

SUBJECT: Emergency appropriations

COMMITTEE: Appropriations — committee substitute recommended

VOTE: 17 ayes — Junell, Delisi, Carona, Coleman, Conley, R. Cuellar, Davis, Glaze, Gray, Greenberg, Harris, Heflin, McDonald, Mowery, Ogden, Swinford, S. Turner

0 nays

10 absent — Clemons, Cook, H. Cuellar, Gallego, Haggerty, Hernandez, Johnson, Kubiak, Park, Raymond

SENATE VOTE: On final passage, April 3 — 29-0

WITNESSES: For — None

Against — None

On — Dick Strader and Sergio Shearer, Cosmetology Commission; Don Brown, Texas Higher Education Coordinating Board; Dr. John Anthony, Collin County Community College District

BACKGROUND: Education Code, sec. 16.254(i), provides that no later than March 1 of each year the commissioner of education is to recalculate the amount of state funds to which each school district is entitled and compare that amount to the amount the district was issued earlier for the school year. The amount may vary due to subsequent changes in the district's tax rate, student enrollment and taxable property value. If the amount varies, the commissioner is to adjust the district's state funds entitlement for the next fiscal year.

DIGEST: CSSB 407 would make a total of \$321,056,183 in emergency appropriations from the general revenue fund and \$8,250,000 in transfers from the Department of Health to other programs. Increases would be for the following purposes:

- \$305,000,000 would go to the Central Education Agency for advance payment of the adjustment payments due to school districts under Education Code, sec. 16.254(i) for fiscal 1996. The payments would be made on or before July 25, 1995, rather than September 25, 1995. If the \$305 million was insufficient to cover the entire amount of the adjustment payments, the amount would be pro rated among the districts;
 - \$13,744,133 would go to the Texas Higher Education Coordinating Board for the remainder of the fiscal year to fund enrollment and start-up costs at new campuses at Collin County Community College, North Harris Montgomery Community College, Blinn College and Tarrant County Junior College. Money unexpended at the end of the current fiscal year would be reappropriated for the same purposes for the fiscal biennium ending August 31, 1997;
 - \$2,312,050 would go to the Texas Higher Education Coordinating Board for the remainder of the fiscal year to fund infrastructure development, student support services, the physical plant and instructional costs at South Texas Community College.
- CSSB 407 would reduce appropriations from the general revenue fund to the Texas Department of Health (TDH) by \$8,250,000. The TDH would identify the strategies and objectives out of which the reductions would be made. The funds from TDH would be shifted in three ways:
- \$4 million to the general revenue fund disaster contingency account.
 - \$4 million to the Texas Youth Commission, for the care and confinement of juvenile offenders. The commission could not spend more than \$2.3 million of the \$4 million appropriated without the prior written approval of the governor given after seeking advice of the Legislative Budget Board.
 - \$250,000 to the Department of Public Safety for the investigation of matters related to the Texas Commission on Alcohol and Drug Abuse.

**SUPPORTERS
SAY:**

Since there are sufficient funds available and the constitutional spending limit has not been reached for the fiscal 1994-1995 biennium, CSSB 407 would allocate \$305 million to the Central Education Agency for the state funding adjustments that would otherwise be paid to school districts during the next fiscal year. This payment acceleration would help avoid potential spending problems in the next fiscal biennium if the constitutional spending limit in that biennium is reached. CSSB 407 would also appropriate additional funds to certain community colleges that are experiencing unexpected increases in enrollment.

The bill would reduce the amount originally appropriated to the Texas Department of Health (TDH) because the growth rates of caseloads were lower than anticipated. Some of the money shifted from TDH would go to the disaster contingency account, because the governor has indicated that the current fund is too low to help provide relief for future natural disasters. Some of the money would go to the Texas Youth Commission because the number of juveniles under its care has increased and the time the juveniles are required to be kept confined has also increased. The rest of the money shifted from TDH would go to the Department of Public Safety for its investigation into alleged abuses by the Texas Commission on Alcoholism and Drug Abuse in allocating funds to local drug treatment and counseling centers.

**OPPONENTS
SAY:**

No apparent opposition

NOTES:

The Senate-passed version would have provided \$740,000 to Tarleton State University and \$1,449,405 to Southwest Texas State University for repair of buildings and structures damaged by hailstorms. (These funds are now included in HB 1, the general appropriations bill.) The Senate version also provided \$87,000 to the University of Texas at San Antonio for repair to buildings for damage caused by fire and \$70,000 to the Texas Cosmetology Commission to pay costs.

The committee substitute would reduce appropriations to the Texas Department of Health by \$8,250,000 and transferred the funds for other purposes.