

3.B. Rider Revisions and Additions Request

Agency Code: 551	Agency Name: Texas Department of Agriculture	Prepared By: Heather Griffith Peterson	Date: August 2012	Request Level: Baseline
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Current Rider Number	Page Number in 2012 -13 GAA	Proposed Rider Language																																																												
1	VI-3	<p>Performance Measure Targets. The following is a listing of the key performance target levels for the Department of Agriculture. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of Agriculture. In order to achieve the objectives and service standards established by this Act, the Department of Agriculture shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;"></th> <th style="width: 10%; text-align: center;">2014</th> <th style="width: 10%; text-align: center;">2015</th> </tr> </thead> <tbody> <tr> <td colspan="3">A. Goal: MARKETS & PUBLIC HEALTH</td> </tr> <tr> <td colspan="3">Outcome (Results/Impact):</td> </tr> <tr> <td>Percent Increase in the Number of Business assists Facilitated</td> <td style="text-align: center;">2.5%</td> <td style="text-align: center;">2.5%</td> </tr> <tr> <td>Percent of Ag Pesticide Inspections in Compliance with Pesticide Laws and Regulations</td> <td style="text-align: center;">92 90%</td> <td style="text-align: center;">92 90%</td> </tr> <tr> <td>Percent of Rural Communities Assisted</td> <td style="text-align: center;">20.80%</td> <td style="text-align: center;">20.80%</td> </tr> <tr> <td colspan="3">A.1.1. Strategy: ECONOMIC DEVELOPMENT</td> </tr> <tr> <td colspan="3">Output (Volume):</td> </tr> <tr> <td>Number of Rural Community Projects in Which TDA Provided Assistance</td> <td style="text-align: center;">230</td> <td style="text-align: center;">230</td> </tr> <tr> <td>Rural Development Activities and Events in Which TDA Participated</td> <td style="text-align: center;">64 175</td> <td style="text-align: center;">64 175</td> </tr> <tr> <td>Businesses Assisted with Expansion, Recruitment, and Retention Prospects in Rural Texas</td> <td style="text-align: center;">372</td> <td style="text-align: center;">372 Approved by LBB</td> </tr> <tr> <td colspan="3">A.1.2. Strategy: REGULATE PESTICIDE USE</td> </tr> <tr> <td colspan="3">Output (Volume):</td> </tr> <tr> <td>Number of Agricultural Pesticide Complaint Investigations Conducted</td> <td style="text-align: center;">225</td> <td style="text-align: center;">225</td> </tr> <tr> <td colspan="3">A.1.3. Strategy: INTEGRATED PEST MANAGEMENT</td> </tr> <tr> <td colspan="3">Output (Volume):</td> </tr> <tr> <td>Hours Spent Informing Producers and Surveying Cotton for Compliance with Cotton Stalk Destruction Deadlines</td> <td style="text-align: center;">11,500</td> <td style="text-align: center;">11,500 Approved by LBB</td> </tr> <tr> <td>Number of Compliance Inspections for Organic or Other Crop-Certification</td> <td style="text-align: center;">400 275</td> <td style="text-align: center;">400 275</td> </tr> <tr> <td colspan="3">A.1.4. Strategy: CERTIFY PRODUCE</td> </tr> <tr> <td colspan="3">Output (Volume):</td> </tr> </tbody> </table>		2014	2015	A. Goal: MARKETS & PUBLIC HEALTH			Outcome (Results/Impact):			Percent Increase in the Number of Business assists Facilitated	2.5%	2.5%	Percent of Ag Pesticide Inspections in Compliance with Pesticide Laws and Regulations	92 90%	92 90%	Percent of Rural Communities Assisted	20.80%	20.80%	A.1.1. Strategy: ECONOMIC DEVELOPMENT			Output (Volume):			Number of Rural Community Projects in Which TDA Provided Assistance	230	230	Rural Development Activities and Events in Which TDA Participated	64 175	64 175	Businesses Assisted with Expansion, Recruitment, and Retention Prospects in Rural Texas	372	372 Approved by LBB	A.1.2. Strategy: REGULATE PESTICIDE USE			Output (Volume):			Number of Agricultural Pesticide Complaint Investigations Conducted	225	225	A.1.3. Strategy: INTEGRATED PEST MANAGEMENT			Output (Volume):			Hours Spent Informing Producers and Surveying Cotton for Compliance with Cotton Stalk Destruction Deadlines	11,500	11,500 Approved by LBB	Number of Compliance Inspections for Organic or Other Crop-Certification	400 275	400 275	A.1.4. Strategy: CERTIFY PRODUCE			Output (Volume):		
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3.B. Rider Revisions and Additions Request (continued)

	Number of Pounds of Fruits, Vegetables, Peanuts and Nuts Inspected (In Billions)	2.67	2.67
	B. Goal: ENFORCE STANDARDS		
	Outcome (Results/Impact):		
	Percent Inspected of Seed Samples Found in Full Compliance with Standards	97%	97%
	Percent of Licensees, Individuals, and Businesses Who Renew Online	43.5 <u>29.94%</u>	43.5 <u>29.94%</u>
	Percent of New Individual and Business Licenses Applied for Online	45.4 <u>42.63%</u>	43.5 <u>42.63%</u>
	Percent of Complaints Resolved Within Six Months	75%	75%
	Percent of routine school districts inspections conducted that comply with law.	92 <u>75%</u>	92 <u>75%</u>
	B.1.1. Strategy: SURVEILLANCE/BIOSECURITY EFFORTS		
	Output (Volume):		
	Number of Nursery and Floral Establishment Inspections Conducted	9,500	9,500
	Number of Hours Spent at Inspections of Plant Shipments and Regulated Articles	8,888 <u>9,100</u>	8,888 <u>9,100</u>
	B.1.2. Strategy: VERIFY SEED QUALITY		
	Output (Volume):		
	Number of Official Seed Inspection Samples Drawn & Submitted for Analysis	5,000	5,000
	B.1.3. Strategy: AGRICULTURAL COMMODITY REGULATION		
	Output (Volume):		
	Number of Egg Inspections Conducted	2,100	2,100
	Number of Grain Warehouse Inspections, Re-inspections, and Audits Conducted	275	275
	B.1.4. Strategy: STRUCTURAL PEST CONTROL		
	Output (Volume):		
	Number of New Individual and Business Licenses Issued	5,000 <u>4,000</u>	5,000 <u>4,000</u>
	Number of Licenses Renewed (Individuals and Businesses)	14,100	14,100
	Number of Structural Pest Control Complaints Resolved	210 <u>160</u>	210 <u>160</u>
	Number of Structural Business License Inspections Conducted	950	950
	Number of School Inspections Performed	200	200
	Efficiencies:		
	Average Licensing Cost Per Individual and Business License Issued	17	17
	C. Goal: INSPECT MEASURING DEVICES		
	Outcome (Results/Impact):		

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

		<p>Percent of Total Weights and Measures Device Inspections Found in Full Compliance with State and Federal Standards 96% 96%</p> <p>C.1.1. Strategy: INSPECT MEASURING DEVICES Output (Volume): Number of Weights and Measures Device Inspections Conducted 132,982 132,982</p> <p>D. Goal: FOOD AND NUTRITION Outcome (Results/Impact): Percent of School Districts in Compliance with Nutrition Regulations 87 <u>85</u>% 87 <u>85</u>%</p> <p>D.1.1. Strategy: SUPPORT NUTRITION PROGRAMS Output (Volume): Number of Individuals trained on School Regulations and policies 24,172 24,172</p> <p>D.2.1. Strategy: NUTRITION ASSISTANCE Output (Volume): Average Number of Children and Adults Served Meals through Child and Adult Care Food Program Per Day 320,521 <u>355,437</u> 326,632 <u>362,546</u></p> <p>E. Goal: FOOD AND FIBERS COMMISSION E.1.1. Strategy: RESEARCH AND DEVELOPMENT Output (Volume): Number of Research and Development Projects 41 41-Approved by LBB Number of Formal Published Research Reports 2 2</p> <p>F. Goal: RURAL AFFAIRS F.1.1. Strategy: RURAL COMMUNITY AND ECONOMIC DEVELOPMENT Outcome (Results/Impact): Percent of the Small Communities Population Benefiting from Projects. 74 <u>31</u>% 31%</p> <p>Output (Volume): Number of New Community/Economic Development contracts awarded 290 <u>248</u> 284 <u>223</u> Number projected beneficiaries from new contracts awarded 495,000 <u>388,000</u> 485,100 <u>349,000</u> Number of programmatic monitoring activities performed 397 392</p> <p>F.1.2. Strategy: RURAL HEALTH Output (Volume): Number of Low interest Loans and Grants Awarded 35 35</p>
2	VI-5	<p>Capital Budget. Funds appropriated above may be expended for capital budget items as listed below. The amounts identified for each item may be adjusted or expended on other capital expenditures, subject to the aggregate dollar restrictions on capital budget expenditures provided in the General Provisions of this Act.</p>

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(continued)**

		<u>2012</u>	<u>2014</u>	<u>2013</u>	<u>2015</u>
	a. Acquisition of Information Resource Technologies				
	(1) Data Center Consolidation	\$ 567,027	\$0	\$553,206	\$0
	(2) Food and Nutrition Information and Payment Systems	\$ 604,550		\$ 0	
	Total, Acquisition of Information Resource Technologies	\$ <u>567,027</u>	<u>\$0</u>	\$ <u>553,206</u>	<u>\$0</u>
	b. Other Lease Payments to the Master Lease Purchase Program (MLPP)				
	(1) Lease Payments - Metrology Laboratory \$	\$ 153,156	<u>\$151,478</u>	\$ 152,337	\$ <u>150,575</u>
	Total, Capital Budget	<u>\$ 1,324,773</u>	<u>\$151,478</u>	<u>\$ 705,543</u>	<u>\$150,575</u>
	Method of Financing (Capital Budget):				
	General Revenue Fund	\$ 720,183	\$151,478	\$705,543	\$ 150,575
	Federal Funds	\$ 604,550		\$0	
	Total, Method of Financing	<u>\$1,324,733</u>	<u>\$ 151,478</u>	<u>\$705,543</u>	<u>\$150,575</u>
	<i>This rider has been updated to reflect the years of this appropriations request and the amounts.</i>				
3	VI-6	Appropriation: Land Donations. In connection with the performance of its various responsibilities and programs the Texas Department of Agriculture is hereby authorized to use funds appropriated by this Act to lease and/or accept the donation of land or the use of land from: (1) governmental agencies; (2) private firms; (3) corporations; (4) individuals; (5) or other persons.			
4	VI-6	Pay for Regular Compensatory Time: Livestock Export Pen Operations. It is expressly provided that the Texas Department of Agriculture, to the extent permitted by law, may pay Fair Labor Standards Act (FLSA) nonexempt employees in classified positions who are stationed at Texas Department of Agriculture livestock export pens for compensatory time hours on a straight time basis when the taking of compensatory time off would be disruptive to normal working activities and other critical functions relating to livestock export pen operations. <i>Since TDA is not exempt from the Fair Labor Standards Act this rider is unnecessary.</i>			
5	VI-6	Transfer Authority. Notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the Texas Department of Agriculture is hereby authorized to direct agency resources, and transfer such amounts appropriated above between strategy line items.			

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

6	VI-6	<p>Appropriation: Texas Agricultural Fund. Out of the Texas Agricultural Fund No. 683, the Texas Agricultural Finance Authority is hereby appropriated for fiscal years 2012 and 20132014 and 2015, all necessary amounts required to cover any defaults on loans referenced under Chapter 5, Subchapter E, Texas Agriculture Code, or for payments for the purpose of providing reduced interest rates on loans guaranteed to borrowers as authorized by § 58.052(e), Texas Agriculture Code.</p> <p><i>This rider has been updated to reflect the years for this appropriations request.</i></p>
7	VI-6	<p>Unexpended Balances Within the Biennium. Any unexpended balances as of August 31, 20122014, in the appropriations made herein to the Texas Department of Agriculture are hereby appropriated for the same purpose for the fiscal year beginning September 1, 20122014.</p> <p><i>This rider has been updated to reflect the years for this appropriations request.</i></p>
8	VI-6	<p>Interagency Contract: Oyster Promotions and Education. Contingent upon sufficient funds being available in the Oyster Sales Account No. 5022, the Texas Department of Agriculture shall enter into an interagency contract with the Texas Department of State Health Services for oyster industry advertising and promotion efforts and to provide information, education and/or training to wholesalers, retailers, and consumers on the safe and proper handling of oysters, in accordance with Texas Agriculture Code Chapter 47.</p>
9	VI-6	<p>Master Lease Purchase Program (MLPP) Payments for the Metrology Laboratory. Included in the amounts appropriated above to the Texas Department of Agriculture in Strategy C.1.1, Inspect Measuring Devices, out of the General Revenue Fund, are amounts required in fiscal years 20122014 and 20132015 to make lease payments to the Texas Public Finance Authority for the revenue bonds issued to finance construction of the metrology laboratory. The amount of the required lease payments are estimated to be \$153,156 \$151,478 in fiscal year 20122014 and \$152,337 \$150,575 in fiscal year 20132015. The Texas Department of Agriculture shall set fees for the metrology program to recover an amount equal to the amount of the appropriations made herein for lease payments, and maintain the fee rate in such an amount during the term of any revenue obligations authorized herein.</p> <p><i>This rider has been updated to reflect the years of this appropriations request and the amounts for this program.</i></p>
10	VI-6	<p>Contingency to Increase the Full-Time-Equivalents (FTE) Cap for New Initiatives.</p> <p>Contingent upon the receipt of federal funds above those appropriated herein for programs related to surveying, controlling or eradicating invasive pests or disease, the Texas Department of Agriculture is hereby authorized to increase its number of FTEs to the extent that federal funds are allocated for salary costs. These FTEs shall not be counted in the agency's "Number of Full-Time Equivalents (FTE)" cap.</p> <p>The Texas Department of Agriculture shall report all additional FTEs authorized by this provision to the Comptroller of Public Accounts, Legislative Budget Board and the Governor prior to filling such positions.</p>
11	VI-6	<p>Appropriations Limited to Revenue Collections: Prescribed Burn Manager Certification Program. In addition to amounts appropriated above, the Texas Department of Agriculture is hereby appropriated fees collected (estimated to be \$0) in accordance with § 153.048, Natural Resources Code, to be used solely for the purpose of administering a prescribed burn manager certification program in Strategy A.1.2, Regulate Pesticide Use.</p> <p><i>This rider is deleted since it has no appropriation authority.</i></p>

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

12	VI-7	<p>Agricultural Sustainability Programs. Out of funds appropriated above, the Texas Department of Agriculture may study, develop, and implement, creative technology and innovative solutions to mitigate agricultural non point source pollution in the state from confined animal feeding operations and improve total resource management of agricultural and wildlife resources in the state.</p> <p><i>This rider is being deleted since activities in this area are covered by TDA's general statutory authority.</i></p>
13	VI-7	<p>Appropriation of Receipts: Yardage Fees. Included in the amounts appropriated above pursuant to Agriculture Code § 146.021 and included above in Strategy A.1.5, Economic Development, and identified above in the method of finance as General Revenue in an amount not to exceed \$150,000 for each fiscal year is yardage fee revenue collected by the Texas Department of Agriculture for maintenance and operating expenses for livestock export pens.</p>
14	VI-7	<p>Texas Capital Fund. All grants awarded by the Texas Department of Agriculture for infrastructure development and real estate development under the federal Community Development Block Grant Program shall be distributed with a priority on assisting manufacturers and value added processors. To the greatest extent practicable, these funds are to be distributed equitably to all regions of this state.</p> <p><i>This rider is deleted since the federal Community Development Block Grant program referenced here was transferred to TDA as part of the transfer of TDRA to TDA.</i></p>
15	VI-7	<p>Food and Nutrition Programs. Included in the amounts appropriated above to the Texas Department of Agriculture for the 2012-13 2014-15 biennium is \$51,921,444 \$61,161,474 out of Federal Funds and \$977,328 \$398,248 out of the General Revenue Fund in Strategy D.1.1, Support Nutrition Programs, to administer the Food and Nutrition Programs.</p> <p>In Strategy D.2.1, Nutrition Assistance, \$800,001,660 \$794,335,870 in Federal Funds and \$5,012,941 \$273,990 in General Revenue Funds are used to administer the Child and Adult Care Food Program audit funds, the Summer Food Service Program, the Emergency Food Assistance Program, and to make payments to providers participating in the Child and Adult Care Food Program, the Commodity Distribution Programs, the Summer Food Service Program, the Fresh Fruit and Vegetable Program and private and nonprofit institutions participating in the Special Milk Program, National School Lunch Program, and the School Breakfast Program.</p> <p>The Child Nutrition Program (CNP) payments to independent school districts shall be budgeted at the Texas Education Agency and the CNP shall be administered by the Texas Department of Agriculture pursuant to a waiver from the United States Department of Agriculture (USDA). Included in the amounts appropriated elsewhere in this Act to the Texas Education Agency for the 2012-13 2014-15 biennium is \$3,411,935,289 \$4,121,606,737 out of Federal Funds and \$29,236,682 \$29,529,049 out of the General Revenue Fund to provide reimbursement for the National School Lunch Program, the After School Care Program, the Seamless Summer Option, and the School Breakfast Program.</p> <p><i>This rider has been updated to reflect the years for this appropriations request and the amounts for these programs.</i></p>

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

16	VI-7	<p>Texas Shrimp Marketing Assistance Program. Included in the amounts appropriated above out of Interagency Contracts in Strategy A.1.1, Economic Development, is fee revenue transferred from the Texas Parks and Wildlife Department pursuant to Parks and Wildlife Code § 77.002(c) for the purpose of administering the Texas Shrimp Marketing program, estimated to be \$156,867 each fiscal year.</p>
17	VI-7	<p>Appropriation: Surplus Agricultural Product Grant Program. Included in the amounts appropriated above out of the General Revenue Fund in Strategy D.2.1, Nutrition Assistance, is \$1,500,000 \$1,800,000 in fiscal year 20122014 to be used to fund the Surplus Agricultural Product Grant Program to offset the costs of harvesting, gleaning and transporting agricultural products to Texas food banks.</p> <p><i>This rider has been updated to reflect the years for this appropriations request and the correct amount for this program.</i></p>
18	VI-7	<p>Out-of-State Travel Reimbursement. The agency may exceed the out-of-state travel cap for travel paid for or reimbursed by federal dollars or another third party.</p>
19	VI-7	<p>Fleet Planning and Optimization Pilot Program. Out of funds appropriated above, the Texas Department of Agriculture shall implement a Fleet Planning and Optimization Pilot Program designed to manage the Department's fleet operations. In order to implement the Pilot Program, the Department shall contract with a vendor whose qualifications include at least ten years of experience in planning, routing, scheduling, and dispatching for fleets to maximize operational performance, and the ability to enable the Department to utilize leading edge model based artificial intelligence for fleet planning and optimization. Contract payments to the selected vendor shall be made solely out of savings to the Department that are realized out of the implementation of the Program and such payments shall not commence until such time as the program has achieved at least a five percent reduction in the total cost of the Department's vehicle fleet management operations. The Department shall complete a report to the Office of Vehicle Fleet Management in the Office of the Comptroller of Public Accounts regarding the results of the Program.</p> <p><i>This rider is being deleted to reflect the implementation of this pilot program.</i></p>
20	VI-8	<p>TexasOnline Authority Appropriation. The Texas Department of Agriculture (TDA) is authorized in accordance with § 2054.252 of the Government Code to increase the occupational license, permit, and registration fees imposed on licensees by an amount sufficient to cover the cost of the subscription fee charged by the TexasOnline Authority.</p>

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

21	VI-8	<p>Appropriation: Marketing. Included in amounts appropriated above, in Strategy A.1.1, Economic Development is \$4,584,813 \$3,979,316 out of the General Revenue Fund in each fiscal year 2014 and \$3,718,059 in fiscal year 2015 for the direct costs of supporting the marketing programs of the Department of Agriculture. The appropriation is contingent on the department generating revenue from the marketing programs of the Department of Agriculture of at least \$4,584,813 \$3,979,316 in each fiscal year 2014 and \$3,718,059 in fiscal year 2015 to cover these direct costs as well as collecting revenue sufficient to cover any other direct and indirect costs appropriated elsewhere in this Act for the operation of the Department of Agriculture's marketing programs (estimated to be \$1,278,081 \$168,311 in fiscal year 2012-2014 and \$1,358,232 \$168,311 in fiscal year 2013-2015). Additionally, these appropriations are contingent on the agency generating sufficient revenues to support other appropriations that are limited to revenues collected. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision and other provisions making appropriations limited to revenues collected, the Legislative Budget Board shall direct the Comptroller of Public Accounts to reduce the appropriation out of the General Revenue Fund provided by this Act to be within the amount of fee revenue expected to be available from an appropriation strategy specified by the Legislative Budget Board.</p> <p>Also, contingent on the generation of such revenue required above to fund the Department of Agriculture's marketing programs and any other direct and indirect costs appropriated elsewhere in this Act for the operation of these programs, the Department of Agriculture's "Number of Full-Time Equivalents" includes 80.7 17.25 FTEs in each fiscal year. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may reduce the FTE cap provided by this Act to reflect the amount of revenue expected to be available.</p> <p><i>This rider has been updated to reflect the years for this appropriations request and the amounts for these programs.</i></p>
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**3.B. Rider Revisions and Additions Request
(continued)**

22	VI-8	Appropriations Limited to Revenue Collections: Regulatory. Included in amounts appropriated above to the Department of Agriculture, is funding for the programs listed below in the following amounts.						
				2014 Requested		2015 Requested		
		Strategy	Program Name	FTEs	General Revenue	ODIC	General Revenue	ODIC
		A.1.2	Regulate Pesticide Use	63.8 46.96	3,828,822	980,212 442,085	3,828,822	\$1,043,085 442,085
		A.1.3	Integrated Pest Management (except Boll Weevil, Mediterranean & Mexican fruit fly and Obliqua programs)	17.9 6.74	609,394	205,952 60,349	659,497	224,203 60,349
		A.1.4	Certify Produce	1.8 1.28	182,279	37,460 18,138	178,184	39,732 18,138
		B.1.2	Verify Seed Quality-	43.8 12.94	1,991,630	632,203 126,589	2,068,988	673,968 126,589
		B.1.3	Agricultural Commodity Regulation	17.0 15.93	1,043,582	274,681 165,237	1,062,209	292,657 165,237
		B.1.4	Structural Pest Control	49.2 29.84	1,678,081	711,828 282,772	1,678,082	756,037 282,772
			Total	193.5 113.69	9,333,788	2,842,336 1,095,170	9,475,782	\$3,029,682 1,095,170
		<p>These appropriations and full-time equivalents are contingent upon the Department of Agriculture assessing fees from all of the programs named above sufficient to generate during the 2012-13 2014-15 biennium, revenue to cover all costs related to all programs, at a minimum \$9,333,788 in fiscal year 2012-2014 and \$9,475,782 in fiscal year 2013-2015 as well as "Other direct and indirect costs" for the programs estimated to be \$2,842,336 \$1,095,170 in fiscal year 2012-2014 and \$3,029,682 \$1,095,170 in fiscal year 2013-2015, appropriated elsewhere in this Act. Additionally, these appropriations are contingent on the agency generating sufficient revenues to support other appropriations that are limited to revenue collections.</p> <p>In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision and other provisions making appropriations limited to revenues collected, the Comptroller of Public Accounts shall reduce the appropriation authority by this Act to be within the amount of fee revenue expected to be available.</p> <p>Also, contingent on the generation of such revenue required above to fund the Department of Agriculture's programs listed above and any other direct and indirect costs appropriated elsewhere in this Act for the operation of these programs, all 193.5 113.69 FTEs in each fiscal year included in the Department of Agriculture's "Number of Full-Time Equivalents (FTE)" cap. In the event that actual and/or projected total revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may reduce the FTE cap provided by this Act to reflect the amount of revenue expected to be available.</p> <p><i>This rider has been updated to reflect the years for this appropriations request and the amounts for these programs.</i></p>						

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

23	VI-9	<p>Appropriation: Feral Hog Abatement Program. Included in the amounts appropriated above out of the General Revenue Fund in Strategy A.1.5, Agricultural Production Development is \$900,000 in fiscal year 20122014 to be used to implement feral hog abatement technologies.</p> <p>The Texas Department of Agriculture shall submit a report to the Legislative Budget Board and the Governor no later than September 1, 2014 providing information on the number of feral hogs abated and the cost per abatement using certain technologies.</p> <p><i>This rider has been updated to reflect the years for this appropriations request and the amount for this program.</i></p>																																									
24	VI-9	<p>Boll Weevil Eradication. Included in amounts appropriated above out of the General Revenue Fund in Strategy A.1.3, Integrated Pest Management is \$7,500,000 in each fiscal year, to be transferred to the Boll Weevil Eradication Foundation for efforts to eradicate the boll weevil.</p>																																									
25	VI-9	<p>Additional Appropriation Authority: Selected Regulatory Programs. Included in amounts appropriated above to the Department of Agriculture, is funding for the programs listed below in the following amounts.</p> <table border="1" data-bbox="527 667 1860 997"> <thead> <tr> <th colspan="2"></th> <th colspan="2">2014 Requested</th> <th colspan="2">2015 Requested</th> </tr> <tr> <th>Strategy</th> <th>Program Name</th> <th>FTEs</th> <th>General Revenue</th> <th>ODIC</th> <th>General Revenue</th> <th>ODIC</th> </tr> </thead> <tbody> <tr> <td>A.1.5</td> <td>Seed Certification</td> <td>13.5 11.12</td> <td>677,704</td> <td>211,876 118,740</td> <td>787,226</td> <td>226,677 118,740</td> </tr> <tr> <td>B.1.2</td> <td>Seed Testing</td> <td>4.2 0.12</td> <td>305,634</td> <td>72,542 1,081</td> <td>316,992</td> <td>77,299 1,081</td> </tr> <tr> <td>C.1.1</td> <td>Inspect Measuring Devices</td> <td>76.4 86.40</td> <td>4,191,596</td> <td>1,336,549 809,446</td> <td>4,189,939</td> <td>1,420,651 809,446</td> </tr> <tr> <td colspan="2" style="text-align: right;">Total</td> <td>94.1 97.64</td> <td>5,174,934</td> <td>1,620,967 929,267</td> <td>5,294,157</td> <td>1,724,627 929,267</td> </tr> </tbody> </table> <p>a. These appropriations are contingent upon the Department of Agriculture assessing fees sufficient to generate during the 2012-13 2014-15 biennium, revenue to cover, at a minimum the General Revenue Appropriations of these programs as well as "Other direct and indirect costs" for the programs appropriated elsewhere in this Act. Additionally, these appropriations are contingent on the agency generating sufficient revenues to support other appropriations that are limited to revenues collected.</p> <p>b. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified to individual programs by this provision and other provisions making appropriations limited to revenues collected, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority made by this Act to be within the amount of fee revenue expected to be available.</p> <p>c. In addition to amounts appropriated above, the Department of Agriculture is hereby appropriated any receipts in the Seed Certification, Seed Testing, and Inspect Measuring Devices programs in excess of \$33,149,608 \$37,322,055 \$37,409,580 (Object Codes 3175, 3400, 3402, 3404, 3410, 3414, 3420, 3422, 3428, 3435, 3770, 3795, and 3839), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 20122014 and 20132015, for the entire revenue collections deposited into the</p>			2014 Requested		2015 Requested		Strategy	Program Name	FTEs	General Revenue	ODIC	General Revenue	ODIC	A.1.5	Seed Certification	13.5 11.12	677,704	211,876 118,740	787,226	226,677 118,740	B.1.2	Seed Testing	4.2 0.12	305,634	72,542 1,081	316,992	77,299 1,081	C.1.1	Inspect Measuring Devices	76.4 86.40	4,191,596	1,336,549 809,446	4,189,939	1,420,651 809,446	Total		94.1 97.64	5,174,934	1,620,967 929,267	5,294,157	1,724,627 929,267
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**3.B. Rider Revisions and Additions Request
(continued)**

		<p>General Revenue Fund by the Department of Agriculture. Also, contingent on the generation of revenue required to be generated in Subsection (a) of this rider, and in order to meet the demand of the above named programs, the Department of Agriculture may temporarily exceed the agency FTE limit ("Number of Full-Time-Equivalents" listed in the agency bill pattern) by notifying the Legislative Budget Board of the number of temporary FTEs to be hired, the expected length of employment, and the related salary costs.</p> <p>d. Also, contingent on the generation of such revenue required above to fund the Department of Agriculture's programs listed above and any other direct and indirect costs appropriated elsewhere in this Act for the operation of these programs, the Department of Agriculture's "Number of Full-Time Equivalents" includes 94.1 97.64 FTEs in each fiscal year. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may reduce the FTE cap provided by this Act to reflect the amount of revenue expected to be available.</p> <p><i>This rider has been updated to reflect the years for this appropriations request and the amounts for these programs.</i></p>
26	VI-10	<p>Equine Incentive Program. Included in addition to the amounts appropriated above, any fees collected in accordance with Section 12.044 of the Agriculture Code in fiscal year 20122014 and fiscal year 20132015 (estimated to be \$25,000 in each fiscal year) are hereby appropriated to the Department of Agriculture, from the General Revenue Fund in Strategy A.1.1, Economic Development. Also, in addition to the amounts appropriated above, the Department of Agriculture is hereby appropriated out of the General Revenue Fund in fiscal year 2012, an amount equal to the revenue deposited to the credit of the Comptroller revenue object code 3400 related to the fees collected in accordance with Section 12.044 in the 2010-11 biennium (estimated to be \$37,260).</p> <p><i>This rider has been updated to reflect the years for this appropriations request and to reflect that the amounts for this program are included in the 2014-15 base..</i></p>
27	VI-10	<p>Appropriations: Hostable Cotton Fee. In addition to the amounts appropriated above, any fees collected in accordance § 74.0032, Texas Agriculture Code, in excess of amounts for the applicable object code contained in the Comptroller of Public Accounts' Biennial Revenue Estimate in FY 20122014 and FY 20132015 are hereby appropriated from general revenue to Strategy A.1.3, Strategy: Integrated Pest Management, for the purpose of cotton stalk destruction regulatory activities.</p> <p><i>This rider has been updated to reflect the years for this appropriations request.</i></p>
28	VI-10	<p>Zebra Chip Research. In addition to amounts appropriated above, the Department of Agriculture is hereby appropriated \$800,000 out of the General Revenue Fund in Strategy E.1.1, Research and Development, in fiscal year 2012 to fund research of the Zebra Chip Disease affecting potatoes in Texas. The Texas Department of Agriculture and the Texas Agricultural Experiment Station shall enter into an interagency contract for the funds appropriated above to be used for this research. Any unexpended balances remaining on August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.</p> <p><i>As the amount shown above is included in the base appropriation it is requested that this rider be deleted.</i></p>
29	VI-10	<p>Administrative Allocation: Councils of Governments. From the federal administrative monies made available to the Texas Department of Agriculture under the Community Development Block Grant Program, an amount up to 19</p>

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

		percent of such monies shall be allocated for the councils of government, based upon agreements between the Texas Department of Agriculture and each council of government, to continue staff support to the 24 Regional Review Committees of local elected officials appointed by the Governor and/or for other technical assistance services so long as the staff support activities comply with the rules, policies, and standards established by the U.S. Department of Housing and Urban Development.
30	VI-11	<p>Estimated Appropriation and Unexpended Balance. a. The estimated amounts appropriated above out of the Permanent Endowment Fund for Rural Communities Healthcare Investment Program, are out of the amounts available for distribution or investment returns of the funds. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the Texas Department of Agriculture. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to make up the difference. Any unexpended appropriations made above as of August 31, 20122014, are hereby appropriated for the same purposes for fiscal year 20132015. b. The estimated amounts appropriated above out of the Permanent Fund for Rural Health Facility Capital Improvement are out of the available earnings of the fund. Available earnings in excess of the amounts estimated above are appropriated to the Texas Department of Agriculture. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to make up the difference. Any unexpended appropriations made above as of August 31, 20122014 are hereby appropriated for the same purposes for fiscal year 20132015.</p> <p><i>This rider has been updated to reflect the years for this appropriations request.</i></p>
31	VI-11	<p>Limitation on Use of Funds.</p> <p>a. State agencies that are appropriated funds from the receipts collected pursuant to the Comprehensive Tobacco Settlement Agreement and Release, including distributions from funds, shall submit a budget by November 1 of each year of the biennium to the Legislative Budget Board and the Governor. This budget shall describe the purposes and amounts for which such funds will be expended by the state agency. No funds described in this budget may be expended by the state agency or institution of higher education until the Legislative Budget Board and the Governor receive the budget.</p> <p>b. Authorized managers of permanent funds and endowments whose earnings are appropriated to the Texas Department of Agriculture shall provide a copy of year-end financial reports to the Legislative Budget Board and the Governor by November 1 of each year of the biennium. These reports should include, at a minimum, an income statement and balance sheet for each fund, and a summary of the investment return of the fund during the preceding fiscal year.</p>
32	VI-11	<p>Coordination with Texas Water Development Board. The Texas Department of Agriculture (TDA) and the Texas Water Development Board (TWDB) shall continue to coordinate funds as outlined in a Memorandum of Understanding (MOU) so as to assure that none of the funds appropriated above are expended in a manner that aids the proliferation of colonias or are otherwise used in a manner inconsistent with the intent of the Economically Distressed Areas Program (EDAP) operated by the Texas Water Development Board (TWDB), and maximize</p>

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

		<p>delivery of the funds and minimize administrative delay in their expenditure. The MOU shall be amended, if necessary, prior to the distribution of the Colonia Fund in fiscal years 2012-2014 and 2013-2015. None of the funds appropriated above for Strategy F.1.1, Rural Community and Eco Development, may be expended in EDAP-eligible counties that have not adopted, or are not enforcing, the Model Subdivision Rules established pursuant to § 16.343 of the Water Code. No later than September 15, 2012<u>2014</u> TDA and the TWDB shall submit a joint report to the Legislative Budget Board that describes and analyzes the effectiveness of projects funded as a result of coordinated Colonia Fund/EDAP efforts including an estimate of the amount each agency has saved by reduced duplication of efforts. If there are an insufficient number of TWDB EDAP projects ready for Colonia Economically Distressed Areas Program (CEDAP) connection funding, the CEDAP funds may be transferred at TDA's discretion as stated within the current Community Development Block Grant action plan.</p> <p><i>This rider has been updated to reflect the years for this appropriations request.</i></p>
33	VI-11	<p>Colonia Set-Aside Program Allocation. The Texas Department of Agriculture (TDA) shall continue the Community Development Block Grant (CDBG) Colonia Set-Aside Program by allocating not less than 10 percent of the yearly allocation of CDBG funds for eligible activities to assist in providing for the housing, planning, and infrastructure needs in colonias. From this 10 percent yearly allocation, <u>3.36%</u> \$2,000,000 shall be reserved to provide financial assistance to units of general local government located in economically distressed areas as defined by § 17.921, Water Code, to pay for residential service lines, hookups, and plumbing improvements associated with being connected to a water supply or sewer service system, any part of which is financed under the economically distressed areas program established under Subchapter J, Chapter 16, Water Code and Subchapter K, Chapter 17, Water Code.</p> <p>In addition, TDA shall allocate 2.5 percent of the CDBG monies to support the operation of the Colonia Self-Help Centers and shall transfer such funds to the Department of Housing and Community Affairs.</p> <p><i>The federal allocation for all CDBG programs continues to be reduced affecting all other programs which are funded as a percentage of the allocation. This change makes funding for this program consistent with that of other programs funded.</i></p>
34	VI-12	<p>Administration of Public Health Funds. Funds are appropriated above out of the Permanent Fund for Rural Health Facility Capital Improvement for the purpose of implementing House Bill 1676, Seventy-sixth Legislature, 1999. In no event shall the administrative costs to implement the provisions of the bill exceed three percent. Grants and program costs must compose at least 97 percent of the expenditures to implement the provisions of the bill.</p>
35	VI-12	<p>Informational Listing - Permanent Funds and Endowments. The following is an informational list of the amounts used to capitalize certain Permanent Funds and Endowments created by House Bill 1676, Seventy-sixth Legislature and by Senate Bill 126, Seventy-seventh Legislature, and does not make appropriations.</p> <p style="text-align: center;">Permanent Fund for Rural Health Facility Capital Improvement (Rural Hospital Infrastructure) \$ 50,000,000 Permanent Endowment Fund for the Rural Communities Healthcare Investment Program \$ 2,500,000</p>

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

36	VI-12	<p>Reimbursement of Advisory Committee Members. Pursuant to Government Code § 2110.004, reimbursement of expenses for advisory committee members, out of amounts appropriated above, is limited to the following advisory committees: State Review Committee.</p> <p><i>This committee no longer exists.</i></p>
37	VI-12	<p>Appropriation of Loan Repayments. Loan repayments, interest, and reimbursements of expenses received by the Texas Department of Agriculture pursuant to Government Code, Chapter 487, are hereby appropriated to the agency as Appropriated Receipts in the 2012-13 2014-15 biennium for the same purpose. The Texas Department of Agriculture may also expend these funds for the purpose of reimbursing community matching fund contributions for forgivable educational loans made pursuant to Government Code, Section 487.154.</p> <p><i>This rider has been updated to reflect the years for this appropriations request.</i></p>
38	VI-12	<p>Affordable Housing Research and Information Program. Out of funds appropriated above, the Texas Department of Agriculture shall assist the Department of Housing and Community Affairs in conducting the Affordable Housing Research and Information Program, to the extent allowed by state law, in order to avoid any duplication of effort. It is the intent of the Legislature that no funds shall be transferred between the Department of Housing and Community Affairs and the Texas Department of Agriculture for this purpose.</p>
39	VI-12	<p>Travel Expenditures. Out of funds appropriated above, the Office of Rural Affairs within the Texas Department of Agriculture is authorized to spend up to \$26,700 each year of the biennium for out of state travel. This limitation shall not apply to out of state travel associated with federal programs if the cost of such travel is paid for or reimbursed by the federal government.</p> <p><i>As the travel cap shown above, which was for the former Texas Department of Rural Affairs, is incorporated with that of TDA it is requested that this rider be deleted.</i></p>
701	VI	<p><u>Appropriation of Receipts: Jobs for Texas Program.</u> In addition to the amounts appropriated above, the Texas Department of Agriculture is hereby appropriated all proceeds, including interest and investment income, related to the U.S. Department of Treasury’s State Small Business Credit Initiative Act of 2010 (SSBCI) allocation. The Department shall use proceeds consistent with the federal program. Contingent on passage of legislation a dedicated fund is hereby created for the purpose of this program. Notwithstanding Section 404.071, Government Code, income and interest earned on money in the fund shall be deposited to the credit of the fund. The fund is exempt from the application of Section 403.095, Government Code.</p> <p><i>In June 2011, Governor Rick Perry designated TDA as the Texas agency to accept, implement and oversee the Small State Business Credit Initiative (SSBCI) allocated funds on behalf of the State of Texas. The Jobs for Texas Program (J4T) was created as a result of this allocation to TDA by the US Department of Treasury. The Program is designed to provide capital through investment funds to eligible Texas small businesses and create and expand commercial ventures in the state.</i></p>