager I	B04
5227	Case Manager II	B05
5228	Case Manager III	B07
5229	Case Manager IV	B09
5231	Volunteer Services Coordinator I	B03
5232	Volunteer Services Coordinator II	B05
5233	Volunteer Services Coordinator III	B07
5234	Volunteer Services Coordinator IV	B09
5235	Volunteer Services Coordinator V	B11
5300	HHS Program Coordinator I	B10
5302	HHS Program Coordinator II	B12
5304	HHS Program Coordinator III	B14
5502	Human Services Technician I	A04
5503	Human Services Technician II	A06
5504	Human Services Technician III	A07
5505	Human Services Technician IV	A09
5525	Quality Assurance Specialist I	B07
5526	Quality Assurance Specialist II	B08
5527	Quality Assurance Specialist III	B09
5528	Quality Assurance Specialist IV	B11
5540	Child Support Officer I	B03
5541	Child Support Officer II	B05
5542	Child Support Officer III	B07
5543	Child Support Officer IV	B09
5550	Child Support Technician I	A09
5551	Child Support Technician II	A11
5552	Child Support Technician III	A13
5614	Interpreter I	B06
5616	Interpreter II	B08
5618	Interpreter III	B10
5700	Human Services Specialist I	B03
5701	Human Services Specialist II	B04
5702	Human Services Specialist III	B05
5703	Human Services Specialist IV	B06
5704	Human Services Specialist V	B07
5705	Human Services Specialist VI	B08
5706	Human Services Specialist VII	B09
6052	Forensic Scientist I	B10
6053	Forensic Scientist II	B11
6054	Forensic Scientist III	B12
6055	Forensic Scientist IV	B13
6056	Forensic Scientist V	B14
6057	Forensic Scientist VI	B15
6082	Forensic Photographer I	B07
6084	Forensic Photographer II	B09
6086	Forensic Photographer III	B11
6090	Communications Center Specialist I	A08
6092	Communications Center Specialist II	A10

6095	Police Communications Operator I	A12
6096	Police Communications Operator II	A13
6097	Police Communications Operator III	A14
6098	Police Communications Operator IV	A15
6114	Fingerprint Technician I	A10
6115	Fingerprint Technician II	A11
6116	Fingerprint Technician III	A12
6117	Fingerprint Technician IV	A14
6121	Firearms/Latent Print Technician I	B07
6122	Firearms/Latent Print Technician II	B08
6150	Crime Lab Evidence Technician	B05
6152	Combined DNA Index System Analyst I	B10
6154	Combined DNA Index System Analyst II	B12
6221	Public Safety Records Technician I	A09
6222	Public Safety Records Technician II	A10
6229	Security Officer I	A06
6230	Security Officer II	A08
6232	Security Officer III	A10
6234	Security Officer IV	A12
7304	Archeologist I	B06
7306	Archeologist II	B08
7308	Archeologist III	B10
7310	Archeologist IV	B12
7315	Historian I	B06
7317	Historian II	B08
7319	Historian III	B10
7350	Library Assistant I	A07
7352	Library Assistant II	A09
7354	Library Assistant III	A11
7401	Librarian I	B06
7402	Librarian II	B08
7403	Librarian III	B10
7404	Librarian IV	B12
7405	Archivist I	B06
7407	Archivist II	B08
7409	Archivist III	B10
7460	Exhibit Technician I	B02
7462	Exhibit Technician II	B04
7464	Exhibit Technician III	B06
7466	Museum Curator	B8
8003	Custodian I	A03
8005	Custodian II	A05
8007	Custodian III	A08
8021	Custodial Manager I	A11
8023	Custodial Manager II	A13
8025	Custodial Manager III	A15
8031	Groundskeeper I	A04
8032	Groundskeeper II	A06
8033	Groundskeeper III	A08
8103	Food Service Worker I	A03
8104	Food Service Worker II	A05

8108	Food Service Manager I	A09
8109	Food Service Manager II	A11
8110	Food Service Manager III	A14
8111	Food Service Manager IV	A16
8116	Cook I	A03
8117	Cook II	A04
8118	Cook III	A06
8119	Cook IV	A08
8202	Sewing Room Worker	A03
8203	Sewing Room Supervisor	A06
8252	Laundry Worker I	A03
8253	Laundry Worker II	A05
8254	Laundry Worker III	A07
8260	Laundry Manager I	A09
8261	Laundry Manager II	A11
8262	Laundry Manager III	A14
8263	Laundry Manager IV	A16
8302	Barber/Cosmetologist	A06
8400	Canteen Manager I	A10
8401	Canteen Manager II	A13
9004	Maintenance Assistant	A06
9022	Equipment Operator I	A09
9024	Equipment Operator II	A11
9026	Equipment Operator III	A13
9034	Air Conditioning and Boiler Operator I	B03
9035	Air Conditioning and Boiler Operator II	B05
9036	Air Conditioning and Boiler Operator III	B07
9037	Air Conditioning and Boiler Operator IV	B09
9041	Maintenance Technician I	A06
9042	Maintenance Technician II	A08
9043	Maintenance Technician III	A09
9044	Maintenance Technician IV	A11
9045	Maintenance Technician V	A13
9051	Maintenance Supervisor I	A10
9052	Maintenance Supervisor II	A12
9053	Maintenance Supervisor III	A14
9054	Maintenance Supervisor IV	A15
9055	Maintenance Supervisor V	A16
9060	Electronics Technician I	A15
9062	Electronics Technician II	A17
9305	Transportation Maintenance Specialist I	A13
9306	Transportation Maintenance Specialist II	A15
9307	Transportation Maintenance Specialist III	A16
9308	Transportation Maintenance Specialist IV	A17
9309	Transportation Maintenance Specialist V	A18
9321	Vehicle Driver I	A03
9322	Vehicle Driver II	A05
9323	Vehicle Driver III	A07
9324	Vehicle Driver IV	A09
9416	Motor Vehicle Technician I	A08
9417	Motor Vehicle Technician II	A10

9418	Motor Vehicle Technician III	A12
9419	Motor Vehicle Technician IV	A14
9512	Machinist I	A13
9514	Machinist II	A15
9624	Aircraft Pilot I	B11
9626	Aircraft Pilot II	B13
9636	Aircraft Mechanic	B10
9700	Radio Communications Technician I	A10
9704	Radio Communications Technician II	A12
9706	Radio Communications Technician III	A14
9733	Equipment Maintenance Technician I	A14
9734	Equipment Maintenance Technician II	A16
9802	Electrician I	B06
9804	Electrician II	B08
9806	Electrician III	B10
9812	HVAC Mechanic I	A12
9814	HVAC Mechanic II	A14
9816	HVAC Mechanic III	A16
9901	Public Safety Inspector I	C05
9902	Public Safety Inspector II	C06
9905	Pilot Investigator I	C04
9906	Pilot Investigator II	C05
9907	Pilot Investigator III	C06
9908	Pilot Investigator IV	C07
9920	Trooper Trainee	C01
9922	Probationary Trooper	C02
9928	Trooper	C03
9935	Corporal	C03
9940	Sergeant, Public Safety	C04
9941	Lieutenant, Public Safety	C05
9942	Captain, Public Safety	C06
9943	Assistant Commander, Public Safety	C07
9944	Commander, Public Safety	C08
9945	Major, Public Safety	C08
9950	Agent Trainee	C02
9956	Agent	C03
9960	Sergeant, Alcoholic Beverage	C04
9961	Lieutenant, Alcoholic Beverage	C05
9962	Captain, Alcoholic Beverage	C06
9963	Major, Alcoholic Beverage	C08
9965	Investigator Trainee - Office of the Inspector General	C01
9971	Investigator - Office of the Inspector General	C03
9972	Regional Supervisor - Office of the Inspector General	C04
9973	Regional Manager - Office of the Inspector General	C05
9974	Multi-Regional Administrator - Office of the Inspector General	C06

9975	Chief Inspector - Office of the Inspector General (less than 12 years service)	C07
9976	Chief Inspector - Office of the Inspector General (more than 12 years service)	C08
9980	Game Warden Trainee	C01
9981	Probationary Game Warden	C02
9987	Game Warden	C03
9990	Sergeant, Game Warden	C04
9991	Lieutenant, Game Warden	C05
9992	Captain, Game Warden	C06
9993	Assistant Commander, Game Warden	C07
9994	Commander, Game Warden	C08
9995	Major, Game Warden	C08

(2) Add the following appropriately numbered section to Part 3 of the Article:

Sec. 3. ____. EQUITY ADJUSTMENTS. (a) A state agency is authorized to adjust the salary rate of an employee whose position is classified under the position classification plan to any rate within the employee's salary group range as necessary to maintain desirable salary relationships:

(1) between and among employees of the agency; or

(2) between employees of the agency and employees who hold similar positions in the relevant labor market.

(b) In determining desirable salary relationships under Subsection (a), a state agency shall consider the education, skills, related work experience, length of service, and job performance of agency employees and similar employees in the relevant labor market.

(c) A state agency may award an equity adjustment to an employee under this section only if:

(1) the employee has worked in the employee's current position for not less than six months while maintaining at least a satisfactory level of job performance; and

(2) the adjustment does not take effect during the same fiscal year as another equity adjustment made to the employee's salary under this section.

(d) A state agency shall adopt internal written rules relating to making equity adjustments under this section. The rules shall include procedures under which the agency will review and analyze the salary relationships between agency employees who receive salaries under the same job classification and perform the same type and level of work to determine if inequities exist.

Floor Amendment No. 162

Amend **CSSB 1** in Article IX under Part 6, General Limitations on Expenditures (page IX-27), by adding the following appropriately numbered section:

SECTION 6. ____. Use of Appropriated Money Paid to Contractor. A contractor that receives money appropriated under this Act as compensation under a contract with a state agency, including a state agency in the legislative or judicial branch or an institution of higher education, may not use any portion of that money to retain or compensate a person required to register as a lobbyist under Chapter 305, Government Code.

Floor Amendment No. 163

Amend the Gallego Amendment No. 162 to **CSSB 1** (page 181, prefiled amendments packet) by striking lines 9 and 10 and substituting the following: money to compensate a person for performing services, on behalf of the contractor, that would require the compensated person to register as a lobbyist under Chapter 305, Government Code.

Floor Amendment No. 164

Amend **CSSB 1**, on page IX-23, Part 4, Employment Policies and Provisions, by adding a new section as follows and by renumbering any remaining sections accordingly:

"Sec. __. Restriction on Salary Payment for Certain Personnel. No funds appropriated by this Act may be spent for the salary of a person employed by a state agency or institution of higher education to make recommendations or decisions regarding the preparation of a solicitation for a contract, the under this Act may not make recommendations or decisions regarding the preparation of a solicitation for a contract, contract terms or conditions, or the award of a contract nor evaluate a bid proposal unless the person has disclosed, on an annual basis, to the state agency or institution of higher education and the Comptroller of Public Accounts whether the person:

(1) is employed by, participates in the management of, or is a paid consultant of a business entity or other organization;

(2) owns or controls, directly or indirectly, more than a 10 percent interest or a pecuniary interest with a value exceeding \$10,000 in a business entity or other organization;

(3) has any relationship with a person who is an owner, manager, partner, or paid consultant of a business entity or other organization; or

(4) has any relationship with a person who owns or controls, directly or indirectly, more than a 10 percent interest or a pecuniary interest with a value exceeding \$10,000 in a business entity or other organization.

Floor Amendment No. 165

Amend Floor Amendment No. 164 by Rodriguez to **CSSB 1** (page 179, prefiled amendments package) by striking the first four lines of the amendment and substituting:

Amend **CSSB 1** by adding the following appropriately numbered rider to Article XI of the bill:

___. RESTRICTION ON SALARY PAYMENT FOR CERTAIN PERSONNEL. Contingent on H.B. No. 2169 or similar legislation by the 79th Legislature, Regular Session, passing and becoming law, money appropriated by this Act may not be spent for the salary of a person employed by a state agency or

Floor Amendment No. 166

Amend **CSSB 1** by adding the following appropriately numbered section to Part 6 of Article IX of the bill and renumbering the subsequent sections of Part 6, Article IX, accordingly:

Sec. 6. _____. Restriction on Expenditures for Lobbying Activities. (a) Except as provided by Subsection (b) of this section, none of the funds appropriated under this Act may be used to compensate a person for engaging in lobbying activities. In this subsection, lobbying activities means contacting, in person or by telephone, telegraph, letter, facsimile, electronic mail, or other electronic means of communication, an officer or employee of the federal government or the government of any state or political subdivision to influence:

(1) a bill, resolution, amendment, order, ordinance, nomination, or other matter pending before a governmental entity exercising legislative powers;

(2) any matter that is or may be the subject of action by a governmental entity exercising legislative powers, including the introduction, consideration, passage, defeat, approval, or veto of the matter; or

(3) rulemaking, licensing, or any other matter that may be the subject of action by a governmental entity exercising administrative powers, including the proposal, consideration, or approval of the matter.

(b) Subsection (a) of this section does not apply to the payment of compensation to a person employed by a state agency, including the Office of State-Federal Relations.

Floor Amendment No. 167

Amend Floor Amendment No. 166 by Gallego to **CSSB 1** (page 181, filed amendment package), by striking lines 9-10 and substituting:
money to retain or compensate:

(1) a person required to register as a lobbyist under Chapter 305, Government Code; or

(2) a person for the purpose of communicating directly with a person, agency, or body within the legislative or executive branches of the federal government to influence legislative or administrative action.

Floor Amendment No. 169

Amend **CSSB 1**, on page IX-43, by adding a new section as follows and by renumbering any remaining sections accordingly:

"Sec. ___. Prohibition on Use of Funds to Purchase Life Insurance Policies on Employees or Clients. A state agency that is appropriated funds under this Act shall not enter into any agreement for the purchase of life insurance policies on employees or clients for which the agency or the state is designated as a beneficiary to receive the proceeds of the policy."

Floor Amendment No. 170

Amend **CSSB 1**, Article IX, Sec. 8.11, on page IX-49, to read as follows:

Sec. 8.11. Appropriation of Receipts: Credit, Charge, or Debit Card Service Fees. Any fee receipts assessed by an agency for the use of a credit, charge, or debit card for the payment of a fee, tax, penalty, or other charge authorized by law are appropriated to that agency from the fund to which the fee was deposited for the purpose of paying the costs associated with receiving the payment. Any cost recovery fees, excluding subscription fees as defined in Subchapter I, Chapter 2054, Government Code, approved by the TexasOnline Authority as authorized under Chapter 2054,

Government Code, are hereby appropriated to that agency from the fund to which the fee was deposited for the purpose of paying the costs associated with implementing and maintaining electronic services. Any unexpended balances from credit, charge, or debit card processing or convenience fees remaining at the end of the fiscal biennium ending August 31, 2005, are reappropriated to the assessing agency from the agency from the fund to which the fee was deposited for the same purposes for the fiscal biennium beginning September 1, 2005.

Floor Amendment No. 171

Amend Floor Amendment No. 170 by Hamric to **CSSB 1** (page 185, prefiled amendments packet) by striking "for the purpose of paying the costs associated with implementing and maintaining electronic services" and substituting "for any purpose for which money is appropriated to that agency by this Act".

Floor Amendment No. 172

Amend **CSSB 1** in Article IX by striking Section 9.03 (House committee printing, page IX-51) and substituting the following:

Sec. 9.03. STATE DATA CENTERS AND DISASTER RECOVERY SERVICES. (a) In this section:

(1) "Department" means the Department of Information Resources.

(2) "State agency" has the meaning assigned by Section 2054.003, Government Code.

(b) A state agency may not spend money appropriated by this Act to enter into or renew a contract, or issue a purchase order, to establish or maintain data center operations, disaster recovery plan testing services, or disaster recovery services, unless the executive director of the department approves the contract or purchase order.

(c) It is the intent of the legislature that the department prioritize the migration of services to the statewide technology center system based on the size of the current data center operational environment at a state agency, with the largest 25 data center environments ranking highest in priority.

(d) It is the intent of the legislature that, unless the executive director determines that a migration under this section is not cost-effective, the department shall ensure the migration of at least three data center environments to a statewide technology center each fiscal year.

(e) Not later than August 31 of 2006 and 2007, the department shall report on the status of the statewide data center system migration and consolidation under this section, describing reviews and transfers during the fiscal year, and an update on the status of any contracts relating to statewide technology centers. The department shall file the report with:

(1) the governor;

(2) the lieutenant governor;

(3) the speaker of the house of representatives;

(4) the chairs of the house and senate committees with primary oversight over the department;

(5) the chairs of the senate finance and the house of representatives appropriations committees;

(6) each member of the Legislative Budget Board; and

(7) the State Auditor's Office.

(f) It is the intent of the legislature that any consolidation plan adopted by the department to execute this section prioritize and fully use the existing capacity of the State Data Center located on the campus of Angelo State University.

(g) The department shall work with the Legislative Budget Board and the State Auditor's Office to ensure that the state obtains the maximum benefit from the consolidation of State Data Center operations. The department, Legislative Budget Board, and State Auditor's Office shall determine for each affected state agency, including institutions of higher education, specific savings related to labor, facilities, hardware, software, and operational systems by which the state will benefit as a result of the consolidation of data center services and operations.

Floor Amendment No. 177

Amend **CSSB 1** Article XI, page XI-8, under the proposals of Department of Family and Protective Services, insert a new proposal for Community Youth Development (CYD) Program in the amount of \$720,105 for fiscal year 2006 and fiscal year 2007.

Floor Amendment No. 178

Amend Floor Amendment No. 177 to **CSSB 1** to read as follows:

Amend **CSSB 1** Article XI, page XI-8, under the proposals of Department of Family and Protective Services to add additional funding for Community Youth Development (CYD) Program in the amount of \$720,105 for fiscal year 2006 and in the amount of \$720,105 for fiscal year 2007.

Floor Amendment No. 179

Amend **CSSB 1** by deleting the following language on page XI-56:

"Scope of Practice. It is the intent of the Legislature that the coursework used in Texas institutions of higher education for teaching health professions shall conform to the current statutory scope of practice for each health profession in this state."

Floor Amendment No. 180

Amend the P. King Amendment No. 179 to **CSSB 1** (prefiled amendments page 211) by striking the text of the amendment and substituting:

Amend **CSSB 1** (House committee printing, page XI-56) by striking the Rider titled "Scope of Practice" and substituting:

SCOPE OF PRACTICE. It is the intent of the Legislature that the courses used in institutions of higher education in this state for teaching health professions shall ensure that students are fully informed of the statutory scope of practice standards in this state, applicable state and national licensing standards, and any differences that may exist between them.

Floor Amendment No. 181

Amend **CSSB 1** as follows:

(1) Under the Article XI appropriations to the Department of Agriculture (page XI-64), add the following appropriately numbered rider:

___ Appropriation: Fair Park Structural Restoration. In addition to amounts otherwise appropriated by this Act, the sum of \$2,000,000 is appropriated out of the General Revenue Fund to the Department of Agriculture for the fiscal biennium beginning September 1, 2005, to be used for Fair Park structural restoration efforts in the City of Dallas.

(2) Adjust the article totals (page XI-1) and agency totals (page XI-64) accordingly.

Floor Amendment No. 182

Amend the Hodge Amendment No. 181 to **CSSB 1** (page 212 of prefiled amendments packet) as follows:

(1) Insert the following between lines 10 and 11:

(2) Add the following under the Article XI appropriations to the Parks and Wildlife Department:

___ Levi Jordan Plantation Historic Site. The amount of \$912,000 is appropriated out of the general revenue fund to the Parks and Wildlife Department for the state fiscal biennium beginning September 1, 2005, for the purpose of maintaining and supporting the Levi Jordan Plantation Historic Site.

(2) On line 11, strike "(2)" and substitute "(3)".

Floor Amendment No. 183

Amend **CSSB 1**, as follows:

1. On page VI-1, Parks and Wildlife Department, increase the appropriation out of the general revenue fund for Strategy B.2.1. Local Park Grants by \$2,887,143 in Fiscal Year 2006 and \$2,887,143 in Fiscal Year 2007; and

2. On page I-11, Office of the Attorney General amend Section 22 as follows:

22. Contingency Appropriation for House Bill 1979. Contingent upon enactment of House Bill 1979, or similar legislation relating to increasing the bond review fee as authorized by Government Code 1202.004, in addition to amounts appropriated above, the Office of the Attorney General is hereby appropriated to Strategy A.1.1., Legal Services, [~~\$4,815,499~~] \$1,928,356 in fiscal year 2006 and [~~\$4,865,062~~] \$1,977,919 in fiscal year 2007. In addition, the Number of Full-Time Equivalent Positions (FTEs) is hereby increased by 31.0 in fiscal year 2006 and by 34.0 in fiscal year 2007 for the following purposes:

~~[\$2,887,143 in fiscal year 2006 and \$2,887,143 in fiscal year 2007 for salary increases for legal staff;]~~

\$263,919 in fiscal year 2006 and \$379,866 in fiscal year 2007 for the Open Records Division, including 6 FTEs in fiscal year 2006 and 9 FTEs in fiscal year 2007;

\$915,620 in fiscal year 2006 and \$915,620 in fiscal year 2007 for the Cyber Crimes Unit, including 16 FTEs each fiscal year of the biennium; and

\$748,817 in fiscal year 2006 and \$682,433 in fiscal year 2007 for the Post Conviction Litigation Division, including 9 FTEs each fiscal year of the biennium.

In addition and subject to passage of House Bill 1979 or similar legislation relating to increasing the bond review fee as authorized by Government Code, 1202.004, the Office of the Attorney General is hereby appropriated to Strategy D.1.1., Medicaid Investigation, \$694,381 in General Revenue and \$1,912,293 in

Federal Funds in fiscal year 2006 and \$694,309 in General Revenue and \$1,912,293 in Federal Funds in fiscal year 2007, for Medicaid fraud investigations. In addition, the Number of Full-Time Equivalent Positions (FTEs) is hereby increased by 62.7 FTEs each fiscal year of the biennium.

Floor Amendment No. 184

Amend Floor Amendment No. 183 proposed by Representative Davis to **CSSB 1** (on page 129, packet) by striking "Article ___" and substituting "Article XI".

Amendment No. 185

Amend **CSSB 1** as follows:

Contingency Appropriation - HB 1655. Contingent upon the enactment of H.B. 1655 by the 79th Legislature, Regular Session, 2005, relating to funding for the Texas Statewide Emergency Services Personnel Retirement Fund, appropriations are hereby increased by \$6.7 million each year of the 2006-07 biennium.

Floor Amendment No. 186

Amend **CSSB 1** as follows:

(1) Under the Article XI appropriations to the Health and Human Services Commission (page XI-10), add the following appropriately numbered rider:

____. Contingency for House Bill No. 2788; Funding for Supplementary Financial Assistance for Certain Primary Caretakers of a Dependent Child. Contingent on the enactment of House Bill No. 2788 or similar legislation by the 79th Legislature, Regular Session, 2005, relating to the provision of supplemental financial assistance for certain grandparents who are the primary caretakers of dependent children, in addition to other amounts appropriated for the state fiscal biennium beginning September 1, 2005, the amount of \$____ is appropriated out of the general revenue fund to the Health and Human Services Commission for use as provided by that legislation during the state fiscal biennium beginning September 1, 2005.

(2) Adjust the article totals (page XI-1) accordingly.

Floor Amendment No. 187

Amend **CSSB 1** in Article XI of the bill by inserting the following rider after the Article XI items for the Health and Human Services Commission:

CHIP Mental Health Benefits. (a) For the state fiscal biennium beginning September 1, 2005, in addition to other amounts appropriated by this Act, the Health and Human Services Commission is appropriated from the Economic Stabilization Fund the amount needed to provide mental health services under the children's health insurance program under Chapter 62, Health and Safety Code, at a level and in a manner that provides significantly more benefits with significantly less stringent eligibility criteria compared to the level and manner at and in which those services were provided under the children's health insurance program during the state fiscal biennium ending August 31, 2005.

(b) The provisions of this rider that make appropriations out of the Economic Stabilization Fund take effect only if this Act receives the vote required by Section 49-g, Article III, Texas Constitution.

Floor Amendment No. 188

Amend **CSSB 1** in Article XI of the bill by inserting the following rider after the Article XI items for the Health and Human Services Commission:

CHIP Mental Health Benefits. (a) For the state fiscal biennium beginning September 1, 2005, in addition to other amounts appropriated by this Act, the Health and Human Services Commission is appropriated from the Economic Stabilization Fund the amount needed to provide mental health services under the children's health insurance program under Chapter 62, Health and Safety Code, at a level and in a manner comparable to the level and manner at and in which those services were provided under the children's health insurance program during the state fiscal biennium ending August 31, 2003.

(b) The provisions of this rider that make appropriations out of the Economic Stabilization Fund take effect only if this Act receives the vote required by Section 49-g, Article III, Texas Constitution.

Floor Amendment No. 189

Amend **CSSB 1** (House committee printing), under the Article XI items for the Department of State Health Services (page XI-10), by adding the following rider:

Substance Abuse Prevention and Intervention Services for Bandera, Gillespie, Kendall, Kerr, and Medina Counties. In addition to amounts otherwise appropriated by this Act, the sum of \$205,517 in general revenue is appropriated to the Department of State Health Services to be used for funding substance abuse prevention and intervention services by the Hill Country Council on Alcohol and Drug Abuse or another organization providing those services in Bandera, Gillespie, Kendall, Kerr, and Medina Counties during the state fiscal year beginning September 1, 2005, and the sum of \$205,517 in general revenue is appropriated to the Department of State Health Services to be used for funding substance abuse prevention and intervention services by the Hill Country Council on Alcohol and Drug Abuse or another organization providing those services in Bandera, Gillespie, Kendall, Kerr, and Medina Counties during the state fiscal year beginning September 1, 2006.

Floor Amendment No. 190

Amend **CSSB 1** (House committee printing) under Article XI items for the Department of State Health Services (page XI-10), by adding the following rider:

Adding five Security Worker III positions for the Kerrville State Hospital. In addition to amounts otherwise appropriated by this Act, the sum of \$92,220 per year in general revenue is appropriated to the Department of State Health Services to be used for funding five additional security workers by the Kerrville State Hospital during the state fiscal year beginning September 1, 2005, and the sum of \$92,220 in general revenue appropriated to the Department of State Health Services to be used for funding five additional security workers by the Kerrville State Hospital during the state fiscal year beginning September 1, 2006.

Amendment No. 191

Amend **CSSB 1** as follows:

Texas Education Agency
Proposed Floor Amendment to CSSB 1

Overview

The following motion would increase General Revenue appropriations in Article XI of CSSB 1 to increase the state match for the Adult Education program.

Required Action

1) Make the following adjustments:

Page	Agency	Action	2006	2007
XI-13	Texas Education Agency	A.2.5., Adult Education and Family Literacy	6,800,000	6,800,000

2) On page XI-13, increase General Revenue appropriations to the Texas Education Agency by \$6,800,000 in each year of the 2006-07 biennium for the purpose of increasing the state match for the Federal adult education program.

3) Make appropriate adjustments to all related riders and measures.

Amendment No. 192

Amend **CSSB 1** as follows:

Teacher Retirement System
Proposed Text Change

Add Proposal to Increase State Contribution Rate to Teacher Retirement System to
Article XI

Overview

Add a proposal to Article XI that would increase the appropriation to Strategy A.1.1, TRS-Public Education Retirement, and Strategy A.1.2, TRS-Higher Education Retirement, to reflect an increase in the state contribution rate to the Teacher Retirement System pension fund from 6 percent of payroll to 7 percent of payroll beginning in fiscal year 2007.

Required Action

Amend the page XI-16 of the Teacher Retirement System Proposals in Article XI as follows:

	Teacher Retirement System	
	For the Years Ending	
	August 31, 2006	August 31, 2007
Method of Financing		
General Revenue Fund	\$21,850,424	\$22,752,145 <u>\$254,622,164</u>
GR-Dedicated-Estimated Other Educational and General Income Account No. 770	\$869,177	\$913,635 <u>\$11,698,183</u>
Other Funds	\$20,894	\$21,939 <u>\$265,307</u>

Total, Method of Financing	\$22,740,495	\$23,687,719 <u>\$266,585,654</u>
Proposals:		
A.1.1.Strategy: TRS-Public Education Retirement. Eliminate the 90-day delay for eligibility for TRS membership, public education retirement.	\$19,080,017	\$19,843,218
A.1.2. Strategy: TRS-Higher Education Retirement. Eliminate the 90-day delay for eligibility for TRS membership, higher education retirement.	\$3,660,478	\$3,843,501
<u>A.1.1.Strategy: TRS-Public Education Retirement. Increase the state contribution rate to 7.00 percent beginning in fiscal year 2007.</u>	\$ -	<u>\$197,492,310</u>
<u>A.1.2.Strategy: TRS-Higher Education Retirement. Increase the state contribution rate to 7.00 percent beginning in fiscal year 2007.</u>	\$ -	<u>\$45,406,626</u>
Grand Total, Teacher Retirement System	\$22,740,495	\$23,686,719 <u>\$266,585,655</u>

Floor Amendment No. 193

Amend **CSSB 1** in Article XI after the provisions for the Higher Education Coordinating Board (page XI-17) by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

CONTINGENCY APPROPRIATION: BILL ENACTING FEE ON TELEPHONE BILLS. Contingent on enactment and becoming law of legislation enacting a fee on telecommunications bills, there is appropriated to the Texas Higher Education Coordinating Board all amounts collected from the fee during the 2006-2007 fiscal biennium. The Texas Higher Education Coordinating Board may use the appropriated money only to restore for universities under the board's jurisdiction FY 2006-2007 Formula and Non-Formula Funding to FY 2004-2005 levels. If the fee does not raise sufficient revenue to restore all funding, the Coordinating Board shall prioritize the funding according to a study of greatest need conducted by the Coordinating Board and delivered to the Legislative Budget Board.

Floor Amendment No. 194

Amend **CSSB 1** in Article XI of the bill by adding the following rider following the Article XI items for The University of Texas at Austin (House committee printing, page XI-20):

APPROPRIATION FOR STUDY OF EAST TEXAS OIL FIELDS. Contingent on certification by the comptroller that a study made of the East Texas Oil Field by the Bureau of Economic Geology for the purpose of determining measures to be taken to maximize the recovery of the remaining oil and gas in the field would generate sufficient revenue for the state to justify the cost of the study, the amount of \$2.2 million is appropriated out of the general revenue fund to The University of Texas at Austin for use by the Bureau of Economic Geology during the state fiscal biennium beginning September 1, 2005, for the purpose of conducting the study.

Floor Amendment No. 195

Amend **CSSB 1** as follows:

(1) Add the following rider following the Article XI items for The University of Texas at Austin:

Appropriation for Study of Winkler County Sinkholes. The amount of \$164,500 is appropriated out of the General Revenue Fund to The University of Texas at Austin for use by the Bureau of Economic Geology during the state fiscal biennium beginning September 1, 2005, to conduct a study, in coordination with The University of Texas of the Permian Basin, of the Winkler County sinkholes and related issues of groundwater protection and public safety monitoring devices.

(2) Add the following rider following the Article XI items for The University of Texas of the Permian Basin:

Appropriation for Study of Winkler County Sinkholes. The amount of \$109,500 is appropriated out of the General Revenue Fund to The University of Texas of the Permian Basin for use during the state fiscal biennium beginning September 1, 2005, to conduct a study, in coordination with the Bureau of Economic Geology of The University of Texas at Austin, of the Winkler County sinkholes and related issues of groundwater protection and public safety monitoring devices.

(3) Adjust totals and methods of financing appropriately.

Floor Amendment No. 196

Amend **CSSB 1** in Article XI of the bill as follows:

(1) In the items of appropriation to The University of Texas of the Permian Basin (page XI-23, House committee printing):

(A) Strike the amount of appropriation for the state fiscal year ending August 31, 2006, for the proposal "John Ben Shepperd Public Leadership Institute—Leadership in Schools (Expansion)" and substitute "\$269,922".

(B) Strike the amount of appropriation for the state fiscal year ending August 31, 2007, for the proposal "John Ben Shepperd Public Leadership Institute—Leadership in Schools (Expansion)" and substitute "\$277,922".

(C) Strike the amount of appropriation for the state fiscal year ending August 31, 2006, for the proposal "Permian Basin Center for Energy Technology Transfer Center for Energy and Economic Diversification (CEED) (Expansion)" and substitute "\$526,221".

(D) Strike the amount of appropriation for the state fiscal year ending August 31, 2007, for the proposal "Permian Basin Center for Energy Technology Transfer Center for Energy and Economic Diversification (CEED) (Expansion)" and substitute "\$546,221".

(2) Following the items of appropriation to The University of Texas of the Permian Basin (page XI-23, House committee printing), add the following appropriately numbered rider:

____. ADDITIONAL OPERATING FUNDS. In addition to any other amounts appropriated by this Act to The University of Texas of the Permian Basin, the amount of \$2,206,966 is hereby appropriated from the general revenue fund to The University of Texas of the Permian Basin for the state fiscal biennium beginning September 1, 2005, to provide instructional and operations support at the university.

(3) Adjust totals and methods of financing appropriately.

Floor Amendment No. 197

Amend **CSSB 1** as follows:

	For the Years Ending	
	August 31, 2006	August 31, 2007
I.1.1. Strategy: ACADEMIC EDUCATION Funding for Cisco Junior College's Dramatic Enrollment Growth Funding for Cisco Junior College's Dramatic Enrollment Growth. Amend C.S.S.B. No. 1 in Article XI, Items for Future Consideration, page XI-50 to reflect an increase in general revenue funding for Cisco Junior College's Strategy I.1.1., Academic Education by \$216,500 in fiscal year 2006.	\$216,500	\$0

Floor Amendment No. 198

Amend **CSSB 1** in Article XI, Items for Future Consideration, on page XI-53 to reflect an increase in general revenue funding for Texas Cooperative Extension Strategy D.1.1., Leadership Development by \$262,250 in fiscal year 2006.

	For the Years Ending	
	August 31, 2006	August 31, 2007
D.1.1. Strategy: LEADERSHIP DEVELOPMENT Funding for maintenance and reconstruction for the Texas 4-H Center's facilities.	\$262,250	\$0

Floor Amendment No. 199

Amend **CSSB 1** as follows:

(1) Under the Article XI appropriations to the Water Development Board (page XI-69), add the following appropriately numbered rider:

____. Contingent Appropriation: Economically Distressed Areas in Harris County and Fort Bend County. (a) Contingent on the availability of funds, the sum of \$15,100,000 is appropriated out of the General Revenue Fund to the Texas Water Development Board for the state fiscal biennium beginning September 1, 2005, to be used as follows:

(1) \$15,000,000 to be deposited to the credit of the Water Assistance Fund No. 480 and to be transferred by the Texas Water Development Board to the Water Loan Assistance Fund No. 481 to be used by the board to make grants to political subdivisions in Harris County and Fort Bend County for projects that provide adequate water or wastewater service to areas:

(A) in which water and wastewater services are inadequate to meet minimal needs for residential use; and

(B) that have a median household income that is not greater than 75 percent of the median state household income; and

(2) \$50,000 in each year of the biennium to support one additional full-time equivalent employee of the Texas Water Development Board to administer the program.

(b) Any unexpended balances of the amount appropriated under Subsection (a)(2) of this rider for the state fiscal year beginning September 1, 2005, are appropriated for the purpose specified by that subsection for the state fiscal year beginning September 1, 2006.

(c) The number of full-time equivalent employee positions otherwise authorized by this Act for the Texas Water Development Board is increased by one for each fiscal year of the state fiscal biennium beginning September 1, 2005, as provided by Subsection (a)(2) of this rider.

(d) A full-time equivalent employee described by this rider is not counted for purposes of determining whether a provision of this Act that requires a percentage reduction in the full-time equivalent employee limit shown in the bill pattern of a state agency applies to the Texas Water Development Board.

(2) Adjust the article totals (page XI-1) accordingly.

Floor Amendment No. 200

Amend **CSSB 1** as follows:

(1) Under the Article XI appropriations to the Water Development Board (page XI-69), add the following appropriately numbered rider:

____. Contingent Appropriation: Economically Distressed Areas in Harris County and Fort Bend County. (a) Contingent on the enactment and becoming law of House Bill 467 or similar legislation of the 79th Legislature, Regular Session, that qualifies Harris County and Fort Bend County for the economically distressed areas program, the sum of \$15,100,000, in addition to amounts otherwise appropriated by this Act, is appropriated out of the General Revenue Fund to the Texas Water Development Board for the state fiscal biennium beginning September 1, 2005, to be used as follows:

(1) \$15,000,000 to be transferred to the economically distressed areas program account to be used by the Texas Water Development Board to provide financial assistance to political subdivisions in Harris County and Fort Bend County; and

(2) \$50,000 in each year of the biennium to support one additional full-time equivalent employee of the Texas Water Development Board to administer the economically distressed areas program.

(b) The number of full-time equivalent employee positions otherwise authorized by this Act for the Texas Water Development Board is increased by one for each fiscal year of the state fiscal biennium beginning September 1, 2005, as provided by Subsection (a)(2) of this rider.

(2) Adjust the article totals (page XI-1) accordingly.

Amendment No. 201

Amend **CSSB 1** as follows:

Soil and Water Conservation Board
Proposed Funding and Rider for Article XI
Appropriation: Concho River Erosion Control

Required Action

On page XI-68 of Items for Future Consideration, add the following new rider:

Appropriation: Concho River Erosion Control. In addition to the amounts appropriated above in Strategy A.1.1, Program Management and Assistance, there is hereby appropriated to the Soil and Water Conservation Board \$443,000 out of the General Revenue Fund for the fiscal year beginning on September 1, 2005. These funds shall be used for erosion control and to improve bank stability along the Concho River from the Celebration Bridge to the Bell Street Lake in the City of San Angelo.

Any unexpended balance remaining in this appropriation on August 31, 2006, is hereby appropriated to the Soil and Water Conservation Board for the same purposes for the fiscal year beginning on September 1, 2006.

Amendment No. 202

Amend **CSSB 1** as follows:

Soil and Water Conservation Board
Proposed Funding and Rider for Article XI
Appropriation: Brush Removal in the Twin Buttes Reservoir Basin

Required Action

On page XI-68 of Items for Future Consideration, add the following new rider:

Appropriation: Brush Removal in the Twin Buttes Reservoir Basin. In addition to the amounts appropriated above in Strategy C.1.1, Water Conservation and Enhancement, there is hereby appropriated to the Soil and Water Conservation Board \$565,000 out of the General Revenue Fund for the fiscal year beginning on September 1, 2005. These funds shall be used for the removal of brush, including saltcedar and baccheris, in cooperation with the Upper Colorado River Authority in the Twin Buttes Reservoir basin.

Any unexpended balance remaining in this appropriation on August 31, 2006, is hereby appropriated to the Soil and Water Conservation Board for the same purposes for the fiscal year beginning on September 1, 2006.

Amendment No. 203

Amend **CSSB 1** as follows:

Water Development Board

Proposed Funding and Rider for Article XI

Appropriation: Brackish Groundwater Desalination in Tom Green County

Required Action

On page XI-69 of Items for Future Consideration, add the following new rider:

Appropriation: Brackish Groundwater Desalination in Tom Green County. In addition to the amounts appropriated above, the Texas Water Development Board is hereby appropriated \$300,000 out of the General Revenue Fund for the biennium beginning September 1, 2005. This amount shall be transferred to the Water Assistance Fund No. 480 and used by the Board to provide grants for engineering, design, and permitting costs associated with the development of a brackish groundwater desalination plant in Tom Green County. The Board shall award grants by selecting from applicants submitting statements of interest to the Board.

Floor Amendment No. 204

Amend **CSSB 1** in Article XI, items for future consideration, on page II-104 to add the following contingency rider.

Contingency Appropriation: Contingent on legislation relating to rural emergency air trauma safety service regions (HB 2610) by the Seventy-Ninth Legislature, Regular Session, the Department of State Health Services is hereby appropriated any revenue collected under Transportation Code Section 502.1706 and deposited in the Air Trauma Safety Services Regions Account for the purposes of implementing the bill

Floor Amendment No. 205

Amend **CSSB 1** in Article XI by adding the following:

COMPTROLLER OF PUBLIC ACCOUNTS

_____. CONTINGENCY APPROPRIATION: HOUSE BILL NO. 5. Contingent on enactment and becoming law of House Bill 5, or similar legislation of the 79th Legislature, Regular Session, 2005, that results in an increase in the rates of the motor fuels taxes imposed on gasoline and diesel fuel, from the amounts otherwise appropriated above to the Texas Department of Transportation from State Highway Fund No. 006, there is appropriated to the comptroller of public accounts an amount equal to 10 percent of the amounts collected from the motor fuels tax imposed on gasoline and diesel fuel under Chapter 162, Tax Code, that are deposited to the credit of the state highway fund and that are attributable to the portion of the tax rate in excess of 20 cents for each net gallon of gasoline or diesel fuel or fractional part. The comptroller of public accounts shall use the appropriated revenue to provide money to counties for the support of the county road system under the special county road assistance program as authorized by Subchapter D, Chapter 445, Local Government Code.

Amendment No. 206

Amend **CSSB 1** under the by the following to Article XI

Contingency for HB 405: Supplemental financial assistance to certain primary caretakers of a child receiving financial assistance. Contingent upon the passage of HB 405 or similar legislation by the 79th Legislature, Regular Session, the state shall allocate \$2 million for the Department of Protective and Family services in order to expand the definition of relatives who are eligible for financial assistance granted for the support of a dependent child under Section 31.003, and to make the adjustments regarding resource determinations as provided by HB 405.

Amendment No. 207

Amend **CSSB 1** by adding the following to Article XI:

Contingency for HB 691: Health Literacy Pilot Program for parents receiving Medicaid. Contingent upon the enactment of House Bill 691 or similar legislation by the 79th Legislature, Regular Session, \$50,000 should be appropriated for the purpose of a creating a pilot program for health literacy training for parents enrolled in Medicaid in Bexar County. These funds may be matched by federal funds.

Floor Amendment No. 208

Amend **CSSB 1** as follows:

(1) Add the following rider following the Article XI items for The University of North Texas:

APPROPRIATION FOR CENTER FOR MEXICAN-AMERICAN STUDIES. The amount of \$200,000 is appropriated out of the General Revenue Fund to The University of North Texas to establish and operate a Center for Mexican-American Studies during the state fiscal biennium beginning September 1, 2005. The University of North Texas may use any available funds, including legislative appropriations made to the university for instruction, operations, or infrastructure support, federal funds, or gifts or grants to establish or operate the center. All funds collected by the Center for Mexican-American Studies at the University of North Texas are hereby appropriated to the university for the establishment and operation of the center.

(2) Adjust totals and methods of financing appropriately.

Floor Amendment No. 209

Amend **CSSB 1** as follows:

Add the following appropriately numbered rider to Article XI:

____. CONTINGENCY APPROPRIATION: TEXAS ENTREPRENEURSHIP NETWORK. Contingent upon the enactment of H.B. 1747 by the 79th Legislature, Regular Session, 2005, relating to the creation of and funding for the Texas ENTREPRENEURSHIP Network, \$15.204 million is appropriated to the Texas ENTREPRENEURSHIP Network Fund.

Floor Amendment No. 210

Amend **CSSB 1** as follows:

1) On page XI-62, in the Department of Public Safety's bill pattern, increase the State Highway Funds appropriation in Strategy F.1.6, Physical Plant, by \$1,332,085 in fiscal year 2006.

2) Add the following rider to Article XI, on page XI-62:

____. Construction of Snyder Office. From State Highway Funds appropriated above in Strategy F.1.6, Physical Plant, and in addition to the provisions of Rider 2, Capital Budget, the Department of Public Safety shall use \$1,332,085 in fiscal year 2006 for construction of a Snyder Office. If land is donated for the project, the appropriations in Strategy F.1.6. Physical Plant, shall be reduced by \$152,000.

Floor Amendment No. 211

Amend **CSSB 1**, as follows:

1) On page I-53, Trusteed Programs within the Office of the Governor, strike Section 25, Contingency Appropriation for Senate Bill 1177, in its entirety; and

1) On page VII-35, Texas Workforce Commission, add the following new section and renumber any remaining sections accordingly:

30. Contingency Appropriation for Senate Bill 1177. In addition to the amounts appropriated above and contingent upon the enactment of Senate Bill 1177, or similar legislation by the Seventy-ninth Legislature, Regular Session, 2005, creating a new funding source for skills development, the Texas Workforce Commission is hereby appropriated \$25,000,000 in Fiscal Year 2007 for Strategy A.2.1. Skills Development and \$6,000,000 in Fiscal Year 2007 for Strategy A.2.2. Self Sufficiency. In addition, contingent upon the enactment of Senate Bill 1177 or similar legislation, the Commission is authorized to transfer funds appropriated to Strategies A.2.1. and A.2.2. in Fiscal Year 2007 to Fiscal Year 2006 for the purpose of balancing the total appropriations between fiscal years.

Floor Amendment No. 212

Amend Floor Amendment No. 211 proposed by Representative Davis to **CSSB 1** by striking "Article VII" and substituting "Article XI".

Floor Amendment No. 1 on Third Reading

Amend **CSSB 1** on third reading in Article XI of the bill, in the riders following the items for the Higher Education Coordinating Board, at the end of the rider entitled "Chiropractic Colleges" (added by Second Reading Floor Amendment No. 102 by Brown of Dallas, as amended), by inserting the following:

In addition to any other amounts appropriated by this Act to the Higher Education Coordinating Board, the amount of \$250,000 is appropriated out of the General Revenue Fund for the fiscal year ending August 31, 2006, and the amount of \$250,000 is appropriated out of the General Revenue Fund for the fiscal year ending August 31, 2007, to the Higher Education Coordinating Board to contract with Parker Chiropractic College for the purpose of preparation or instruction of Texas resident undergraduate chiropractic students as doctors of chiropractic.

Amendment No. 3 on Third Reading

Amend **CSSB 1** on third reading as follows:

1) In Article XI, add the following amendment.

___ . Contingency Appropriation for Senate Bill 368. Contingent on passage of Senate Bill 368 or similar legislation by the Seventy-ninth Legislature relating to compensation of state judges, and the Comptroller of Public Accounts issuing a finding of fact certifying additional revenue collections from fees, fines, and court costs during the 2006-07 biennium in General Revenue that exceed the Comptroller of Public Accounts Biennial Revenue Estimate for these items by at least \$105,000 in fiscal year 2006 and \$105,000 in fiscal year 2007, the Office of Court Administration is appropriated \$105,000 in fiscal year 2006 and \$105,000 in fiscal year 2007 out of the General Revenue Fund in Strategy A.1.2, Information Technology, for the purpose of implementing live broadcasts of Supreme Court proceedings over the Internet and for the purpose of purchasing information technology hardware and software for the Supreme Court. Any unexpended balances of these funds remaining as of August 31, 2006 are hereby appropriated to the Office of Court Administration for the fiscal year beginning September 1, 2006 for the same purposes.

The amendments were read.

Senator Ogden moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed without objection.

The Presiding Officer, Senator Carona in Chair, asked if there were any motions to instruct the conference committee on **SB 1** before appointment.

There were no motions offered.

The Presiding Officer announced the appointment of the following conferees on the part of the Senate on the bill: Senators Ogden, Chair; Duncan, Whitmire, Zaffirini, and Averitt.

PERMISSION TO INTRODUCE BILLS

Senator Whitmire moved to suspend Senate Rule 7.07(b) and Section 5, Article III, of the Texas Constitution to permit the introduction of the following bills:

SB 1846, SB 1850.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Harris.

CONCLUSION OF MORNING CALL

The Presiding Officer at 2:18 p.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE
SENATE BILL 40 ON SECOND READING**

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **CSSB 40** at this time on its second reading:

CSSB 40, Relating to permanency planning procedures for children residing in state institutions.

The motion prevailed.

Senator Fraser asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Fraser.

Absent-excused: Harris.

COMMITTEE SUBSTITUTE SENATE BILL 40 ON THIRD READING

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 40** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Armbrister, Averitt, Barrientos, Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Gallegos, Hinojosa, Jackson, Janek, Lindsay, Lucio, Madla, Nelson, Ogden, Seliger, Shapiro, Shapleigh, Staples, Van de Putte, West, Whitmire, Williams, Zaffirini.

Nays: Fraser, Wentworth.

Absent-excused: Harris.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 40**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 40** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed.

Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1.

Nays: Fraser.

Absent-excused: Harris.

SENATE BILL 1479 ON SECOND READING

On motion of Senator Shapleigh and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1479** at this time on its second reading:

SB 1479, Relating to deferred presentment transactions of certain military personnel or their spouses.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Harris.

SENATE BILL 1479 ON THIRD READING

Senator Shapleigh moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1479** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Wentworth.

Absent-excused: Harris.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 1479**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 1479** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed.

Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Harris.

(President in Chair)

SENATE BILL 742 ON SECOND READING

Senator Duncan moved to suspend the regular order of business to take up for consideration **SB 742** at this time on its second reading:

SB 742, Relating to disqualification for eligibility for workers' compensation benefits of certain professional athletes.

The motion prevailed.

Senator Ogden asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to the engrossment except as follows:

Nays: Ogden.

Absent-excused: Harris.

SENATE BILL 742 ON THIRD READING

Senator Duncan moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 742** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Armbrister, Averitt, Barrientos, Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Hinojosa, Jackson, Janek, Lindsay, Lucio, Madla, Nelson, Seliger, Shapiro, Shapleigh, Staples, Van de Putte, West, Whitmire, Williams, Zaffirini.

Nays: Ogden, Wentworth.

Absent-excused: Harris.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 742**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 742** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1.

Nays: Ogden.

Absent-excused: Harris.

SENATE BILL 695 ON SECOND READING

Senator Ogden moved to suspend the regular order of business to take up for consideration **SB 695** at this time on its second reading:

SB 695, Relating to the forfeiture of good conduct time from inmates who file frivolous applications for writ of habeas corpus.

The motion prevailed.

Senators Barrientos and Zaffirini asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Duncan offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 695** by adding a new section (a-1) on page 1, Sec. 498.0045 after line 20 of the committee printing to read as follows:

(a-1) For purposes of this chapter, an application for a writ of habeas corpus is considered "frivolous" if brought for the purpose of abusing judicial resources.

DUNCAN
ELLIS

The amendment to **SB 695** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Nays: Barrientos.

Absent-excused: Harris.

On motion of Senator Ogden and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 695 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Barrientos.

Absent-excused: Harris.

SENATE BILL 695 ON THIRD READING

Senator Ogden moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 695** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Armbrister, Averitt, Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Hinojosa, Jackson, Janek, Lindsay, Lucio, Madla, Nelson, Ogden, Seliger, Shapiro, Shapleigh, Staples, Van de Putte, West, Whitmire, Williams, Zaffirini.

Nays: Barrientos, Wentworth.

Absent-excused: Harris.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **SB 695**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **SB 695** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1.

Nays: Barrientos.

Absent-excused: Harris.

COMMITTEE SUBSTITUTE
SENATE BILL 730 ON SECOND READING

Senator West moved to suspend the regular order of business to take up for consideration **CSSB 730** at this time on its second reading:

CSSB 730, Relating to the establishment of a law school in the City of Dallas by the University of North Texas System.

The motion prevailed.

Senators Brimer, Nelson, and Ogden asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Duncan offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 730** as follows:

1. On page 1, line 34, delete "system" and substitute "Texas Higher Education Coordinating Board" therefore;
2. On page 1, line 36, delete "system" and substitute "Texas Higher Education Coordinating Board" therefore;
3. At page 1, line 38, add a "." after "education"; and
4. At page 1, delete lines 39-40.

The amendment to **CSSB 730** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Harris.

On motion of Senator West and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 730 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Brimer, Nelson, Ogden.

Absent-excused: Harris.

COMMITTEE SUBSTITUTE
SENATE BILL 730 ON THIRD READING

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 730** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4.

Yeas: Armbrister, Averitt, Barrientos, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Hinojosa, Jackson, Janek, Lindsay, Lucio, Madla, Seliger, Shapiro, Shapleigh, Staples, Van de Putte, West, Whitmire, Williams, Zaffirini.

Nays: Brimer, Nelson, Ogden, Wentworth.

Absent-excused: Harris.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 730**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 730** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 27, Nays 3.

Yeas: Armbrister, Averitt, Barrientos, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Hinojosa, Jackson, Janek, Lindsay, Lucio, Madla, Seliger, Shapiro, Shapleigh, Staples, Van de Putte, Wentworth, West, Whitmire, Williams, Zaffirini.

Nays: Brimer, Nelson, Ogden.

Absent-excused: Harris.

**COMMITTEE SUBSTITUTE
SENATE BILL 274 ON SECOND READING**

On motion of Senator Barrientos and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 274** at this time on its second reading:

CSSB 274, Relating to funding of the Communities In Schools program.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Harris.

**COMMITTEE SUBSTITUTE
SENATE BILL 274 ON THIRD READING**

Senator Barrientos moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 274** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Wentworth.

Absent-excused: Harris.

Reason for Vote

Senator Wentworth submitted the following reason for vote on suspension of the Constitutional Three-day Rule:

I cast a "No" vote on the procedural motion to suspend the Constitutional Rule requiring that bills be read on three several days in order to take up and consider **CSSB 274**, because in my judgment no circumstance exists in this case to justify the extraordinary act of suspending a requirement of the Texas Constitution. The suspension of this Constitutional Rule has the direct and immediate effect of denying the people of Texas knowledge and notice of the passage of this measure until it has already been finally passed on third reading. Were we to have followed the requirement of the Texas Constitution, third reading and a vote on **CSSB 274** would have occurred on the next legislative day, allowing for Texans to have learned through news reports of our second reading vote exactly what we had tentatively passed. Third reading and a vote on the next legislative day would also have allowed our professional staff an opportunity overnight to make sure any amendments passed on second reading are technically correct.

/s/Jeff Wentworth
Senator, District 25

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Harris.

HOUSE BILL 685 REREFERRED

Senator Van de Putte submitted a Motion In Writing requesting that **HB 685** be withdrawn from the Committee on Criminal Justice and rereferred to the Committee on Veteran Affairs and Military Installations.

The Motion In Writing prevailed without objection.

SENATE BILL 1503 REREFERRED

Senator West submitted a Motion In Writing requesting that **SB 1503** be withdrawn from the Subcommittee on Higher Education and rereferred to the Committee on Criminal Justice.

The Motion In Writing prevailed without objection.

HOUSE BILL 322 REREFERRED

Senator Estes submitted a Motion In Writing requesting that **HB 322** be withdrawn from the Committee on Criminal Justice and rereferred to the Committee on Veteran Affairs and Military Installations.

The Motion In Writing prevailed without objection.

**SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)**

On motion of Senator Shapiro and by unanimous consent, Senate Rule 11.13 was suspended to grant the Committee on Education permission to meet while the Senate is meeting today.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Fraser and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Business and Commerce might meet and consider the following bills tomorrow:

SB 920, SB 1318, SB 1321.

**SENATE RULE 11.18(a) SUSPENDED
(Public Hearings)**

On motion of Senator Madla and by unanimous consent, Senate Rule 11.18(a) was suspended in order that the Committee on Intergovernmental Relations might consider **SB 1417** today.

**SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)**

On motion of Senator Madla and by unanimous consent, Senate Rule 11.13 was suspended to grant the Committee on Intergovernmental Relations permission to meet while the Senate is meeting today.

**SENATE RULE 11.18(a) SUSPENDED
(Public Hearings)**

On motion of Senator Whitmire and by unanimous consent, Senate Rule 11.18(a) was suspended in order that the Committee on Criminal Justice might consider **SB 1125** tomorrow.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 3:51 p.m. agreed to adjourn, in memory of Henry L. Martinez, Sr., of Houston, upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. tomorrow.

(Senator Madla in Chair)

SENATE BILLS ON FIRST READING

The following bills were introduced, read first time, and referred to the committees indicated:

SB 1846 by Zaffirini

Relating to the powers and duties of the Karnes County Hospital District.
To Committee on Intergovernmental Relations.

SB 1847 by Zaffirini

Relating to the creation, administration, powers, duties, operation, and financing of the Duval County Groundwater Conservation District. (Local Bill)
To Committee on Natural Resources.

SB 1848 by Zaffirini

Relating to the creation, administration, powers, duties, operation, and financing of the Starr County Groundwater Conservation District. (Local Bill)
To Committee on Natural Resources.

SB 1849 by Estes

Relating to the creation, administration, powers, duties, functions, operations, and financing of the Stephens Regional Special Utility District. (Local Bill)
To Committee on Natural Resources.

SB 1850 by Gallegos

Relating to the regulation of certain businesses that sell alcoholic beverages in certain counties; providing an administrative penalty.
To Committee on Business and Commerce.

SB 1851 by Madla

Relating to the expansion of the East Medina County Special Utility District and the composition of the district's board of directors. (Local Bill)
To Committee on Intergovernmental Relations.

HOUSE BILLS ON FIRST READING

The following bills received from the House were read first time and referred to the committees indicated:

HB 25 to Committee on Education.

HB 157 to Committee on Criminal Justice.

- HB 207** to Committee on Business and Commerce.
HB 417 to Committee on State Affairs.
HB 484 to Committee on Natural Resources.
HB 551 to Subcommittee on Emerging Technologies and Economic Development.
HB 773 to Committee on Government Organization.
HB 872 to Committee on Natural Resources.
HB 918 to Committee on Intergovernmental Relations.
HB 933 to Committee on Government Organization.
HB 1025 to Committee on Government Organization.
HB 1076 to Committee on Veteran Affairs and Military Installations.
HB 1162 to Committee on Natural Resources.
HB 1170 to Subcommittee on Higher Education.
HB 1328 to Committee on Business and Commerce.
HB 1367 to Committee on Criminal Justice.
HB 1489 to Committee on Finance.
HB 1596 to Committee on Transportation and Homeland Security.
HB 1924 to Committee on International Relations and Trade.
HB 2104 to Committee on Criminal Justice.
HB 2273 to Committee on Business and Commerce.
HB 2307 to Subcommittee on Emerging Technologies and Economic Development.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

- SR 569** by West, In memory of Margie Beal Carter Dennis of Dallas.
SR 571 by Hinojosa, In memory of Paul Carroll Holter III of Corpus Christi.
SR 573 by Hinojosa, In memory of Julius "Jay" Cazalas of Corpus Christi.
SR 574 by Hinojosa, In memory of Minerva Barnard Leal of Corpus Christi.
SR 576 by Hinojosa, In memory of Travis A. Peeler of Corpus Christi.
SR 578 by Jackson, In memory of Jack Wendel Coe.
SR 592 by Ellis, In memory of Dorothy Mae Perry Howard of Houston.
SR 593 by Barrientos, In memory of Alejandro R. "Alex" Trevino of Austin.

Welcome and Congratulatory Resolutions

- SR 568** by Deuell, Recognizing Wood Farm for its selection as a 150-year honoree by the Family Land Heritage Program.
SR 572 by Hinojosa, Recognizing the City of Hidalgo for winning an All-America City award.
SR 575 by Hinojosa, Recognizing Chelsea Polk for her selection as the Corpus Christi winner of the Sister Cities International Young Artist Competition.
SR 577 by Jackson, Commending Clarence Sasser for his service to his country.

SR 580 by Wentworth, Recognizing New Braunfels Presbyterian Church on the occasion of its 50th anniversary.

SR 582 by Eltife and Staples, Welcoming members of the Panola College Chorale to the State Capitol.

SR 583 by Ellis, Commending Mitchell Treviño, Jr., for achieving the rank of Eagle Scout.

SR 584 by Ellis, Recognizing Herbert C. Sims on the occasion of his retirement.

SR 585 by Ellis, Recognizing the Missionary Baptist General Convention of Texas on the occasion of their First Men and Boys Conference.

SR 586 by Nelson, Recognizing the Medical Center of Lewisville and its staff for their contributions to the health of the people of Lewisville.

SR 587 by Lucio, Recognizing the members of the Donna Cardinals of the '50s in Donna for their service to the community.

SR 590 by Ellis, Recognizing the Houston Hispanic Forum for its contributions in the Houston community to the field of education.

SR 591 by Ellis, Congratulating Josh and Lori Shapiro on the birth of their son, Jonah Paul Shapiro.

SR 594 by Barrientos, Recognizing the State Employee Golf Association for its service to state employees.

Official Designation Resolutions

SR 589 by Madla, Recognizing April 13, 2005, as County Government Day at the Capitol.

HCR 8 (Brimer), Designating April 29, 2005, as Dale Earnhardt Day in Texas and paying special tribute to his life.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 3:58 p.m. adjourned, in memory of Henry L. Martinez, Sr., of Houston, until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Secretary of the Senate in the order listed:

April 11, 2005

HEALTH AND HUMAN SERVICES — **CSSB 1329**

TRANSPORTATION AND HOMELAND SECURITY — **CSSB 1257**

CRIMINAL JUSTICE — CSSB 756, CSSB 938

JURISPRUDENCE — SB 1459, CSSB 165, CSSB 604, CSSB 611, CSSB 894, CSSB 1252

CRIMINAL JUSTICE — CSSB 122, CSSB 327, CSSB 560, CSSB 326, CSSB 1263

JURISPRUDENCE — CSSB 679

BUSINESS AND COMMERCE — CSSB 150, CSSB 1215, CSSB 1282, CSSB 1591, CSSB 1668, SB 14, SB 443, SB 629, SB 781, SB 782, SB 1112, SB 1283, SB 1454, SB 1558, SB 1559, SB 1592, SB 1747

TRANSPORTATION AND HOMELAND SECURITY — CSSB 9, CSSB 802, CSSB 1384

INTERNATIONAL RELATIONS AND TRADE — SB 1202, SB 1500

NATURAL RESOURCES — SB 297, SB 489, SB 1604, CSSB 352, CSSB 1103, SB 517, SB 592, SB 740, SB 840, SB 1017, SB 1091, SB 1116, SB 1290, CSSB 588, CSSB 1102, CSSB 1455, SB 371, SB 570, SB 738, SB 739, CSSB 767, CSSJR 40, CSSB 1130, CSSB 1413

In Memory
of
Henry L. Martinez, Sr.
Senate Resolution 581

WHEREAS, Words cannot adequately describe the profound sadness felt by the family and friends of Henry L. Martinez, Sr., of Houston, who died on March 12, 2005, at the age of 44; and

WHEREAS, Born on February 3, 1961, Mr. Martinez was a 22-year veteran firefighter with the Houston Fire Department, assigned to Fire Station 75 for the entirety of his tenure; in 2002, he was awarded the Unit Medal of Valor for his heroic actions in rescuing a victim from an automobile accident; and

WHEREAS, This remarkable man would risk his own life in behalf of the safety of others, and this selflessness earned the admiration of his fellow firefighters and the boundless gratitude of his neighbors; and

WHEREAS, Mr. Martinez was a much-treasured member of his community and will be sorely missed by all those who were privileged to know him and by those who were touched by his deep commitment to protecting the citizens of Houston; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 79th Legislature, hereby pay tribute to the life of Henry L. Martinez and extend deepest sympathy to the members of his family: his wife, Georgia Kall; his mother, Esperanza Ramirez and her husband, Perfecto Ramirez, Jr.; his father, Elias Martinez; his daughters, Brittani Martinez, Brooke Martinez, and Tonia Valdez and her husband, Stefan Rowlands; his sons, Henry, Matthew, and Adrian Martinez; his grandmother, Manuela F. Lerma; his sisters, Elisa Martinez, Blanca Martinez, Judy DeLaGarza and her husband, Eduardo, and Sandra Martinez and her husband, Ahmad Husainat; his brother, Larry Martinez and his wife, Suzanne; his grandson, Stefan J. Rowlands, Jr.; his stepdaughter, Sarah Kall; his stepson, James Kall; and to his other relatives and many friends; and, be it further

RESOLVED, That an official copy of this Resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Henry L. Martinez, Sr.

GALLEGOS

