PROCLAMATION
BY THE
Governor of the State of Texas
41-2192

ALL TO WHOM THESE PRESENTS SHALL COME:

Senate Bill 1, the General Appropriations Bill, has reached my desk for action, having been duly certified by the Comptroller of Public Accounts pursuant to Article III, Section 49a of the Texas Constitution. It authorizes an expenditure of $356.3 billion in total funds and $24.04 billion in general revenue funds for fiscal 1988-89, after rider adjustments.

The Texas Legislature this year worked through a regular session and two special sessions in an historic effort to control government spending and attempt to set priorities. There is no question that much blood, sweat and tears were shed in this effort, and I wish to commend Lieutenant Governor Hobby and Speaker Lewis on their willingness to work with me. I would also like to recognize the members of the Senate Finance Committee and the House Appropriations Committee for their hard work over the last seven months, and the members of the Conference Committee who drafted the final product now before me in the form of Senate Bill 1. But most important of all I believe all Texans owe a tremendous debt of gratitude to those courageous members of the House of Representatives who fought tirelessly on the House floor to hold state spending to a fiscally responsible level.

For two and a half weeks I have reviewed this budget. It is the critical product of the Legislature's seven-month effort. While I commend the Legislature and its leadership for their efforts, there are places that can stand additional scrutiny and additional economies. It is in that spirit that I exercise my constitutional prerogative of line item veto so that modest advances are made in pursuit of fiscal discipline and budgetary integrity.

My line item vetoes, totaling $167.4 million, will include the elimination of individual aircraft operations in specific agencies. The intent is to both save Texas taxpayers significant sums of money, while at the same time encouraging agencies to utilize the Aircraft Pooling Board.

In another line item veto, I am removing a mischievous measure aptly entitled the "Doomsday Amendment." This measure is nothing but a crude attempt at legislative and political blackmail, unbecoming of our Texas legislative process. It is hoped that the thinking and the tactics that produced such an insidious measure will be exercised prior to the 71st Legislative Session.

I have long believed that the systems offices throughout our college and university systems are not fully incorporated into their respective institutions. One veto reflects a recommendation originally made in the Policy Budget presented to the Texas Legislature in February. To directly quote from that report: "As an economy measure, I recommend individual institutions allocate funds from their budget as a substitute for direct revenue funding of the system offices. Beside saving money, I hope this system change will have the positive effect of making system offices more sensitive to the needs of their respective institutions."

Additional veto items include reductions in administrative and bureaucratic costs in the Department of Human Services, while other savings are found in higher education and the State Department of Highways and Public Transportation. While a sharp eye was focused on savings, a constant sensitivity to services was maintained throughout the budget review process.

Our state government is in a period of dramatic transition. As never before, each agency, board and commission must review every expense, must prioritize every program and must ensure to the people of Texas that every dollar spent is done so with maximum efficiency and effectiveness. The efforts we have begun this year must continue at full speed into the next biennium and beyond.
Summary of Items Vetoed

<table>
<thead>
<tr>
<th>Description</th>
<th>Fiscal Year 1988</th>
<th>Fiscal Year 1989</th>
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</thead>
<tbody>
<tr>
<td>ARTICLE I - EXECUTIVE AND</td>
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<tr>
<td>ADMINISTRATIVE DEPARTMENTS AND AGENCIES.</td>
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<tr>
<td>Texas Aeronautics Commission - Page I-8</td>
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<tr>
<td>Item 1.b. Aircraft Operations</td>
<td>$ 105,080</td>
<td>$ 59,450</td>
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<td></td>
<td>&amp; U.B.</td>
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<td>Department of Agriculture - Page I-12</td>
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<tr>
<td>Item 1.d. Air Travel</td>
<td>$ 140,000</td>
<td>$ 140,000</td>
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<td>Office of the Attorney General - Page I-38</td>
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<tr>
<td>Item 1.d Aircraft Operations</td>
<td>$ 273,929</td>
<td>$ 137,929</td>
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<td>Page I-46 (Rider)</td>
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<td>22. In addition to the amounts herein</td>
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<td>appropriated in line items 3.a. and 3.b.</td>
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<td>during the biennium, there is appropriated</td>
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<td>all state-earned depreciation funds and related</td>
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<td>federal matching funds earned by these</td>
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<td>depreciation funds in an amount not to exceed</td>
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<td>$1,000,000,000.</td>
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<td>Comptroller of Public Accounts - Page I-60</td>
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<tr>
<td>Item 4. Aircraft Operations</td>
<td>$ 727,239</td>
<td>$ 727,239</td>
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<td>Office of the Governor - Page I-119</td>
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<td>20. Funds appropriated above may be</td>
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<td>expended to fund the operations of the</td>
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<td>Governor's Commission on Physical Fitness</td>
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<td>at the discretion of the Governor. In</td>
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<td>addition, any gifts, grants, or donations of</td>
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<td>private funds received for the benefit</td>
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<td>of the Governor's Commission on Physical</td>
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<td>Fitness are authorized and appropriated</td>
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<td>for the purposes specified by the donor.</td>
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<td>State Department of Highways and Public</td>
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<td>Transportation - Page I-121</td>
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<td>Item 6. Capital Construction</td>
<td>$ 33,973,696</td>
<td>U.B.</td>
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<td>Page I-125 (Rider)</td>
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<td>17. Funds appropriated above in Item</td>
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<td>4.a., Public Travel and Information Services,</td>
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<td>include amounts for the production and</td>
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<td>distribution of &quot;Texas Highways&quot;, the</td>
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<td>official travel magazine of the state as</td>
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<td>intended by H.C.R. No. 26, Sixty-fourth</td>
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<td>Legislature, Regular Session, 1975. The</td>
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<td>State Highway and Public Transportation</td>
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<td>Commission is directed to set subscription</td>
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<td>rates and other charges at a level that will</td>
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generate receipts approximately sufficient to cover the costs incurred in the production and distribution of the magazine. The department may sell advertising space in "Texas Highways", not to exceed 25% of the total space per issue. Revenues collected from subscription rates and advertising space sales may be used to increase the appropriation line item 4.a. to the extent of such collections.

General Land Office and Veterans' Land Board - Page I-150
Item 4.a. Aerial Photography and Operations $309,257 $309,767
Item 4.b. Retrofit 275,000

Railroad Commission - Page I-219
Item 1.d. Aircraft $132,067 $132,267 & U.B.

Item 8. Texas Petroleum Research Committee
212,187 212,187

Public Utility Commission of Texas - Page I-248
Item 3.c. Consumer Information and Response $200,000 $200,000

ARTICLE II - HEALTH, WELFARE AND REHABILITATION AGENCIES

Texas Department of Health - Page II-16
Item 13.a. Cancer Registry 927,111 927,111

Department of Human Services - Page II-30
Item 7.g. Program Support $5,803,325 $5,807,008
Item 8.g. Program Support 2,305,224 2,305,224
Item 12.b Quality Assurance and Consultation 704,129 704,129
Item 15.b. Client Services 1,000,000 1,000,000
321,000 U.B.

Department of Mental Health and Mental Retardation - Page II-48
Item 22d. Aircraft Operations (non-transferable) $201,488 $201,488 & U.B.

Page II-52 (Rider)
11. Contingent upon the sale of the land and property of the Texas Research Institute of Mental Sciences, or the Leander Rehabilitation Facility, or the Austin State School Annex, the Texas Department of Mental Health and Mental Retardation is hereby appropriated $3,058,200 from the proceeds.

xii
of the sale for life safety construction improvements or other high priorities of the department. Any remaining proceeds shall be deposited in the General Revenue Fund.

ARTICLE III - AGENCIES OF PUBLIC EDUCATION

Texas Central Education Agency - Programs - Page III-1

Item 1.1. (2) Loss to Section 16.252(e) $ 52,000,000 U.B.

Coordinating Board, Texas College and University System - Page III-23

Item 21. Utility Contingency Fund $ 2,500,000 U.B.

Page III-26 (Rider)
12. Authorization for the expenditure of funds appropriated above for utilities is contingent upon certification by the Comptroller of Public Accounts that a general academic institution, medical college, health science center, or technical institute has expended all funds appropriated for utilities in that fiscal year. No institution of higher education which has transferred funds from the line item for utilities may request or receive funds during the same fiscal year from the Utility Contingency Fund. In addition, no institution of higher education may receive funds from the Utility Contingency Fund unless it has adopted and submitted an energy conservation program pursuant to Article V, Section 90 of this Act. Any institution receiving funds from the Utility Contingency Fund shall expend said funds only for utilities and any unexpended balances shall revert to the Utility Contingency Fund. Such funds shall not be used to support auxiliary enterprises. The funds appropriated for the Utility Contingency Fund shall be administered and dispensed pursuant to the above qualifications and in the amounts indicated by the Coordinating Board, Texas College and University System. An unexpended balance contained in the Contingency Fund as of August 31, 1988, is hereby reappropriated for the same purposes for the fiscal year beginning September 1, 1988.

Page III-27 (Rider)
20. The Comptroller will transfer $750,000 to the General Revenue Fund from any unexpended balances remaining from the appropriations for Reductions in Estimated Other Educational and General Funds made to the Coordinating Board in either Senate Bill No. 1, page III-23 or House Bill No. 5, Acts of the Sixty-ninth Legislature, Third Called Session. The remainder of the balances are hereby reappropriated to reduce 1987 income shortfalls at eligible institutions.
Page III-28 (Rider)
22. In addition to the amount provided above to the Coordinating Board, $50,000 from the General Revenue Fund is hereby appropriated which will be matched by local funds of the University System of South Texas for the purpose of conducting a study of the status, needs, and impact of higher education in South Texas as they relate to the needs and existing facilities of the State as a whole serviced by public institutions of higher education.

Public Junior/Community Colleges - Page III-35

<table>
<thead>
<tr>
<th>Item</th>
<th>Staff Group Insurance Premiums</th>
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</thead>
<tbody>
<tr>
<td>50</td>
<td>$21,093,960</td>
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<td>$24,258,054</td>
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Page III-39 (Rider)
21. In addition to the funds appropriated above to Alamo Community College and Northeast Texas Community College, 50 percent of any remaining or unexpended balances from appropriations for fiscal year 1987 made to those institutions in item 48(b) and 48(c) of Senate Bill No. 1, Sixty-ninth Legislature, Third Called Session, page III-34, are hereby reappropriated to those respective institutions for the biennium beginning September 1, 1987 to fund contact hours earned in excess of those used in the base period for making the 1988-1989 appropriations. The State Auditor shall determine the actual number of contact hours generated in excess of the 1988-1989 base period. In no instance shall disbursements be greater than those actually earned. The unexpended balances may be used only in support of those elements of cost eligible for state funding.

The University of Texas System
System Administration - Page III-39

<table>
<thead>
<tr>
<th>Item</th>
<th>Administration</th>
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<tbody>
<tr>
<td>1</td>
<td>$710,326</td>
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<td>$710,326</td>
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</tbody>
</table>

Texas A&M University System
Administrative and General Offices - Page III-52

<table>
<thead>
<tr>
<th>Item</th>
<th>Administration</th>
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<tbody>
<tr>
<td>1</td>
<td>$345,185</td>
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<td>$345,185</td>
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Prairie View A&M University - Page III-55

Page III-55 (Rider)
2. In addition to the amounts specified above, there is also hereby appropriated to Prairie View A&M University $382,276 for contract cleaning and repairs and replacement of equipment resulting from a fire in Hilliard Hall on the campus of Prairie View A&M University.
Texas Transportation Institute - Page III-59

(Rider)
2. In addition to the amounts specified above, there is also hereby appropriated to the Texas Transportation Institute, $923,385 from the General Revenue Fund for the fiscal year beginning September 1, 1987 for replacement of a research laboratory building and equipment located at the Bryan Research and Extension Center, Bryan, Texas, totally destroyed by fire. Any balances remaining as of August 31, 1988 from this appropriation are hereby reappropriated for fiscal year 1989.

The University of Houston System
System Administration - Page III-66

Item 1. Administration $ 2,140,417

Lamar University System
System Office - Page III-69

Item 1. Administration $ 294,935 $ 296,105

Texas Tech University Museum - Page III-79

Item 1. Main Museum $ 418,549

Item 2. Ranching Heritage Center 40,497

Panhandle-Plains Historical Museum - Page III-81

Item 1. Museum Operations $ 458,740

Sam Houston Memorial Museum - Page III-84

Item 1. Museum Operations $ 308,680

ARTICLE VII - Page VII - 12

Section 2. In the event House Bill No. 61, Acts of the 70th Legislature, 2nd Called Session, 1987, becomes law but no part of which takes effect before the 91st day after the adjournment of that session of the Legislature, the following institutions shall be reduced from the level contained in Article III of this Act by the listed percentage multiplied by the difference between the level of funding contained in Article III of this Act and the 1987 operating level or the 1987 adjusted base, whichever produces the smaller result. The comptroller of public accounts is authorized and directed to calculate and execute the provisions of this Section.

- The University of Texas at Arlington 50%
- The University of Texas at Austin 10%
- The University of Texas at Dallas 100%
- The University of Texas at El Paso 20%
- The University of Texas at San Antonio 40%
- Prairie View A&M University 33%
- Corpus Christi State University 33%
- Houston Community College (of total, taken from West Houston Campus only) 40%
University of Houston-Clear Lake 100%
University of Houston-Victoria 100%
North Texas State University 100%
Texas Tech University 50%
Texas Woman's University (Denton Campus only) 20%
West Texas State University 100%
Southwest Texas State University 100%
Alamo Community College 40%
Alvin Junior College 100%
Amarillo College 100%
Blinn College 100%
Brazosport College 100%
Clarendon College 100%
Collin County Community College 100%
Cooke County Junior College 100%
Dallas County Community College 40%
Del Mar Junior College 100%
El Paso Community College 20%
Frank Phillips Junior College 100%
Henderson County Junior College 100%
Kilgore College 50%
Lee College 50%
McLennan County Junior College 100%
Midland College 100%
Navarro Junior College 100%
North Harris County College 100%
Paris Junior College 100%
San Jacinto College 50%
Southwest Texas Community College 100%
Tarrant County Community College 40%
Temple Junior College 100%
Vernon Regional Junior College 100%
Weatherford Junior College 100%
Texas State Technical Institute-Weatherford 100%
Texas State Technical Institute-Amarillo 100%
Tuition Equalization Grants 50%
Texas A&M University Agricultural Extension Service 50%
Texas A&M University Engineering Extension Service 50%
Texas Forest Service 50%
Sul Ross State University (taken entirely from Uvalde Center) 33% of total
Texas Tech University Health Sciences Center - Amarillo Regional Academic Health Center 100%

Statement of Objections and Reasons for Veto

Aircraft Operations:

Texas Aeronautics Commission
Item 1.b.

Texas Department of Agriculture
Item 1.d.

Office of the Attorney General
Item 1.d.
Controller of Public Accounts

Item 4.

General Land Office and Veterans' Land Board

Item 4.a. and b.

Railroad Commission

Item 1.d.

Texas Department of Mental Health and Mental Retardation

Item 22.d.
The time has passed when state employees can enjoy the privilege of flying in almost empty agency-owned aircraft. However, some agencies still abuse this privilege by flying in state planes to cities served by commercial airlines and by flying at passenger levels far below plane capacity. In enacting stronger restrictions in Section 19, Article V of Senate Bill 1, the Legislature showed that it recognized the existing problems. However, the language is not strong enough to correct those problems.

Each agency affected by this veto is being requested to transfer its aircraft to the State Aircraft Pooling Board as soon as possible. In addition, agencies with aircraft authorization which do not have line item appropriations for aircraft use will be requested to take similar action. The Department of Public Safety, the Parks and Wildlife Department and the Department of Corrections, because of the unique needs of their law enforcement activities, continuation of funding for aircraft is necessary.

ARTICLE I - EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS AND AGENCIES.

Office of the Attorney General

Rider 22.
The Child Support Enforcement program received direct appropriations of $44,035,928. This appropriated amount is adequate for enforcement; additional appropriation to this program is unnecessary.

Office of the Governor

Rider 20.
The 69th Legislature, 3rd Called Session, eliminated the direct appropriation to the Governor's Commission on Physical Fitness and directed the Governor to provide adequate funding to phase out operations of the agency from Deficiency and Emergency Grants. Since the 70th Legislature made no direct appropriation to the Governor's Commission on Physical Fitness this rider is unnecessary.

State Department of Highways and Public Transportation

Item 6.

Construction of a new administrative office building is unnecessary at this time. The Greer Office Building which currently houses the central office staff has recently undergone major repair and rehabilitation and is adequate in these times of fiscal restraint.
Railroad Commission

Item 8.

The primary purpose of the Texas Petroleum Research Committee is to promote the development, utilization, and conservation of energy natural resources through research publications and presentations conducted by the University of Texas and Texas A&M University. These research funds duplicate other resources available through the Higher Education Coordinating Board and direct appropriations to the two institutions. Additional funds may also be available through grants awarded under the Oil Overcharge Restitutionary Act.

Public Utility Commission

Item 3.b.

The Consumer Information and Response activities include investigation, resolution, and reporting of consumer complaints and utility tariff compliance. Other functions include the distribution of consumer information and responses to telephone and written requests. The 68th Legislature established a separate Office of Public Utility Counsel to represent the residential and small commercial consumer. The activities of the Consumer Information and Response section duplicate functions which are performed by the Office of the Public Utility Counsel, and veto of this item eliminates unnecessary duplication in state services.

ARTICLE II - HEALTH, WELFARE AND REHABILITATION AGENCIES

Texas Department of Health

Item 13c.

In 1985, the Legislature established the Cancer Council as part of the effort to provide for cancer research, cancer prevention, and medical care for cancer victims. The Cancer Registry was established in the Health Department to maintain a central data bank of accurate, precise and current information regarding cancer in Texas. The Cancer Registry function should be transferred to the Texas Cancer Council.

Department of Human Services

Item 7.g. and Items 8.g.

I support these two programs wholeheartedly. The appropriation bill pattern adopted for this agency consolidated central administrative functions into one line item, making it impossible to veto selected administrative functions. However, there remains in the Department of Human Services budget sufficient funds to administer these programs, but attention must be given to an allocation of resources making administrative functions a lesser priority than the delivery of human services. For example, funding for these crucial programs can come from any of the following areas: computer acquisitions and computer maintenance, field management support administration, aircraft operations, or renovations and capital outlay.

Item 12.b.

This activity in the Vendor Drug program should be restructured and conducted more efficiently. Of the ten largest medicaid prescription drug programs in the United States, only California and New Jersey have pharmacists in the field in numbers close to that in Texas. Texas has one of the lowest average
prescription drug expenditures per medicaid drug utilizer; a more centralized quality assurance and consultation function will continue that effort.

Item 15.b.

This item creates a separate appropriation for an already existing function in the Adult Protective Services program. There is sufficient funding available in line item 15.a. and a separate appropriation under this program is not required. This, in conjunction with the necessary policy of holding the expansion of programs to a minimum, is the reason for veto.

Item 19.

This line item appropriates additional funds to implement the department's sunset legislation. This appropriation is not necessary because the budget increased over 1986-1987 levels and can absorb this function.

Department of Mental Health and Mental Retardation
Page II-52, Rider Provision (11)

This rider appropriates $3,058,000 to the Department of Mental Health and Mental Retardation for life safety construction improvements and other items from the sale of land and property. The Department has been authorized to issue bonds totaling $47,142,300 and received a general revenue appropriation of $8,671,802 for Capital Outlay and Construction. These two items include life safety code construction and repairs. Therefore, funds available are adequate to provide for the necessary construction and repairs to meet program needs for the 1988-89 biennium.

Texas Central Education Agency Programs - Page III-1

Item I.i. (2) Loss to Section 16.252(e)

Under a funding provision in House Bill 72, the state subsidizes school districts experiencing a loss in property values greater than eight percent from the prior year. The statute allows the Commissioner to adjust for such losses in value. The majority of these property value losses have occurred in districts with greater than state average wealth. Conversely, there are no provisions whereby the state benefits when districts enjoy large property value increases. Eliminating this item will mean that all districts' local fund assignments will be based on their prior year property value, and the Commissioner will still be able to make adjustments for economic or natural disasters.

Texas Higher Education Coordinating Board - Page III-23

Item 21.

The second largest item of expenditure for institutions of higher education is utilities. Recent studies verify potential savings in utility costs but note lack of effort and incentive by the institutions. One new incentive added by the 70th Legislature is a rider encouraging an outside professional energy management audit. This appropriation represents only a small percent of 1986 utility expenses, budgeted for utility cost overruns. It is inappropriate to budget for excessive expenditures where savings are possible; such a practice serves as a disincentive for real savings. The lump sum appropriations for higher education allows complete management flexibility on individual campuses, and allows each institution to set spending priorities. Given this new flexibility in addition to appropriation increases, institutions can adjust funding where needed and should not require additional general revenue to pay for inefficiency.
Rider 20.

This rider enables institutions of higher education to carry forward unexpended balances from funds appropriated for shortfalls in 1986 educational and general income estimates. However, a report by the state auditor indicates that sufficient money was allocated in 1987 to institutions of higher education. In addition, these institutions were given the ability to carry forward 1986 unexpended balances for use in 1987. Furthermore, the 70th legislature made significant changes in financing of institutions of higher education. These changes include lump sum appropriations with component transferability and complete removal of educational and general estimates from the method of finance. Certain border schools may now allow foreign nationals to pay resident tuition. All of these changes allow institutions additional flexibility, designed to ensure sufficient financial resources during the 1988-89 biennium.

Rider 22.

The Select Committee on Higher Education recently finished a complete study of higher education in Texas. The committee heard many hours of testimony and is well aware of the special needs in South Texas. Should the Coordinating Board decide further study is needed, it may be financed with funds appropriated to the Coordinating Board and local funds.

Public/Junior Community Colleges - Page III-35

Item 50.

Public/Junior Community Colleges in Texas currently receive more per capita funding than any other state in the nation. Additional increases in appropriations made to these schools exceed what is reasonable for good public policy in these difficult times. The intent of this veto is not to eliminate group insurance premiums for staff. Staff group insurance premiums for these colleges should be paid through funds allocated to each individual school.

Public/Junior Community Colleges - Page III-39

Rider 21. All public/junior community colleges are funded by formula; funds are distributed in a lump sum grant to each institution, and colleges are not allowed to bring forward unexpended balances from year to year. Any exception to this policy would be imprudent.

University of Texas System Administration - Page III-39

Texas A&M University System Administrative and General Offices - Page III-52

Lamar University System Office - Page III-66

University of Houston System Administration - Page III-66

Administrative offices are not a separate branch of a university's system, but an integral part of each institution's structure, supporting individual institutions and being supported by them in turn. It is necessary for administrations to be responsive to the needs of individual institutions, and separate funding for these offices is contrary to that policy. The University of Houston System Office receives the largest general revenue appropriation in this category; a veto of the second year only will allow time to implement this needed change.

Prairie View A&M University - Page III-55
Rider 2. Article 7, Section 18 of the Texas Constitution provides that institutions within the Texas A&M University System may receive funding for repair and rehabilitation of buildings from bonds issued using the Texas A&M University share of the Permanent University Fund. The use of general revenue funds for this purpose is unnecessary.

Texas Tech University Museum - Page III-79

Panhandle-Plains Historical Museum - Page III-81

Sam Houston Memorial Museum - Page III-84

Elimination of funding of these three museums in the second year will allow their institutions of higher education to establish priorities for their funding and to involve the communities in which they are located to share in the responsibilities for their existence. A more efficient method of funding these items is user fees, contributions, and grants.

ARTICLE VII - Page VII - 12

Rarely has any action more justly deserved condemnation than the type of rank intimidation attempted in this insidious provision. The reasons for the veto of this particular item are more fully stated in the introduction.

Senate Bill 1 was received by the Governor's Office less than ten days prior to adjournment of the Second Called Session of the Seventieth Legislature. I have signed Senate Bill 1, which shall be filed with the Secretary of State, together with this Proclamation stating my objections to individual items of appropriation therein. In accordance with Article IV, Section 14 of the Texas Constitution, individual items of appropriation objected to shall be of no force or effect. The remaining portion of the bill shall be effective according to its terms.

The Secretary of State shall take notice of this action and notify the Legislature.

IN TESTIMONY WHEREOF, I have hereto signed my name officially and caused the seal of the State to be affixed hereto at Austin, this 6th day of August, 1987.

[Signature]
Governor of Texas

[Signature]
Secretary of State

Filed in the office of
Secretary of State
AUG 6 1987
Statutory Filings Division
Statutory Documents