

MINUTES

SENATE COMMITTEE ON FINANCE

Thursday, April 14, 2011

10:00 AM

Capitol Extension, Room E1.036

Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Finance was held on Thursday, April 14, 2011, in the Capitol Extension, Room E1.036, at Austin, Texas.

MEMBERS PRESENT:

Senator Steve Ogden, Chair
Senator Juan Hinojosa, Vice Chair
Senator Bob Deuell
Senator Robert Duncan
Senator Kevin Eltife
Senator Craig Estes
Senator Eddie Lucio, Jr.
Senator Jane Nelson
Senator Dan Patrick
Senator Kel Seliger
Senator Florence Shapiro
Senator Royce West
Senator John Whitmire
Senator Tommy Williams
Senator Judith Zaffirini

MEMBERS ABSENT:

None

The chair called the meeting to order at 10:02 AM.

The Committee stood at ease to await the arrival of a quorum.

At 10:13 AM a quorum was present. The following business was transacted:

The chair laid out SB 1 as pending business.

Senator Hinojosa laid out recommendations on pending items for Article IV.

The Legislative Budget Board gave testimony on the pending log.

Senator Hinojosa moved to adopt the recommendations on pending items and the rider for Article IV. The motion carried with a record vote of 14 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Williams laid out recommendations on pending items for Article VI.

The Legislative Budget Board gave testimony on the pending log.

Senator Williams moved to adopt the recommendations on pending items for Article VI. The motion carried with a record vote of 15 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Estes moved to adopt the Equine Incentive Program rider. Without objection, it was so ordered.

Senator Hinojosa moved to adopt the Appropriations: Hostable Cotton Fee rider. Without objection, it was so ordered.

Senator Hinojosa moved to adopt the Zebra Chip Research rider. Without objection, it was so ordered.

Senator Estes moved to adopt the Petroleum Storage Tank Responsible Party Remediation rider. Without objection, it was so ordered.

Senator Seliger moved to adopt the Contingent Appropriation: Revenue in Excess of the Comptroller's Biennial Revenue Estimate for 2012-13 to the Environmental Laboratory Accreditation Account No. 5056 rider. Without objection, it was so ordered.

Senator Williams moved to adopt the Texas Emissions Reduction Plan (TERP): Grants and Administration rider. Without objection, it was so ordered.

Senator Estes moved to adopt the FTE Cap Flexibility to Manage Reductions-in-Force rider. Without objection, it was so ordered.

Senator Estes moved to adopt the Receipts from the Sale of Eagle Mountain Lake rider. Without objection, it was so ordered.

Senator Hinojosa moved to adopt the Unexpected Balance Authority within the Biennium rider. Without objection, it was so ordered.

Senator Hinojosa moved to adopt the Enforcement and Compliance Data and Public Information rider. Without objection, it was so ordered.

Senator Eltife moved to adopt the Appropriation Limited to Revenue Collections: Surface Mining Permits and Contingency Appropriation for Fee Increase rider. Without objection, it was so ordered.

Senator Hinojosa moved to adopt the Appropriation: Uranium Mining Regulatory Program rider. Without objection, it was so ordered.

Senator Seliger moved to adopt the Playa Lake Study rider, as amended. Without objection, it was so ordered.

Senator Seliger moved to adopt the Railroad Commission of Texas, Permitting Efficiencies rider, as amended. Without objection, it was so ordered.

Senator Lucio moved that the reduction of 11 million dollars from the Solid Waste Management Account # 5000 be transferred to Article XI. Without objection, it was so ordered.

Senator Ogden laid out recommendations on pending items for Article VIII.

The Legislative Budget Board gave testimony on the pending log.

Senator Ogden move to adopt the recommendations on pending items and the rider for Article VIII. The motion carried with a record vote of 15 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Ogden laid out recommendations on pending items for Article I.

The Legislative Budget Board gave testimony on the pending log.

Senator Ogden moved to adopt the recommendations on pending items for the General Obligation Bond Debt Service – Texas Public Finance Authority, Department of Information Resources, Texas Facilities Commission and Texas Veterans Commission. The motion carried with a record vote of 14 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Ogden moved to adopt the Comptroller, Fiscal Program, Major Events Trust Fund. The motion failed with a record vote of 4 ayes, 10 nays, 0 present not voting, and 1 absent.

Senator Ogden moved to adopt the Truusted Programs within the Office of the Governor. The motion failed with a record vote of 7 ayes, 6 nays, 1 present not voting, and 1 absent.

Senator Ogden moved to adopt the Comptroller of Public Accounts Contingency rider for the Small Contractor Participation Assistance Program. The motion carried with a record vote of 14 ayes, 0 nays, 0 present not voting, and 1 absent.

At 11:18 AM Senator Ogden moved that the Committee stand recessed until 30 minutes upon adjournment of the Senate. Without objection, it was so ordered.

At 3:30 PM the Committee reconvened.

Senator Lucio moved that 8 million dollars be moved to Article XI for the Veterans Housing Assistance Program. Without objection, it was so ordered.

Senator Nelson laid out recommendations on pending items for Article II.

The Legislative Budget Board gave testimony on the pending log.

Senator Ogden moved to adopt the amendment to the Article II pending log recommendations. Without objection, it was so ordered.

Senator Nelson moved to adopt the Article II recommendations, as amended. The motion carried with a record vote of 13 ayes, 2 nays, 0 present not voting, and 0 absent.

Senator Nelson moved to exclude the Children's Hospitals from the 10 percent reduction. The motion carried with a record vote of 12 ayes, 3 nays, 0 present not voting, and 0 absent.

Senator Nelson moved to adopt Rider 44 rider deletion. Without objection, it was so ordered.

Senator Nelson moved to adopt the Reshaping the System for Providing Services to Individuals with Developmental Disabilities rider. Without objection, it was so ordered.

Senator Nelson moved to adopt the Department of Aging and Disability Services Medicaid Waiver Programs rider. Without objection, it was so ordered.

Senator Nelson moved to adopt the Attendant Care Services for Persons Enrolled in Community-Based Alternatives rider. The motion carried with a record vote of 13 ayes, 2 nays, 0 present not voting, and 0 absent.

Senator Nelson moved to adopt the Limitation on Appropriations for Day Care Services rider deletion. Without objection, it was so ordered.

Senator Nelson moved to adopt the Rates and Payments rider. Without objection, it was so ordered.

Senator Nelson moved to adopt the Sliding Fee Scale for Relative and Foster Day Care Services rider. Without objection, it was so ordered.

Senator Nelson moved to adopt the Foster Care Redesign rider. Without objection, it was so ordered.

Senator Nelson moved to adopt the Mental Health Facilities rider. Without objection, it was so ordered.

Senator Nelson moved to adopt Funding Reductions rider deletion. Without objection, it was so ordered.

Senator Ogden moved to adopt the Request for Proposal to Privatize a State Mental Health Hospital rider deletion. Without objection, it was so ordered.

Senator Duncan moved to adopt the End Stage Renal Disease Prevention Program rider. Without objection, it was so ordered.

Senator Williams moved to adopt the Family Planning Services rider. The motion carried with a record vote of 10 ayes, 5 nays, 0 present not voting, and 0 absent.

Senator Williams moved to adopt the Epilepsy Services rider. Without objection, it was so ordered.

Senator Deuell moved to adopt the Improving Medicaid Quality of Care Outcomes and Reducing Non-emergent Emergency Room Use rider. Without objection, it was so ordered.

Senator Eltife moved to adopt the Payments to Hospital Providers rider. Without objection, it was so ordered.

Senator Nelson moved to adopt the Client Assessment for Acute Nursing Services in Medicaid rider. Without objection, it was so ordered.

Senator Nelson moved to adopt the Quality-Based Payment and Delivery Reforms in the Medicaid and Children's Health Insurance Programs rider. Without objection, it was so ordered.

Senator Hinojosa moved to adopt the STAR+PLUS rider. The motion carried with a record vote of 12 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Hinojosa moved to adopt the STAR rider. The motion carried with a record vote of 13 ayes, 0 nays, 0 present not voting, and 2 absent.

Senator Nelson moved to adopt the Supplemental Payments rider. Without objection, it was so ordered.

Senator Nelson moved to adopt the Proper Use of Upper Payment Limit Funds rider. Without objection, it was so ordered.

Senator Nelson moved to adopt Medicaid Funding Reduction rider. Without objection, it was so ordered.

Senator Nelson moved to adopt the Appropriations of Receipts: Civil Monetary Damages and Penalties rider. Without objection, it was so ordered.

Senator Nelson moved to adopt the Statutorily Required Reports rider. Without objection, it was so ordered.

Senator Nelson moved to adopt the Appropriation Authority for Intergovernmental Transfers rider. Without objection, it was so ordered.

Senator Nelson moved to adopt the Rate Limitations and Reporting Requirements rider. Without objection, it was so ordered.

Senator Nelson moved to adopt the Health and Safety Cost Savings Initiatives and the Department of State Health Services rider. Without objection, it was so ordered.

Senator West moved to adopt the Parkland Senior Care Services rider. The motion carried with a record vote of 13 ayes, 0 nays, 0 present not voting, and 2 absent.

Senator Estes moved to adopt the Local Service Area Planning rider. The motion carried with a record vote of 13 ayes, 0 nays, 0 present not voting, and 2 absent.

Senator Ogden laid out recommendations for Article X.

The Legislative Budget Board gave testimony on the recommendations.

Senator Ogden moved to adopt the recommendations for Article X. The motion carried with a record vote of 12 ayes, 1 nay, 0 present not voting, and 2 absent.

At 6:09 PM Senator Ogden moved that the Committee stand recessed for 30 minutes. Without objection, it was so ordered.

At 7:00 PM the Committee reconvened.

Senator West laid out recommendations on the Article III – Higher Education pending items.

The Legislative Budget Board gave testimony on the pending log.

Senator West moved to adopt the recommendations on pending items for Article III – Higher Education. Without objection, it was so ordered.

Senator West moved to adopt the recommendations for the General Academic Institutions. Without objection, it was so ordered.

Senator West moved to adopt the recommendations for the Health-Related Institutions. Without objection, it was so ordered.

Senator Lucio moved to adopt the Texas State Technical College “Returned Value” Funding Model rider. Without objection, it was so ordered.

Senator Zaffirini moved to adopt the Financial Information Reporting Requirement rider. Without objection, it was so ordered.

Senator Williams moved to adopt the University of Houston rider. Without objection, it was so ordered.

Senator Zaffirini moved to adopt The University of Texas at Austin rider. Without objection, it was so ordered.

Senator Ogden moved to adopt The University of Texas Medical Branch at Galveston Tuition Revenue Bond Dept Service Funding rider. Without objection, it was so ordered.

Senator West moved to adopt The University of Texas at Dallas College of Pharmacy rider. Without objection, it was so ordered.

Senator Seliger moved that The University of Texas at the Permian Basin rider be moved to Article XI. Without objection, it was so ordered.

Senator Seliger moved to adopt the Hold Harmless rider. Without objection, it was so ordered.

Senator Deuell moved that the Texas A&M University – Commerce rider be moved to Article XI. Without objection, it was so ordered.

Senator Lucio moved that The University of Texas at Brownsville Alleviating Health Disparities Program rider be moved to Article XI. Without objection, it was so ordered.

Senator Lucio moved that The University of Texas at Brownville College Preparatory Institute rider be moved to Article XI. Without objection, it was so ordered.

Senator Lucio moved that The University of Texas at Brownsville Texas Center for Border and Transitional Studies rider be moved to Article XI. Without objection, it was so ordered.

Senator Duncan moved to adopt the System Administration for Community Colleges rider. The Motion carried with a record vote of 12 ayes, 1 nay, 0 present not voting, and 2 absent.

Senator Zaffirini moved that the Health Related Institutions rider be moved to Article XI. The motion carried with a record vote of 11 ayes, 3 nays, 0 present not voting, and 1 absent.

Senator Lucio moved that the Texas A&M University Kingsville Citrus Center rider be moved to Article XI. Without objection, it was so ordered.

Senator Lucio moved that the Texas A&M University Kingsville Veterinary Technology Program rider be moved to Article XI. Without objection, it was so ordered.

Senator Ogden moved to adopt the Increased General Revenue rider. The motion carried with a record vote of 14 ayes, 1 nay, 0 present not voting, and 0 absent.

Senator Shapiro moved to re-adopt the Dropout Prevention and Intervention pended rider for Article III. Without objection, it was so ordered.

Senator Shapiro moved to adopt the Contingency Appropriation for Senate Bill 6 rider. Without objection, it was so ordered.

Senator Shapiro moved to adopt the Instructional Materials Allotment rider deletion. Without objection, it was so ordered.

Senator Hinojosa moved to adopt the College Outline and Career Pilot rider. Without objection, it was so ordered.

Senator Ogden moved to close out Article III. Without objection, it was so ordered.

Senator Hinojosa moved to adopt the Statewide Hospital average SDA rider. Without objection, it was so ordered.

Senator Ogden moved to adopt the HHS Office Consolidation and Co-Location rider. Without objection, it was so ordered.

Senator Ogden moved to close out Article II. Without objection, it was so ordered.

Senator Ogden moved to close out Article I. Without objection, it was so ordered.
Senator Ogden moved to close out Article IV. Without objection, it was so ordered.

Senator Ogden moved to close out Article V. Without objection, it was so ordered.

Senator Ogden moved to close out Article VI. Without objection, it was so ordered.

Senator Williams moved to adopt the Transfer of the Veterans Housing Assistance Program rider. Without objection, it was so ordered.

Senator Ogden moved to close out Article VII. Without objection, it was so ordered.

Senator Ogden moved to close out Article VIII. Without objection, it was so ordered.

Senator Ogden moved to adopt the Article IX General Provisions. Without objection, it was so ordered.

Senator Patrick moved to adopt the Hiring Freeze rider. The motion failed with a record vote of 3 ayes, 12 nays, 0 present not voting, and 0 absent.

Senator Patrick moved that the Reduction of State Employee Salaries rider be moved to Article XI. The motion failed with a record vote of 4 ayes, 11 nays, 0 present not voting, and 0 absent.

Senator Lucio moved to adopt the HEGI Budget Reductions for the University of Texas at Brownsville rider. The motion failed with a record vote of 3 ayes, 12 nays, 0 present not voting, and 0 absent.

Senator Ogden moved to close out Article IX. Without objection, it was so ordered.

Senator Ogden moved to close Article X. Without objection, it was so ordered.

Senator Ogden moved to close Article XI. Without objection, it was so ordered.

Senator Ogden made a motion to instruct the Final Directives to LBB Staff for the Appropriations Bill during Production. Without objection, it was so ordered.

Senator Seliger submitted a motion in writing to be shown voting aye on Article II riders and the Article X recommendations. Without objection, it was so ordered.

Senator Lucio submitted a motion in writing to be shown voting aye on the Article X recommendations. Without objection, it was so ordered.

Senator Eltife submitted a motion in writing to be shown voting aye on the Article X recommendations and the Article III rider by Senator Ogden dated 4/14/11. Without objection, it was so ordered.

Senator Zaffirini submitted a motion in writing. See below:

Mr. Chairman:

Please let the record reflect that my vote against adopting the pending items for Article II as amended was a vote against the recommendation to not adopt the following items that had been left pending:

1. FY 2012-13 Cost Trends at DADs for waivers \$10,912,998 GR; \$25,843,871 AF
2. Prevention and Early Intervention Programs at DFPS \$17,606,830 GR; \$17,617,482 AF
3. Surveillance Systems at DSHS \$1,500,000 GR; \$1,500,000 AF
4. Environmental Safety at DSHS \$2,000,000 GR; \$2,000,000 AF
5. Increase Attendant Hourly Wage 50 Cents Annually at HHSC \$86,350,000 GR; \$202,850,000 AF

Thank you.

There being no further business, at 8:41 PM Senator Ogden moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Steve Ogden, Chair

Stephanie Hoover, Clerk