ARTICLE VIII
REGULATORY

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated regulatory agencies.

STATE OFFICE OF ADMINISTRATIVE HEARINGS

For the Years Ending August 31, August 31,
2010 2011

Method of Financing:
General Revenue Fund $ 3,490,002 $ 3,484,353
Other Funds
State Highway Fund No. 006 3,239,763 3,239,763
Appropriated Receipts 150,000 150,000
Interagency Contracts 3,669,448 3,669,449
Subtotal, Other Funds $ 7,059,211 $ 7,059,212
Total, Method of Financing $ 10,549,213 $ 10,543,565

This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE):
126.0 127.0

Schedule of Exempt Positions:
Chief Administrative Law Judge, Group 5 $122,500 $122,500

Items of Appropriation:
A. Goal: ADMINISTRATIVE HEARINGS
Provide for a Fair and Efficient Administrative Hearings Process.

A.1.1. Strategy: CONDUCT HEARINGS
$ 9,365,182 $ 9,380,485
Conduct Hearings and Prepare Proposals for Decisions and Final Orders.

A.2.1. Strategy: CONDUCT ALT DISPUTE RESOLUTION
$ 256,284 $ 227,289
Conduct Alternative Dispute Resolution Proceedings.

Total, Goal A: ADMINISTRATIVE HEARINGS $ 9,621,466 $ 9,607,774

B. Goal: INDIRECT ADMINISTRATION

B.1.1. Strategy: INDIRECT ADMINISTRATION
$ 927,747 $ 935,791

Grand Total, STATE OFFICE OF ADMINISTRATIVE HEARINGS $ 10,549,213 $ 10,543,565

Object-of-Expense Informational Listing:
Salaries and Wages $ 8,731,210 $ 8,766,210
Other Personnel Costs 186,345 203,880
Professional Fees and Services 35,765 35,265
Consumable Supplies 69,223 69,931
Utilities 127,704 162,758
Travel 85,000 90,000
Rent - Building 217,614 222,614
Rent - Machine and Other 28,915 28,915
Other Operating Expense 906,647 963,992
Capital Expenditures 70,790 0

Total, Object-of-Expense Informational Listing $ 10,549,213 $ 10,543,565
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Employee Benefits</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retirement</td>
<td>$491,485</td>
<td>$498,858</td>
</tr>
<tr>
<td>Group Insurance</td>
<td>707,816</td>
<td>760,803</td>
</tr>
<tr>
<td>Social Security</td>
<td>600,335</td>
<td>609,340</td>
</tr>
<tr>
<td>Benefits Replacement</td>
<td>47,086</td>
<td>44,732</td>
</tr>
<tr>
<td><strong>Subtotal, Employee Benefits</strong></td>
<td>$1,846,722</td>
<td>$1,913,733</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Debt Service</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lease Payments</td>
<td>$464,762</td>
<td>$459,779</td>
</tr>
</tbody>
</table>

**Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act**

$2,311,484 $2,373,512

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the State Office of Administrative Hearings. 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 State Office of Administrative Hearings. In order to achieve the objectives and service standards established by this Act, the State Office of Administrative Hearings shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

**A. Goal: ADMINISTRATIVE HEARINGS**

**Outcome (Results/Impact):** Percentage of Participants Surveyed Expressing Satisfaction with Overall Process 92% 92%

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage of Proposed Decisions Related to Tax Hearings Issued by Administrative Law Judges within 40 Days of Record Closing</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

**A.1.1. Strategy: CONDUCT HEARINGS**

**Output (Volume):**

- Number of Administrative License Revocation Cases Disposed: 28,828 28,828
- Number of Administrative Fine Cases Disposed: 36,848 36,848
- Number of Administrative Fine Cases Disposed: 191 191
- Percent of Available Administrative Law Judge Time Spent on Case Work: 100% 100%
- Number of Proposals for Decision Related to Tax Hearings Rendered by Administrative Law Judges: 207 207

**Efficiencies:**

- Average Number of Days from Close of Record to Issuance of Proposal for Decision - Major Hearings: 52.6 52.6
- Average Time to Dispose of a Case (Median Number of Days): 102 102
- Average Length of Time (Work Days) Taken to Issue a Proposed Decision Related to Tax Hearings Following Record Closing: 5.18 5.18

**Explanatory:**

- Number of Cases Received: 39,971 39,179
- Number of Agencies Served: 49 49

**A.2.1. Strategy: CONDUCT ALT DISPUTE RESOLUTION**

**Explanatory:**

- Number of Alternative Dispute Resolution Cases Requested or Referred: 139 139

2. **Capital Budget.** None of the funds appropriated may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.
a. Acquisition of Information Resource Technologies

(1) Electronic Filing System $151,705 $0
(2) Replacement Purchase of personal computers $26,800 $84,800

Total, Acquisition of Information Resource Technologies $178,505 $84,800

Total, Capital Budget $178,505 $84,800

Method of Financing (Capital Budget):

Interagency Contracts $178,505 $84,800

Total, Method of Financing $178,505 $84,800

3. Renegotiation of Lump Sum Contract. Appropriations made above in Strategy A.1.1, Conduct Hearings, include $938,860 in fiscal year 2010 and $938,860 in fiscal year 2011 in Interagency Contracts to fund the Natural Resources Division for the purpose of conducting hearings for the Texas Commission on Environmental Quality (TCEQ). The State Office of Administrative Hearings (SOAH) and TCEQ may not enter into a contract for an amount less than the specified amounts herein above. If SOAH determines, at the end of each fiscal year, that the amount paid under the contract exceeds the funding necessary for the Natural Resources Division, it shall refund the difference. If SOAH determines that these amounts are insufficient to fund the Natural Resources Division it may enter into negotiations with the TCEQ in order to renegotiate an interagency contract in a manner which will provide it with additional funds, provided that SOAH shall not be appropriated any state funds from such renegotiated interagency contract until it gives prior written notice to the Legislative Budget Board and the Governor, accompanied by written permission of the TCEQ.

4. Benefit Collection. Agencies that enter into contracts with the State Office of Administrative Hearings (SOAH), for the purpose of performing the hearings function, and make payments to SOAH from funding sources other than General Revenue, must reimburse SOAH for employee benefit costs for salaries and wages. These reimbursements to SOAH will then be paid to the General Revenue Fund in proportion to the source of funds from which the respective salary or wage is paid.

5. Contingency Appropriation for Expanded Jurisdiction. Contingent on the enactment of legislation by the Eighty-first Legislature transferring the hearings functions of other state agencies to the State Office of Administrative Hearings (SOAH), or otherwise expanding the jurisdiction of the office, SOAH is hereby authorized to expend funds transferred to the office from those agencies or funds appropriated for the purpose of handling the expanded jurisdiction, pursuant to provisions elsewhere in this Act. Appropriations authorized pursuant to this provision may be expended only to implement the transferred functions or expanded jurisdiction. All funds collected by SOAH as payment for, or reimbursement of, the office's costs of providing services to other state agencies or governmental entities, or others as directed by the Legislature, are appropriated to SOAH for its use during the biennium.

6. Hearings Activity Report. By May 1st and November 1st of each fiscal year, the State Office of Administrative Hearings (SOAH) shall submit to the Legislative Budget Board and the Governor a report detailing hearings activity conducted during the prior two fiscal year quarters. The report shall indicate, for each agency served, the person hours allocated to the agency's cases and the cost, both direct and indirect, of conducting the hearings. The report shall also indicate, for each agency served, the number of cases received, the number of cases disposed of, the number of administrative fine cases disposed of and the median number of days between the date a case is received by SOAH and the date the case is finally disposed of, during the reporting period.

7. Interagency Contract for Administrative Law Judge Training. Out of funds appropriated above, the State Office of Administrative Hearings shall contract in the amount of $25,000 for training of Administrative Law Judges. Any amounts not expended as of August 31, 2010, are appropriated for the fiscal year beginning September 1, 2010. The State Office of Administrative Hearings' travel expenses, including travel expenses incurred by staff for out-of-state travel related to Administrative Law Judge training, are limited to the amount established in this rider.

8. Contingency for Additional Self-directed Semi-independent Agency Pilot Projects. Contingent upon additional agencies added as a self-directed semi-independent (SDSI) agency
pilot project by the Legislature during the 2010-11 biennium, any agency added as a SDSI pilot project that is listed in Rider 9 shall be removed from the exemption granted in Rider 9 below.


a. Unless otherwise provided, amounts appropriated above and elsewhere in this Act for funding for the payment of costs associated with administrative hearings conducted by the State Office of Administrative Hearings (SOAH) are based on an hourly rate of $100 per hour for each hour of work performed during each fiscal year as reflected by the SOAH's Legislative Appropriation Request and Hearings Activity Report to the Eighty-first Legislature.

b. Notwithstanding other provisions in this act, amounts for the payment of costs associated with administrative hearings conducted by SOAH for the Comptroller of Public Accounts shall be established through an interagency contract between the two agencies. The contract shall provide funding for hearings on tax issues conducted by Master Administrative Law Judge IIs in a separate tax division within SOAH that have expertise in state tax and shall specify the salaries of the judges within the division.

c. Amounts appropriated above in Strategy A.1.1, Conduct Hearings, to SOAH from the General Revenue Fund include funding in each year of the biennium for billable casework hours performed by SOAH for conducting administrative hearings at the rate determined by SOAH and approved by the Legislature for the following agencies that do not have appropriations for paying SOAH costs for administrative hearings and are not subject to subsection (a) of this Section:

(1) Real Estate Commission (not including Residential Service Companies and Texas Timeshare Act hearings)
(2) Board of Chiropractic Examiners
(3) Credit Union Department
(4) Texas State Board of Dental Examiners
(5) Funeral Service Commission
(6) Board of Professional Geoscientists
(7) Board of Professional Land Surveying
(8) Texas Medical Board
(9) Texas Board of Nursing
(10) Optometry Board
(11) Board of Pharmacy
(12) Executive Council of Physical Therapy and Occupational Therapy Examiners
(13) Board of Plumbing Examiners
(14) Board of Podiatric Medical Examiners
(15) Board of Examiners of Psychologists
(16) Board of Tax Professional Examiners
(17) Board of Veterinary Medical Examiners
(18) Secretary of State
(19) Securities Board
(20) Public Utility Commission of Texas
(21) Teacher Retirement System
(22) Fire Fighters' Pension Commissioner
(23) Employees Retirement System
(24) Department of Housing and Community Affairs
(25) Texas Lottery Commission
(26) Department of Public Safety (Non-Administrative License Revocation Hearings)
(27) Commission on Law Enforcement Officer Standards and Education
(28) Commission on Fire Protection
(29) Department of Insurance (not including the Division of Workers' Compensation)
(30) Alcoholic Beverage Commission
(31) Racing Commission
(32) Department of Agriculture
(33) Department of Transportation (not including the Motor Vehicle Division)
(34) Higher Education Coordinating Board
(35) Parks and Wildlife Department
(36) Department of Licensing and Regulation
### DEPARTMENT OF BANKING

For the Years Ending

<table>
<thead>
<tr>
<th>Date</th>
<th>General Revenue Fund</th>
<th>Appropriated Receipts</th>
<th>Total, Method of Financing</th>
<th>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</th>
<th>This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 31, 2010</td>
<td>$23,624,144</td>
<td>6,100</td>
<td>$23,630,244</td>
<td>$2,848,108</td>
<td>$23,877,573</td>
</tr>
<tr>
<td>August 31, 2011</td>
<td>$23,871,473</td>
<td>6,100</td>
<td>$23,877,573</td>
<td>$2,981,057</td>
<td></td>
</tr>
</tbody>
</table>

### Number of Full-Time-Equivalents (FTE):

<table>
<thead>
<tr>
<th>FTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>250.5</td>
</tr>
</tbody>
</table>

### Schedule of Exempt Positions:

<table>
<thead>
<tr>
<th>Position</th>
<th>August 31, 2010</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banking Commissioner, Group 5</td>
<td>$136,191</td>
<td>$136,191</td>
</tr>
</tbody>
</table>

### Items of Appropriation:

#### A. Goal: EFFECTIVE REGULATION
Effective Supervision and Regulation of Banks and Other Licensees.

- **A.1.1. Strategy:** BANK EXAMINATION
  - Examine Banks, Trust Companies and Foreign Bank Agencies.
  - $13,231,575 | $13,478,639

- **A.2.1. Strategy:** NON-BANK EXAMINATION
  - Perform Examinations of Non-bank Licensees.
  - $1,869,314 | $1,868,474

- **A.3.1. Strategy:** APPLICATION PROCESSING
  - Process Applications and Information.
  - $519,324 | $523,975

**Total, Goal A: EFFECTIVE REGULATION**


#### B. Goal: FINANCE COMMISSION OVERSIGHT
Regulatory Oversight of Finance Commission Agencies.

- **B.1.1. Strategy:** REGULATORY SUPPORT
  - Support Efforts of Finance-related Regulatory Agencies of the State.
  - $159,844 | $159,844

#### C. Goal: INDIRECT ADMINISTRATION

- **C.1.1. Strategy:** INDIRECT ADMINISTRATION
  - $2,299,755 | $2,296,209

#### D. Goal: REGULATORY RESPONSE

- **D.1.1. Strategy:** CONTINGENCY REGULATORY RESPONSE
  - Bank/Non-Bank Examination Contingency Appropriation.
  - $5,550,432 | $5,550,432

**Grand Total, DEPARTMENT OF BANKING**

| August 31, 2010 | $23,630,244 | August 31, 2011 | $23,877,573 |

### Object-of-Expense Informational Listing:

<table>
<thead>
<tr>
<th>Expense</th>
<th>August 31, 2010</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and Wages</td>
<td>$18,254,738</td>
<td>$18,534,766</td>
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<tr>
<td>Other Personnel Costs</td>
<td>482,599</td>
<td>483,599</td>
</tr>
<tr>
<td>Professional Fees and Services</td>
<td>206,206</td>
<td>206,206</td>
</tr>
<tr>
<td>Consumable Supplies</td>
<td>113,589</td>
<td>113,589</td>
</tr>
<tr>
<td>Utilities</td>
<td>90,205</td>
<td>90,205</td>
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<tr>
<td>Travel</td>
<td>2,967,821</td>
<td>2,984,121</td>
</tr>
<tr>
<td>Rent - Building</td>
<td>241,469</td>
<td>241,469</td>
</tr>
<tr>
<td>Rent - Machine and Other</td>
<td>27,781</td>
<td>27,781</td>
</tr>
<tr>
<td>Other Operating Expense</td>
<td>951,763</td>
<td>951,764</td>
</tr>
<tr>
<td>Capital Expenditures</td>
<td>294,073</td>
<td>244,073</td>
</tr>
</tbody>
</table>

**Total, Object-of-Expense Informational Listing**

| August 31, 2010 | $23,630,244 | August 31, 2011 | $23,877,573 |

### Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

<table>
<thead>
<tr>
<th>Benefits</th>
<th>August 31, 2010</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retirement</td>
<td>$660,994</td>
<td>$670,909</td>
</tr>
<tr>
<td>Group Insurance</td>
<td>1,136,983</td>
<td>1,227,466</td>
</tr>
</tbody>
</table>
1. Performance Measure Targets. The following is a listing of the key performance target levels for the Department of Banking. 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 Banking. In order to achieve the objectives and service standards established by this Act, the Department of Banking shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: EFFECTIVE REGULATION

Outcome (Results/Impact):
Percentage of Banks Receiving Examinations When Due 92% 92%
Percentage of Money Service Business Licensees Examined by Special Audit When Due 90% 90%
Percentage of Bank and Trust, Money Service Business and Private Child Support Enforcement Agency Registration and Renewal Applications Completed within the Statutory Time Period 90% 90%

A.1. Strategy: BANK EXAMINATION

Output (Volume):
Number of Bank and Foreign Bank Examinations Performed 147 141
Number of Trust Company, Trust Department, and Information Technology Examinations or Certifications and Other Specialized Reviews Performed 294 277

Explanatory:
Percentage of State-chartered Bank Assets in Banks Classified Safe and Sound 90% 90%

A.2. Strategy: NON-BANK EXAMINATION

Output (Volume):
Number of Special Audit Licensees Examined 711 715

A.3.1. Strategy: APPLICATION PROCESSING

Output (Volume):
Number of Bank and Trust Applications, Notices, and Filings, Money Service Business License, and Private Child Support Enforcement Agency Registration and Renewal Applications Completed 354 333

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

a. Acquisition of Information Resource Technologies

   (1) Purchase Computer Equipment $ 175,000 $ 100,000

Total, Capital Budget $ 175,000 $ 100,000

Method of Financing (Capital Budget):

General Revenue Fund $ 175,000 $ 100,000

Total, Method of Financing $ 175,000 $ 100,000

3. Appropriation of Receipts. Funds received by the Department of Banking pursuant to supervision or conservatorship proceedings as authorized under Texas Finance Code § 35.101-
35.113, (estimated to be $5,000 each year) are included in amounts appropriated above to the department in Strategy A.1.1, Bank Examination, to pay costs incidental to such proceedings, including the salary and per diem expenses of the appointed supervisor or conservator.


   a. Amounts appropriated above to the Department of Banking not to exceed $5,550,432 each fiscal year in General Revenue in Strategy D.1.1, Contingency Regulatory Response, and 56.5 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are contingent upon a finding of fact by the Finance Commission that additional resources are needed by the Department of Banking because:

      (1) the number of exams required for the state-chartered commercial banking industry under the jurisdiction of the Department of Banking, determined either as a function of assets, number of institutions, expanded specialty areas, or relative proportion of problem banks or problem bank assets in the state system, increases to a point where additional appropriations are required to maintain adequate regulation of the industry;

      (2) federal regulatory resources applied to the Texas state-chartered commercial banking industry, determined as a function of assets, have been reduced; or

      (3) the Department of Banking is unable to maintain adequate supervision of the industry and is unable to meet its examination frequency performance measures due to reductions in the quality or quantity of its examination staff, resulting either from examiner turnover, or an inability to recruit adequately qualified examiners because of salary levels, or the salary is at a level that is not competitive and is less than 95 percent of a comparable position with a state or federal regulatory agency with similar responsibilities considering the experience, knowledge, and skill sets required to undertake the requirements of a particular position.

   b. None of the funds appropriated above in Strategy D.1.1, Contingency Regulatory Response, above may be expended and none of the 56.5 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may be used by the Department of Banking unless the Finance Commission files a finding of fact with the Governor and the Legislative Budget Board and neither the Governor nor the Legislative Budget Board issues a written disapproval not later than:

      (1) the 10th day after the date the staff of the Legislative Budget Board concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or comments of the Legislative Budget Board staff to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor; and

      (2) within 10 business days of the receipt of the finding of fact by the Governor.

   c. The appropriations above in Strategy D.1.1, Contingency Regulatory Response, and 56.5 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are also contingent upon the Department of Banking generating sufficient additional fee revenues to cover these contingency appropriations and related employee benefits, and providing such information as may be deemed necessary by the Comptroller of Public Accounts to issue a finding of fact that the increased revenues will be available to fund the increased appropriation. These increased revenues must exceed $13,242,000 for fiscal year 2010 and $13,167,000 for fiscal year 2011 (Object Code 3172) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate.

   d. Funds appropriated above in Strategy D.1.1, Contingency Regulatory Response, and 56.5 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may only be used to address issues included in the finding of fact submitted to the Governor and the Legislative Budget Board pursuant to subsection (b) above.

   e. Notwithstanding transfer limits under Section 14.01, Article IX of this Act, at the discretion of the agency, amounts appropriated above may be transferred to another appropriation item in an amount not to exceed $5,550,432 each fiscal year in General Revenue in Strategy D.1.1.
5. **Federal Per Diem Authorized.** Employees of the Department of Banking are authorized reimbursement for travel expenses from amounts appropriated above, including mileage, at a rate equal to that paid by federal counterpart agencies when traveling on official state business relating to the agency’s regulatory responsibilities.

6. **Overnight Travel Stipend.** Department of Banking examiners, when traveling on examination assignments relating to the agency’s regulatory responsibilities, may receive an overnight travel stipend for any overnight stays in excess of 60 days per fiscal year. The stipend shall be paid annually in August and the daily rate may not exceed the rate set by the Federal Deposit Insurance Corporation.

7. **Out-of-State Travel Cap Exemption.** Out of the funds appropriated above, expenditures for out-of-state travel by the Department of Banking are limited to $70,000 in fiscal 2010 and $70,000 in fiscal year 2011. Travel related to regulatory matters, including examinations, inspections and the training of financial examiners is exempt from this limitation.

8. **Unexpended Balance Authority.** The unobligated and unexpended balances of appropriations to the Department of Banking for the fiscal year ending August 31, 2010, are hereby appropriated to the Department of Banking for the same purposes for the fiscal year ending August 31, 2011.

### BOARD OF CHIROPRACTIC EXAMINERS

<table>
<thead>
<tr>
<th>For the Years Ending</th>
<th>August 31,</th>
<th>August 31,</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2010</td>
<td>2011</td>
</tr>
<tr>
<td><strong>Method of Financing:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$ 610,620</td>
<td>$ 592,620</td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>31,000</td>
<td>31,000</td>
</tr>
<tr>
<td><strong>Total, Method of Financing</strong></td>
<td>$ 641,620</td>
<td>$ 623,620</td>
</tr>
<tr>
<td><strong>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</strong></td>
<td>$ 152,060</td>
<td>$ 153,102</td>
</tr>
</tbody>
</table>

This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.

**Number of Full-Time-Equivalents (FTE):**

- Executive Director, Group 1: $70,000 (8)
- Total: 11.0

**Items of Appropriation:**

**A. Goal: ENSURE PUBLIC PROTECTION**

Provide Public Protection through Enforcement of Chiropractic Statutes.

**A.1.1. Strategy:** LICENSING SYSTEM

Operate a Comprehensive Licensing System for Chiropractors.

- Cost: $171,736
- Total: $167,236

**A.1.2. Strategy:** TEXAS ONLINE

TexasOnline. Estimated and Nontransferable.

- Cost: $29,850
- Total: $29,850

**A.2.1. Strategy:** ENFORCEMENT

Provide a System to Investigate and Resolve Complaints.

- Cost: $261,843
- Total: $248,343

**Total, Goal A: ENSURE PUBLIC PROTECTION**

- Cost: $463,429
- Total: $445,429

**B. Goal: INDIRECT ADMINISTRATION**

**B.1.1. Strategy:** LICENSING INDIRECT ADMINISTRATION

Indirect Administration for Licensing system.

- Cost: $110,700
- Total: $110,700

A451-Conf-8-A  VIII-8  May 22, 2009
B.1.2. Strategy: ENFORCEMENT INDIRECT ADMINISTRATION

Indirect Administration for Enforcement.

Total, Goal B: INDIRECT ADMINISTRATION

Grand Total, BOARD OF CHIROPRACTIC EXAMINERS

Object-of-Expense Informational Listing:

Salaries and Wages $ 490,000 $ 490,000
Other Personnel Costs 8,000 8,000
Professional Fees and Services 22,000 22,000
Consumable Supplies 4,500 4,500
Utilities 400 400
Travel 23,000 23,000
Rent - Building 400 400
Other Operating Expense 93,320 75,320

Total, Object-of-Expense Informational Listing $ 641,620 $ 623,620

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $ 17,221 $ 17,479
Group Insurance 39,315 42,260
Social Security 24,037 24,398

Subtotal, Employee Benefits $ 80,573 $ 84,137

Debt Service
Lease Payments $ 8,189 $ 5,175

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $ 88,762 $ 89,312

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Board of Chiropractic Examiners. 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 Board of Chiropractic Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Chiropractic Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of Licensees with No Recent Violations 98%</td>
<td>98%</td>
</tr>
<tr>
<td>Percent of Licensees Who Renew Online 84%</td>
<td>84%</td>
</tr>
<tr>
<td>Percent of Complaints Resulting in Disciplinary Action 19%</td>
<td>19%</td>
</tr>
</tbody>
</table>

A.1.1. Strategy: LICENSING SYSTEM

Output (Volume):
Number of Individuals Examined 280 280
Number of New Licenses Issued to Individuals 250 250
Number of Licenses Renewed (Individuals) 5,200 5,200

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Board of Chiropractic Examiners. 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 Board of Chiropractic Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Chiropractic Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: ENSURE PUBLIC PROTECTION

A.1.1. Strategy: LICENSING SYSTEM

Output (Volume):
Number of Individuals Examined 280 280
Number of New Licenses Issued to Individuals 250 250
Number of Licenses Renewed (Individuals) 5,200 5,200

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Board of Chiropractic Examiners. 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 Board of Chiropractic Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Chiropractic Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A.1.1. Strategy: LICENSING SYSTEM

Output (Volume):
Number of Individuals Examined 280 280
Number of New Licenses Issued to Individuals 250 250
Number of Licenses Renewed (Individuals) 5,200 5,200

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Board of Chiropractic Examiners. 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 Board of Chiropractic Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Chiropractic Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

2. Contingent Revenue. Out of the amounts appropriated above to the Board of Chiropractic Examiners in Strategy A.1.1, Licensing System, the amounts of $31,350 in fiscal year 2010 and $26,850 in fiscal year 2011, and in Strategy A.2.1, Enforcement, the amounts of $99,050 in fiscal year 2010 and $85,550 in fiscal year 2011, and in Strategy B.1.1, Licensing Indirect Administration, the amounts of $41,165 in fiscal year 2010 and $41,166 in fiscal year 2011, and in
Strategy B.1.2, Enforcement Indirect Administration, the amounts of $1,166 in fiscal year 2010 and $1,165 in fiscal year 2011 in General Revenue are contingent upon the Board of Chiropractic Examiners assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $410,315 in excess of $2,150,000 (Object Code 3562), contained in the Comptroller of Public Accounts’ Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time- Equivalents (FTE)" figure indicated above includes 2.5 FTEs in each fiscal year contingent upon the Board of Chiropractic Examiners generating the amount of revenue indicated above. The Board of Chiropractic Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Chiropractic Examiners' minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

OFFICE OF CONSUMER CREDIT COMMISSIONER

For the Years Ending
August 31, August 31,
2010 2011

Method of Financing:
General Revenue Fund $ 5,524,602 $ 5,649,601
Total, Method of Financing $ 5,524,602 $ 5,649,601

Other Direct and Indirect Costs Appropriated
Elsewhere in this Act $ 864,787 $ 912,916

This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE):
80.0 80.0

Schedule of Exempt Positions:
Commissioner, Group 3 $100,000 $100,000

Items of Appropriation:
A. Goal: EFFECTIVE ENFORCEMENT
Prompt, Fair and Effective Enforcement of Statutes and Regulations.
A.1.1. Strategy: COMPLAINT RESOLUTION
Resolve Complaints, Identify Problem Creditors. $ 261,342 $ 261,342

B. Goal: CONSUMER PROTECTION
Provide Consumer Protection through Licensure Standards.
B.1.1. Strategy: EXAMINATION AND ENFORCEMENT
Conduct Examinations and Initiate Enforcement Action When Appropriate. $ 3,296,446 $ 3,421,445
B.2.1. Strategy: LICENSING INVESTIGATION
Investigate, Review and Act on License Applications. $ 859,120 $ 859,120
B.2.2. Strategy: TEXASONLINE
TexasOnline. Estimated and Nontransferable. $ 15,000 $ 15,000

Total, Goal B: CONSUMER PROTECTION $ 4,170,566 $ 4,295,565

C. Goal: CREDIT EDUCATION
Educate Consumers and Creditors on Their Rights and Responsibilities.
C.1.1. Strategy: CONSUMER EDUCATION
Consumer Education through Credit Grantors and Trade Organizations. $ 245,055 $ 245,055

D. Goal: INDIRECT ADMINISTRATION
D.1.1. Strategy: INDIRECT ADMINISTRATION $ 325,639 $ 325,639

A508-Conf-8-A VIII-10 May 22, 2009
OFFICE OF CONSUMER CREDIT COMMISSIONER  
(Continued)

E. Goal: REGULATORY RESPONSE

E.1.1. Strategy: CONTINGENCY REGULATORY RESPONSE $522,000 $522,000

Contingency Appropriation.

Grand Total, OFFICE OF CONSUMER CREDIT COMMISSIONER $5,524,602 $5,649,601

Object-of-Expense Informational Listing:

Salaries and Wages $3,749,468 $3,874,468
Other Personnel Costs 82,399 82,399
Professional Fees and Services 137,450 137,450
Consumable Supplies 77,500 77,500
Utilities 22,746 22,746
Travel 808,667 808,666
Rent - Building 4,000 4,000
Rent - Machine and Other 1,292 1,292
Other Operating Expense 573,580 573,580
Capital Expenditures 67,500 67,500

Total, Object-of-Expense Informational Listing $5,524,602 $5,649,601

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $167,727 $170,243
Group Insurance 437,734 474,153
Social Security 201,405 204,426
Benefits Replacement 12,743 12,106

Subtotal, Employee Benefits $819,609 $860,928

Debt Service
Lease Payments $141 $135

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $819,750 $861,063

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Office of Consumer Credit Commissioner. 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 Office of Consumer Credit Commissioner. In order to achieve the objectives and service standards established by this Act, the Office of Consumer Credit Commissioner shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: EFFECTIVE ENFORCEMENT

Outcome (Results/Impact):
Percent of Written Complaints Resolved within 90 Calendar Days 95% 95%

A.1.1. Strategy: COMPLAINT RESOLUTION
Output (Volume):
Number of Complaints Closed 2,700 2,700
Number of Field Investigations Initiated 95 95

B. Goal: CONSUMER PROTECTION

Outcome (Results/Impact):
Percentage of Examinations Reporting Acceptable Level of Compliance 92% 92%

B.1.1. Strategy: EXAMINATION AND ENFORCEMENT
Output (Volume):
Number of Compliance Examinations Performed 3,000 3,000

B.2.1. Strategy: LICENSING INVESTIGATION
Output (Volume):
Number of Business Applications Processed 1,500 1,500
Number of Employee License Applications Processed 2,100 2,100
C. Goal: CREDIT EDUCATION
Outcome (Results/Impact):
Percentage of Texans Reached through Public Service Announcements, Press Releases, and Distribution of Pamphlets: 12% 12%

C.1. Strategy: CONSUMER EDUCATION
Output (Volume):
Number of Consumers Receiving Financial Education 300 300

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Acquisition of Information Resource Technologies</td>
<td></td>
</tr>
<tr>
<td>(1) Acquisition of Information Resources</td>
<td></td>
</tr>
<tr>
<td>Technologies - Replacement Schedule</td>
<td>$45,000</td>
</tr>
<tr>
<td>Total, Capital Budget</td>
<td>$45,000</td>
</tr>
</tbody>
</table>

Method of Financing (Capital Budget):

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$45,000</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$45,000</td>
</tr>
</tbody>
</table>

3. Appropriation: Criminal Record Check Receipts. Funds appropriated above in Strategy B.2.1, Licensing Investigation, include receipts collected pursuant to Texas Finance Code § 14.151. Contingent upon certification by the Office of Consumer Credit Commissioner and verification by the Comptroller, all fees collected in excess of $130,000 each year of the biennium (estimated to be $0) are hereby appropriated to the Office of the Consumer Credit Commissioner. These funds shall be used for the sole purpose of acquiring criminal record checks from the Department of Public Safety, Federal Bureau of Investigation, or other law enforcement agency.


a. Amounts appropriated above to the Office of Consumer Credit Commissioner not to exceed $522,000 each fiscal year in General Revenue in Strategy E.1.1, Contingency Regulatory Response, and 9.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are contingent upon a finding of fact by the Finance Commission that additional resources are needed by the Office of Consumer Credit Commissioner because:

(1) increased incidents of regulatory and supervisory concern regarding compliance with applicable statutes and regulations of its regulated entities have occurred to the extent that additional appropriations are deemed necessary to maintain adequate regulation of the industries; or

(2) the Office of Consumer Credit Commissioner is unable to maintain adequate supervision of the industry and is unable to meet its examination frequency performance measures due to reductions in the quality or quantity of its examination staff, resulting either from examiner turnover, or an inability to recruit adequately qualified examiners because of salary levels, or the salary is at a level that is not competitive and is less than 95-percent of a comparable position with a state or federal regulatory agency with similar responsibilities considering the experience, knowledge, and skill sets required to undertake the requirements of a particular position.

b. None of the funds appropriated above in Strategy E.1.1, Contingency Regulatory Response, above may be expended and none of the 9.0 Full-Time-Equivalents (FTE) positions
each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may be used by the Office of Consumer Credit Commissioner unless the Finance Commission files a finding of fact with the Governor and the Legislative Budget Board and neither the Governor nor the Legislative Budget Board issues a written disapproval not later than:

(1) the 10th day after the date the staff of the Legislative Budget Board concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or comments of the Legislative Budget Board staff to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor; and

(2) within 10 business days of the receipt of the finding of fact by the Governor.

c. The appropriations above in Strategy E.1.1, Contingency Regulatory Response, and 9.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are also contingent upon the Office of Consumer Credit Commissioner generating sufficient additional fee revenues to cover these contingency appropriations and related employee benefits, and providing such information as may be deemed necessary by the Comptroller of Public Accounts to issue a finding of fact that the increased revenues will be available to fund the increased appropriation. These increased revenues must exceed $5,448,000 for fiscal year 2010 and $5,202,000 for fiscal year 2011 (Object Code 3172, 3174, and 3175) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate.

d. Funds appropriated above in Strategy E.1.1, Contingency Regulatory Response, and 9.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may only be used to address issues included in the finding of fact submitted to the Governor and the Legislative Budget Board pursuant to subsection (b) above.

e. Notwithstanding transfer limits under Section 14.01, Article IX of this Act, at the discretion of the agency, amounts appropriated above may be transferred to another appropriation item in an amount not to exceed $522,000 each fiscal year in General Revenue in Strategy E.1.1.

5. **Out-of-State Travel Cap Exemption.** Out of the funds appropriated above, expenditures for out-of-state travel by the Office of Consumer Credit Commissioner are limited to $21,000 in fiscal 2010 and $21,000 in fiscal year 2011. Travel related to regulatory matters, including examinations, inspections and the training of financial examiners is exempt from this limitation.

6. **Unexpended Balance Authority.** The unobligated and unexpended balances of appropriations to the Office of Consumer Credit Commissioner for the fiscal year ending August 31, 2010, are hereby appropriated to the Office of Consumer Credit Commissioner for the same purposes for the fiscal year ending August 31, 2011.

7. **Salary Supplementation.** In addition to the amount specified in the schedule of exempt positions for the salary of the executive director, the Finance Commission may approve a salary supplement not to exceed $12,000 annually if the commissioner also serves as the executive director of the Finance Commission.

8. **Overnight Travel Stipend.** Office of Consumer Credit Commissioner examiners, when traveling on examination assignments relating to the agency's regulatory responsibilities, may receive an overnight travel stipend for any overnight stays in excess of 60 days out per fiscal year. The stipend shall be paid annually in August and the daily rate may not exceed the rate set by the Federal Deposit Insurance Corporation.
## CREDIT UNION DEPARTMENT

**For the Years Ending**

<table>
<thead>
<tr>
<th></th>
<th>August 31, 2010</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Method of Financing:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$2,519,316</td>
<td>$2,555,995</td>
</tr>
<tr>
<td><strong>Total, Method of Financing</strong></td>
<td>$2,519,316</td>
<td>$2,555,995</td>
</tr>
<tr>
<td><strong>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$424,754</td>
<td>$444,096</td>
</tr>
<tr>
<td><strong>This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Number of Full-Time-Equivalents (FTE):</strong></td>
<td>31.0</td>
<td>31.0</td>
</tr>
<tr>
<td><strong>Schedule of Exempt Positions:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Credit Union Commissioner, Group 4</td>
<td>$115,000</td>
<td>$115,000</td>
</tr>
<tr>
<td><strong>Items of Appropriation:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A. Goal: EFFECTIVE SUPERVISION &amp; REGULATION</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Effectively Supervise and Regulate State-chartered Credit Unions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A.1.1. Strategy:</strong> EXAMINE CREDIT UNIONS</td>
<td>$1,883,616</td>
<td>$1,920,295</td>
</tr>
<tr>
<td>Examine Credit Union Operations.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A.2.1. Strategy:</strong> PROCESS APPLICATIONS</td>
<td>$109,346</td>
<td>$109,346</td>
</tr>
<tr>
<td>Process, Investigate and Evaluate Applications.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, Goal A: EFFECTIVE SUPERVISION &amp; REGULATION</strong></td>
<td>$1,992,962</td>
<td>$2,029,641</td>
</tr>
<tr>
<td><strong>B. Goal:</strong> ENSURE SAFETY AND SOUNDNESS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ensure State-chartered Credit Unions Operate in a Safe &amp; Sound Manner.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>B.1.1. Strategy:</strong> DEPARTMENTAL OVERSIGHT</td>
<td>$91,121</td>
<td>$91,121</td>
</tr>
<tr>
<td>Provide Oversight of Departmental Operations.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>C. Goal:</strong> REGULATORY RESPONSE</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>C.1.1. Strategy:</strong> CONTINGENCY REGULATORY RESPONSE</td>
<td>$435,233</td>
<td>$435,233</td>
</tr>
<tr>
<td>Credit Union Examination Contingency Appropriation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Grand Total, CREDIT UNION DEPARTMENT</strong></td>
<td>$2,519,316</td>
<td>$2,555,995</td>
</tr>
<tr>
<td><strong>Object-of-Expense Informational Listing:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries and Wages</td>
<td>$2,130,765</td>
<td>$2,167,444</td>
</tr>
<tr>
<td>Other Personnel Costs</td>
<td>24,351</td>
<td>24,351</td>
</tr>
<tr>
<td>Professional Fees and Services</td>
<td>2,768</td>
<td>2,768</td>
</tr>
<tr>
<td>Consumable Supplies</td>
<td>7,000</td>
<td>7,000</td>
</tr>
<tr>
<td>Utilities</td>
<td>15,785</td>
<td>15,785</td>
</tr>
<tr>
<td>Travel</td>
<td>238,696</td>
<td>238,696</td>
</tr>
<tr>
<td>Rent - Machine and Other</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Other Operating Expense</td>
<td>94,951</td>
<td>94,951</td>
</tr>
<tr>
<td><strong>Total, Object-of-Expense Informational Listing</strong></td>
<td>$2,519,316</td>
<td>$2,555,995</td>
</tr>
</tbody>
</table>

**Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:**

<table>
<thead>
<tr>
<th>Employee Benefits</th>
<th>August 31, 2010</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retirement</td>
<td>$90,681</td>
<td>$92,041</td>
</tr>
<tr>
<td>Group Insurance</td>
<td>170,676</td>
<td>185,062</td>
</tr>
<tr>
<td>Social Security</td>
<td>111,588</td>
<td>113,262</td>
</tr>
<tr>
<td>Benefits Replacement</td>
<td>7,182</td>
<td>6,823</td>
</tr>
<tr>
<td><strong>Subtotal, Employee Benefits</strong></td>
<td>$380,127</td>
<td>$397,188</td>
</tr>
<tr>
<td><strong>Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act</strong></td>
<td>$380,127</td>
<td>$397,188</td>
</tr>
</tbody>
</table>

A469-Conf-8-A

VIII-14

May 22, 2009
1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Credit Union Department. 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 Credit Union Department. In order to achieve the objectives and service standards established by this Act, the Credit Union Department shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

<table>
<thead>
<tr>
<th>A. Goal: EFFECTIVE SUPERVISION &amp; REGULATION</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outcome (Results/Impact):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of Credit Unions Receiving Regular Examinations Annually</td>
<td>96%</td>
<td>96%</td>
</tr>
<tr>
<td>Percentage of Safe and Sound Credit Unions</td>
<td>96%</td>
<td>96%</td>
</tr>
<tr>
<td>Percentage of Complete Charter and Bylaw Applications Approved or Denied within 60 Days</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>A.1.1. Strategy: EXAMINE CREDIT UNIONS</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Output (Volume):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Examinations Performed</td>
<td>182</td>
<td>172</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Explanatory:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of State-chartered Credit Unions</td>
<td>205</td>
<td>195</td>
</tr>
<tr>
<td>Percentage of Credit Unions Providing Services to Low Income or Underserved Populations</td>
<td>5%</td>
<td>5%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>A.2.1. Strategy: PROCESS APPLICATIONS</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Output (Volume):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Applications Processed</td>
<td>50</td>
<td>50</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>B. Goal: ENSURE SAFETY AND SOUNDNESS</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Outcome (Results/Impact):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of Rule Changes Provided to Credit Unions within 60 Days after Adoption</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

2. **Appropriation: Supervisions and Conservatorships.** Funds received by the Credit Union Department pursuant to supervision or conservatorship proceedings, as authorized by the Texas Finance Code § 126.101, (estimated to be $0) are hereby appropriated for costs related to such proceedings, including the salary and per diem of the appointed supervisor or conservator.

3. **Contingency Appropriation: Regulatory Response.**

a. Amounts appropriated above to the Credit Union Department not to exceed $435,233 each fiscal year in General Revenue in Strategy C.1.1, Contingency Regulatory Response, and 5.0 Full-Time-Equivalents (FTE) positions in each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are contingent upon a finding of fact by the Credit Union Commission because:

   1. the number of exams required for the state-chartered credit unions under the jurisdiction of the Credit Union Department, determined either as a function of assets or number of institutions, expanded specialty areas, or relative proportion of problem credit unions or problem credit union assets in the state system, increases to a point where additional appropriations are required to maintain adequate regulation of the industry; or
   2. a reduction of federal regulatory resources applied to the Texas state-chartered credit union industry, determined as a function of assets, have been reduced; or
   3. the Credit Union Department is unable to maintain adequate supervision of the industry and is unable to meet its examination frequency performance measures due to reductions in the quality or quantity of its examination staff, resulting either from examiner turnover, or an inability to recruit adequately qualified examiners because of salary levels, or the salary is at a level that is not competitive and is less than 95 percent of a comparable position with a state or federal regulatory agency with similar responsibilities considering the experience, knowledge, and skill sets required to undertake the requirements of a particular position.

b. None of the funds appropriated above in Strategy C.1.1, Contingency Regulatory Response, may be expended and none of the 5.0 Full Time Equivalents (FTE) positions each year included above in the "Number of Full-Time-Equivalents (FTE)" may be used by the Credit Union Department.
Credit Union Department unless the Credit Union Commission files a finding of fact with the Governor and the Legislative Budget Board and neither the Governor nor the Legislative Budget Board issues a written disapproval not later than:

1. the 10th day after the date the staff of the Legislative Budget Board concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or comments of the Legislative Budget Board staff to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor; and

2. within 10 business days of the receipt of the finding of fact by the Governor.

c. The appropriations above in Strategy C.1.1, Contingency Regulatory Response, and 5.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are also contingent upon the Credit Union Department generating sufficient additional fee revenues to cover these contingency appropriations and related employee benefits, and providing such information as may be deemed necessary by the Comptroller of Public Accounts to issue a finding of fact that the increased revenues will be available to fund the increased appropriation. These increased revenues must exceed $1,822,000 for fiscal year 2010 and $1,882,000 for fiscal year 2011 (Object Code 3172) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate.

d. Funds appropriated above in Strategy C.1.1, Contingency Regulatory Response, and 5.0 Full-Time-Equivalents (FTE) positions in each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may only be used to address issues included in the finding of fact submitted to the Governor and the Legislative Budget Board pursuant to subsection (b) above.

e. Notwithstanding transfer limits under Section 14.01, Article IX of this Act, at the discretion of the agency, amounts appropriated above may be transferred to another appropriation item in an amount not to exceed $435,233 each fiscal year in General Revenue in Strategy C.1.1.

4. **Overnight Travel Stipend.** Credit Union Department examiners, when traveling on examination assignments relating to the agency's regulatory responsibilities, may receive an overnight travel stipend for any overnight stays in excess of 60 days out per fiscal year. The stipend will be paid annually in August and the daily rate may not exceed the rate set by the National Credit Union Administration.

5. **Federal Per Diem.** Credit Union Department examiners are authorized reimbursement for travel expenses from amounts appropriated above at a rate of per diem equal to that of the federal credit union regulatory agency when traveling on official state business relating to the agency's regulatory responsibilities and participating in either a joint or concurrent examination with the National Credit Union Administration, or its successor.

6. **Out-of-State Travel Cap Exemption.** Out of the funds appropriated above, expenditures for out-of-state travel by the Credit Union Department are limited to $10,000 in fiscal 2010 and $10,000 in fiscal year 2011. Travel related to regulatory matters, including examinations, inspections and the training of financial examiners is exempt from this limitation.

7. **Unexpended Balance Authority.** The unobligated and unexpended balances of appropriations to the Credit Union Department for the fiscal year ending August 31, 2010, are hereby appropriated to the Credit Union Department for the same purposes for the fiscal year ending August 31, 2011.

8. **Appropriation: Educational and Examination Receipts.** Funds received by the Credit Union Department to support staff attendance at graduate schools of banking, seminars, conferences, or other training or education activity considered by the commissioner to be of benefit to the Department are hereby appropriated to the Department for such purposes. The Credit Union Department is also authorized to accept funds for reimbursement from the National Credit Union Share Insurance Fund, or any other insurer, for costs incidental or necessary to examination and supervision of credit unions.
9. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 for the Credit Union Department are made contingent on the continuation of the Credit Union Department by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

### TEXAS STATE BOARD OF DENTAL EXAMINERS

<table>
<thead>
<tr>
<th>Method of Financing:</th>
<th>For the Years Ending</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>August 31, 2010</td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$2,689,713</td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>72,000</td>
</tr>
<tr>
<td><strong>Total, Method of Financing</strong></td>
<td><strong>$2,761,713</strong></td>
</tr>
</tbody>
</table>

**Other Direct and Indirect Costs Appropriated Elsewhere in This Act**

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE):

37.0

Schedule of Exempt Positions:

| Executive Director, Group 2 | $82,500 | $82,500 |

Items of Appropriation:

#### A. Goal: QUALITY DENTAL CARE
To Ensure Quality Dental Care for the People of Texas.

- **A.1.1. Strategy: COMPLAINT RESOLUTION**
  - Provide a System to Investigate and Resolve Complaints.
  - **$1,241,047**

- **A.1.2. Strategy: PEER ASSISTANCE PROGRAM**
  - Provide a Peer Assistance Program for Licensed Individuals.
  - **$124,312**

- **A.2.1. Strategy: LICENSURE & REGISTRATION**
  - Conduct an Efficient Licensure Process.
  - **$1,086,514**

- **A.2.2. Strategy: TEXASONLINE**
  - TexasOnline. Estimated and Nontransferable.
  - **$184,629**

**Total, Goal A: QUALITY DENTAL CARE**

**$2,636,502**

#### B. Goal: INDIRECT ADMINISTRATION

<table>
<thead>
<tr>
<th>B.1.1. Strategy: INDIRECT ADMIN - LICENSURE</th>
<th>For the Years Ending</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>August 31, 2010</td>
</tr>
<tr>
<td></td>
<td>$42,279</td>
</tr>
<tr>
<td>B.1.2. Strategy: IND ADMIN - COMPLAINT RESOLUTION</td>
<td>$82,932</td>
</tr>
</tbody>
</table>

**Total, Goal B: INDIRECT ADMINISTRATION**

**$125,211**

**Grand Total, TEXAS STATE BOARD OF DENTAL EXAMINERS**

**$2,761,713**

Object-of-Expense Informational Listing:

<table>
<thead>
<tr>
<th>Item</th>
<th>For the Years Ending</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and Wages</td>
<td>$1,443,522</td>
</tr>
<tr>
<td>Other Personnel Costs</td>
<td>28,100</td>
</tr>
<tr>
<td>Professional Fees and Services</td>
<td>212,406</td>
</tr>
<tr>
<td>Consumable Supplies</td>
<td>33,500</td>
</tr>
<tr>
<td>Utilities</td>
<td>10,650</td>
</tr>
<tr>
<td>Travel</td>
<td>51,000</td>
</tr>
<tr>
<td>Rent - Building</td>
<td>950</td>
</tr>
</tbody>
</table>

A469-Conf-8-A VIII-17 May 22, 2009
Rent - Machine and Other 6,250 6,250
Other Operating Expense 975,335 387,275

Total, Object-of-Expense Informational Listing $2,761,713 $2,174,718

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $57,460 $58,322
Group Insurance 167,463 182,067
Social Security 89,337 90,677
Benefits Replacement 3,651 3,469

Subtotal, Employee Benefits $317,911 $334,535

Debt Service
Lease Payments $29,244 $18,483

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $347,155 $353,018

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Texas State Board of Dental Examiners. 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 Texas State Board of Dental Examiners. In order to achieve the objectives and service standards established by this Act, the Texas State Board of Dental Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

Outcome (Results/Impact):

Percent of Complaints Resulting in Disciplinary Action 16% 16%
Percent of Licensees with No Recent Violations: Dentist 99.5% 99.5%
Percent of Licensees Who Renew Online 95% 95%
Percent of New Individual Licenses Issued Online 50% 50%

2. Contingent Revenue. Out of the amounts appropriated above to the Texas State Board of Dental Examiners in Strategy A.1.1, Complaint Resolution, the amounts of $203,424 in fiscal year 2010 and $199,424 in fiscal year 2011, in Strategy A.2.1, Licensure and Registration, the amounts of $666,211 in fiscal year 2010 and $80,939 in fiscal year 2011, in Strategy B.1.1, Indirect Administration - Licensure, the amounts of $2,418 in fiscal year 2010 and $2,418 in fiscal year 2011, in Strategy B.1.2, Indirect Administration - Complaint Resolution, the amounts of $6,219 in fiscal year 2010 and $6,219 in fiscal year 2011 in General Revenue are contingent upon the Texas State Board of Dental Examiners assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $1,309,310 in excess of $7,328,204 (Object Codes 3570 and 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time- Equivalents (FTE)" figure indicated above includes 2.0 FTEs in the...
each fiscal year contingent upon the Texas State Board of Dental Examiners generating the amount of revenue indicated above. The Texas State Board of Dental Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas State Board of Dental Examiners' minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

### FUNERAL SERVICE COMMISSION

<table>
<thead>
<tr>
<th>For the Years Ending</th>
<th>August 31, 2010</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Method of Financing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$ 691,751</td>
<td>$ 691,751</td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>58,000</td>
<td>58,000</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$ 749,751</td>
<td>$ 749,751</td>
</tr>
<tr>
<td>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</td>
<td>$ 173,330</td>
<td>$ 173,692</td>
</tr>
</tbody>
</table>

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

| Schedule of Exempt Positions: | 12.0 | 12.0 |
| Executive Director, Group 1 | $70,000 | $70,000 |

**Items of Appropriation:**

**A. Goal: COMPETENT LICENSEES**

Manage Examination/Licensure to Develop Competent & Ethical Licensees.

- **A.1.1. Strategy:** LICENSING REQUIREMENTS
  - Issue and Renew Licenses, Monitor Continuing Education.
  - $ 295,583 $ 295,583

- **A.1.2. Strategy:** TEXASONLINE
  - TexasOnline. Estimated and Nontransferable.
  - $ 39,000 $ 39,000

**Total, Goal A: COMPETENT LICENSEES**

- $ 334,583 $ 334,583

**B. Goal: ENFORCE STANDARDS**

To Aggressively & Effectively Provide Enforcement & Protect the Public.

- **B.1.1. Strategy:** INSPECTIONS
  - Provide Enforcement through Inspections and Investigations.
  - $ 164,796 $ 164,796

- **B.2.1. Strategy:** RULE COMPLIANCE
  - Review Investigated Complaints & Recommend Disciplinary/Other Action.
  - $ 160,064 $ 160,064

**Total, Goal B: ENFORCE STANDARDS**

- $ 324,860 $ 324,860

**C. Goal: INDIRECT ADMINISTRATION**

- **C.1.1. Strategy:** INDIRECT ADMIN-LICENSEING
  - Indirect Administration - Licensing Requirements.
  - $ 51,055 $ 51,055

- **C.1.2. Strategy:** INDIRECT ADMIN - INSPECTIONS
  - Indirect Administration - Inspections.
  - $ 21,191 $ 21,191

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C.1.3. Strategy: INDIRECT ADMIN - RULE COMPLIANCE
Indirect Administration - Rule Compliance.

Total, Goal C: INDIRECT ADMINISTRATION

Grand Total, FUNERAL SERVICE COMMISSION

Object-of-Expense Informational Listing:

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and Wages</td>
<td>$487,849</td>
<td>$487,849</td>
</tr>
<tr>
<td>Other Personnel Costs</td>
<td>6,360</td>
<td>6,360</td>
</tr>
<tr>
<td>Professional Fees and Services</td>
<td>25,398</td>
<td>25,398</td>
</tr>
<tr>
<td>Consumable Supplies</td>
<td>10,911</td>
<td>10,911</td>
</tr>
<tr>
<td>Utilities</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>Travel</td>
<td>41,000</td>
<td>41,000</td>
</tr>
<tr>
<td>Rent - Building</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Rent - Machine and Other</td>
<td>3,050</td>
<td>3,050</td>
</tr>
<tr>
<td>Other Operating Expense</td>
<td>170,683</td>
<td>170,683</td>
</tr>
</tbody>
</table>

Total, Object-of-Expense Informational Listing

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retirement</td>
<td>$23,468</td>
<td>$23,820</td>
</tr>
<tr>
<td>Group Insurance</td>
<td>54,785</td>
<td>58,782</td>
</tr>
<tr>
<td>Social Security</td>
<td>30,326</td>
<td>30,781</td>
</tr>
</tbody>
</table>

Subtotal, Employee Benefits

$108,579 | $113,383

Debt Service

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lease Payments</td>
<td>$11,995</td>
<td>$7,581</td>
</tr>
</tbody>
</table>

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act

$120,574 | $120,964

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Funeral Service Commission. 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 Funeral Service Commission. In order to achieve the objectives and service standards established by this Act, the Funeral Service Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: COMPETENT LICENSEES

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of Licensees with No Recent Violations</td>
<td>96%</td>
<td>96%</td>
</tr>
<tr>
<td>Percent of Licensees Who Renew Online</td>
<td>85%</td>
<td>85%</td>
</tr>
<tr>
<td>Percent of New Individual Licenses Issued Online</td>
<td>10%</td>
<td>10%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of New Licenses Issued to Individuals</td>
<td>380</td>
<td>380</td>
</tr>
<tr>
<td>Number of Individual Licenses Renewed</td>
<td>2,250</td>
<td>2,300</td>
</tr>
<tr>
<td>Number of New Licenses Issued to Facilities</td>
<td>110</td>
<td>110</td>
</tr>
<tr>
<td>Number of Facility Licenses Renewed</td>
<td>1,375</td>
<td>1,375</td>
</tr>
</tbody>
</table>

B. Goal: ENFORCE STANDARDS

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of Complaints Resolved within Six Months</td>
<td>80%</td>
<td>80%</td>
</tr>
<tr>
<td>Percent of Complaints Resulting in Disciplinary Action</td>
<td>25%</td>
<td>25%</td>
</tr>
</tbody>
</table>

B.1. Strategy: INSPECTIONS

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Compliants Resolved</td>
<td>230</td>
<td>230</td>
</tr>
<tr>
<td>Number of Establishments Inspected</td>
<td>1,400</td>
<td>1,400</td>
</tr>
<tr>
<td>Number of Complaints Pending</td>
<td>85</td>
<td>85</td>
</tr>
</tbody>
</table>
2. **Contingent Revenue.** Out of the amounts appropriated above to the Funeral Service Commission in Strategy A.1.1, Licensing Requirements, the amounts of $33,500 in fiscal year 2010 and $33,500 in fiscal year 2011, in Strategy B.1.1, Inspections, the amounts of $15,900 in fiscal year 2010 and $15,900 in fiscal year 2011, in Strategy B.2.1, Rule Compliance, the amounts of $20,100 in fiscal year 2010 and $20,100 in fiscal year 2011, in Strategy C.1.1, Indirect Administration – Licensing, the amounts of $4,500 in fiscal year 2010 and $4,500 in fiscal year 2011, in Strategy C.1.2 Indirect Administration – Inspections, the amounts of $1,500 in fiscal year 2010 and $1,500 in fiscal year 2011, and in Strategy C.1.3, Indirect Administration – Rule Compliance, the amounts of $1,500 in fiscal year 2010 and $1,500 in fiscal year 2011 in General Revenue are contingent upon the Funeral Service Commission assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $197,998 in excess of $2,734,000 (Object Code 3175), contained in the Comptroller of Public Accounts’ Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the “Number of Full-Time- Equivalents (FTE)” figure indicated above includes 1 FTE in each fiscal year contingent upon the Funeral Service Commission generating the amount of revenue indicated above. The Funeral Service Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Funeral Service Commission minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

### BOARD OF PROFESSIONAL GEOSCIENTISTS

<table>
<thead>
<tr>
<th>For the Years Ending</th>
<th>August 31, 2010</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Method of Financing:</strong></td>
<td>$795,812</td>
<td>$653,953</td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$795,812</td>
<td>$653,953</td>
</tr>
<tr>
<td><strong>Total, Method of Financing</strong></td>
<td>$795,812</td>
<td>$653,953</td>
</tr>
<tr>
<td><strong>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</strong></td>
<td>$152,809</td>
<td>$155,514</td>
</tr>
<tr>
<td>This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Number of Full-Time-Equivalents (FTE):</strong></td>
<td>11.0</td>
<td>11.0</td>
</tr>
<tr>
<td><strong>Schedule of Exempt Positions:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive Director, Group 1</td>
<td>$70,000</td>
<td>$70,000</td>
</tr>
<tr>
<td><strong>Items of Appropriation:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A. Goal: LICENSING</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A.1. Strategy: APPLICATION REVIEW</strong></td>
<td>$226,565</td>
<td>$146,366</td>
</tr>
<tr>
<td>Evaluate Applications and Ensure Proper Examination.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A.1.2. Strategy: TEXASONLINE</strong></td>
<td>$30,000</td>
<td>$30,000</td>
</tr>
<tr>
<td>TexasOnline. Estimated and Nontransferable.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A.1.3. Strategy: INFORMATIONAL SERVICES</strong></td>
<td>$220,181</td>
<td>$197,986</td>
</tr>
<tr>
<td>Maintain Current Registry and Provide Timely Information.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, Goal A: LICENSING</strong></td>
<td>$476,746</td>
<td>$374,352</td>
</tr>
</tbody>
</table>

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VIII-21

May 22, 2009
**B. Goal:** ENFORCEMENT
Ensure Effective Enforcement of TX Geoscience Practice Act.

**B.1.1. Strategy:** ENFORCEMENT
Investigate & Reach Final Resolution of Reported Violations.

**C. Goal:** INDIRECT ADMINISTRATION

**C.1.1. Strategy:** INDIRECT ADMIN
Indirect Administration - Licensing.

**C.1.2. Strategy:** INDIRECT ADMIN
Indirect Administration - Enforcement.

**Total, Goal C: INDIRECT ADMINISTRATION**

**Grand Total, BOARD OF PROFESSIONAL GEOSCIENTISTS**

<table>
<thead>
<tr>
<th>Object-of-Expense Informational Listing:</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and Wages</td>
<td>$480,250</td>
<td>$480,250</td>
</tr>
<tr>
<td>Other Personnel Costs</td>
<td>$12,705</td>
<td>$13,366</td>
</tr>
<tr>
<td>Professional Fees and Services</td>
<td>$41,442</td>
<td>$36,442</td>
</tr>
<tr>
<td>Consumable Supplies</td>
<td>$9,260</td>
<td>$4,260</td>
</tr>
<tr>
<td>Utilities</td>
<td>$1,550</td>
<td>$1,550</td>
</tr>
<tr>
<td>Travel</td>
<td>$34,900</td>
<td>$34,995</td>
</tr>
<tr>
<td>Rent - Building</td>
<td>$1,200</td>
<td>$1,200</td>
</tr>
<tr>
<td>Other Operating Expense</td>
<td>$214,505</td>
<td>$81,890</td>
</tr>
</tbody>
</table>

**Total, Object-of-Expense Informational Listing:**

<table>
<thead>
<tr>
<th>Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retirement</td>
<td>$16,771</td>
<td>$17,022</td>
</tr>
<tr>
<td>Group Insurance</td>
<td>$30,631</td>
<td>$32,714</td>
</tr>
<tr>
<td>Social Security</td>
<td>$19,739</td>
<td>$20,035</td>
</tr>
<tr>
<td>Benefits Replacement</td>
<td>$341</td>
<td>$324</td>
</tr>
</tbody>
</table>

**Subtotal, Employee Benefits**

| $67,482 | $70,095 |

**Debt Service**

| Lease Payments | $4,866 | $3,076 |

**Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act**

| $72,348 | $73,171 |

**1. Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Professional Geoscientists. 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 Board of Professional Geoscientists. In order to achieve the objectives and service standards established by this Act, the Board of Professional Geoscientists shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>90%</td>
<td>90%</td>
</tr>
<tr>
<td>85%</td>
<td>85%</td>
</tr>
</tbody>
</table>

**A. Goal: LICENSING**

**Outcome (Results/Impact):**

Percent of Licensees with No Recent Violations
Percent of Licensees Who Renew Online

**A.1.1. Strategy:** APPLICATION REVIEW

**Output (Volume):**

Number of New Licenses Issued to Individuals

**Efficiencies:**

Percentage of New Individual Licenses Issued within 10 Days
Percentage of Individual License Renewals Issued within 7 Days

**Explanatory:**

Total Number of Individuals Licensed

6,700

6,700
B. Goal: ENFORCEMENT

Outcome (Results/Impact):
Percent of Complaints Resulting in Disciplinary Action  25%  25%
Percent of Documented Complaints Resolved within Six Months  90%  90%

B.1.1. Strategy: ENFORCEMENT

Output (Volume):
ComplaintsResolved  5  5
Number of Enforcement Cases and Inquiries Resolved  10  10
Number of Compliance Orders Issued  10  10
Number of Disciplinary Actions Taken  10  10

Efficiencies:
Average Time for Complaint Resolution (Days)  85  85

Explanatory:
Jurisdictional Complaints Received  15  15

2. Contingent Revenue. Out of the amounts appropriated above to the Board of Professional Geoscientists in Strategy A.1.1, Application Review, the amounts of $85,404 in fiscal year 2010 and $10,000 in fiscal year 2011, in Strategy A.1.3, Informational Services, the amounts of $133,545 in fiscal year 2010 and $111,165 in fiscal year 2011, in Strategy B.1.1, Enforcement, the amounts of $110,675 in fiscal year 2010 and $86,295 in fiscal year 2011, in Strategy C.1.1, Indirect Administration - Licensing, the amounts of $110,675 in fiscal year 2010 and $86,295 in fiscal year 2011 in General Revenue are contingent upon the Board of Professional Geoscientists assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $650,152 in excess of $2,043,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above includes 4.0 FTEs in each fiscal year contingent upon the Board of Professional Geoscientists generating the amount of revenue indicated above. The Board of Professional Geoscientists, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Professional Geoscientists minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

In addition, contingent appropriations in Strategy A.1.3, Informational Services, in the amounts of $75,499 in fiscal year 2010 and $73,960 in fiscal year 2011 and 1.0 FTE each fiscal year may only be used for the current Executive Director's salary upon his return from active military duty.

HEALTH PROFESSIONS COUNCIL

For the Years Ending

Method of Financing:

<table>
<thead>
<tr>
<th>Item</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interagency Contracts</td>
<td>$2,513,779</td>
<td>$768,662</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$2,513,779</td>
<td>$768,662</td>
</tr>
</tbody>
</table>

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE): 5.0  5.0

Items of Appropriation:

A. Goal: COORDINATION AND SUPPORT

<table>
<thead>
<tr>
<th>Item</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Member Agency Coordination and Support</td>
<td>$2,513,779</td>
<td>$768,662</td>
</tr>
<tr>
<td>Grand Total, HEALTH PROFESSIONS COUNCIL</td>
<td>$2,513,779</td>
<td>$768,662</td>
</tr>
</tbody>
</table>

Object-of-Expense Informational Listing:

<table>
<thead>
<tr>
<th>Item</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and Wages</td>
<td>$339,968</td>
<td>$339,968</td>
</tr>
<tr>
<td>Other Personnel Costs</td>
<td>3,700</td>
<td>3,700</td>
</tr>
<tr>
<td>Professional Fees and Services</td>
<td>10,650</td>
<td>10,650</td>
</tr>
</tbody>
</table>

A481-Conf-8-A    VIII-23    May 22, 2009
HEALTH PROFESSIONS COUNCIL

(Continued)

Consumable Supplies  2,000  2,000
Utilities  120  120
Travel  600  600
Other Operating Expense  52,765  52,765
Capital Expenditures  2,103,976  358,859

Total, Object-of-Expense Informational Listing  $ 2,513,779  $ 768,662

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits:
Retirement  $ 5,999  $ 6,089
Group Insurance  18,008  19,232
Social Security  6,780  6,882

Subtotal, Employee Benefits  $ 30,787  $ 32,203

Debt Service:
Lease Payments  $ 6,754  $ 4,269

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act  $ 37,541  $ 36,472

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Health Professions Council. 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 Health Professions Council. In order to achieve the objectives and service standards established by this Act, the Health Professions Council shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. If a finding of fact is not issued by the Comptroller of Public Accounts to make available the contingent appropriation specified in Contingent Revenue riders elsewhere in this act for the Board of Pharmacy, the Board of Examiners of Psychologists, the Optometry Board, the Texas State Board of Dental Examiners, the Board of Plumbing Examiners, and the Board of Professional Land Surveying, this rider has no effect. Otherwise, the amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for “Lease Payments to the Master Lease Purchase Program” or for items with a “(MLPP)” notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of government Code 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under “Acquisition of Information Resource Technologies” may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.
OFFICE OF INJURED EMPLOYEE COUNSEL

For the Years Ending
August 31, August 31,

2010 2011

Method of Financing:
GR Dedicated - Texas Department of Insurance Operating Fund
Account No. 036 $ 7,769,542 $ 7,769,542

Total, Method of Financing $ 7,769,542 $ 7,769,542

Other Direct and Indirect Costs Appropriated Elsewhere in this Act $ 2,236,885 $ 2,302,003

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE): 184.0 184.0

Schedule of Exempt Positions:
Public Counsel, Group 3 $115,500 $115,500

Items of Appropriation:
A. Goal: OMBUDSMAN PROGRAM
Assist Individual Injured Employees through the Ombudsman Program.
Assist Unrepresented Injured Employees in Dispute Resolution.

B. Goal: EDUCATION AND REFERRAL
Increase Injured Employee Education and Provide Referrals.
Assist Injured Employees & Provide Referrals to Programs & Services.

C. Goal: ADVOCATE FOR INJURED EMPLOYEES
Advocate for Injured Employees in Rulemaking and Other Public Forums.
C.1.1. Strategy: PARTICIPATE IN RULEMAKING $ 682,495 $ 682,495

Grand Total, OFFICE OF INJURED EMPLOYEE COUNSEL $ 7,769,542 $ 7,769,542

Object-of-Expense Informational Listing:
Salaries and Wages $ 6,728,316 $ 6,728,316
Other Personnel Costs 245,420 245,420
Professional Fees and Services 62,705 62,705
Utilities 82,130 82,130
Travel 174,900 174,900
Other Operating Expense 476,071 476,071

Total, Object-of-Expense Informational Listing $ 7,769,542 $ 7,769,542

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $ 363,817 $ 369,274
Group Insurance 796,114 850,250
Social Security 457,788 464,655
Benefits Replacement 60,123 57,116

Subtotal, Employee Benefits $ 1,677,842 $ 1,741,295

Debt Service
Lease Payments $ 150,300 $ 140,833

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $ 1,828,142 $ 1,882,128

A448-Conf-8-A VIII-25 May 22, 2009
1. Performance Measure Targets. The following is a listing of the key performance target levels for the Office of Injured Employee Counsel. 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 Office of Injured Employee Counsel. In order to achieve the objectives and service standards established by this Act, the Office of Injured Employee Counsel shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

<table>
<thead>
<tr>
<th>Item</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Goal: OMBUDBSMAN PROGRAM</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Outcome (Results/Impact):</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of Texas Department of Insurance Administrative Dispute Resolution Proceedings in which an Ombudsman assisted an Unrepresented Injured Employee</td>
<td>41%</td>
<td>41%</td>
</tr>
<tr>
<td>Percentage of Issues Raised at Contested Case Hearings (CCH) where the Injured Employee Prevailed when Assisted by an Ombudsman</td>
<td>43%</td>
<td>43%</td>
</tr>
<tr>
<td>Percentage of Issues Raised on Appeal Where the Injured Employee Prevailed when Assisted by an Ombudsman</td>
<td>32%</td>
<td>32%</td>
</tr>
<tr>
<td><strong>A.1.1. Strategy: OMBUDBSMAN PROGRAM</strong> Output (Volume):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Benefit Review Conferences with Ombudsman Assistance</td>
<td>5,100</td>
<td>5,100</td>
</tr>
<tr>
<td>Number of Contested Case Hearings with Ombudsman Assistance</td>
<td>2,100</td>
<td>2,100</td>
</tr>
<tr>
<td>Number of Injured Employees Prepared for an Appeal by an Ombudsman</td>
<td>550</td>
<td>550</td>
</tr>
<tr>
<td>B. Goal: EDUCATION AND REFERRAL</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Outcome (Results/Impact):</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of Injured Employees Reached About Their Rights and Responsibilities in the Workers Compensation System</td>
<td>96%</td>
<td>96%</td>
</tr>
<tr>
<td>Number of Injured Employees Reached About Their Rights and Responsibilities</td>
<td>212,000</td>
<td>212,000</td>
</tr>
<tr>
<td><strong>Efficiencies:</strong> Average Number of Days from the Date of Injury to the Date an Injured Employee is Sent Their Rights and Responsibilities Packet About the Workers' Compensation System</td>
<td>28</td>
<td>28</td>
</tr>
<tr>
<td>C. Goal: ADVOCATE FOR INJURED EMPLOYEES</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Outcome (Results/Impact):</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of Adopted Worker's Compensation Rules Changed for the Benefit of Injured Employees as a Result of Office of Injured Employee Counsel Participation</td>
<td>78%</td>
<td>78%</td>
</tr>
<tr>
<td><strong>C.1.1. Strategy: PARTICIPATE IN RULEMAKING</strong> Output (Volume):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Adopted Workers' Compensation Rules Analyzed by Office of Injured Employee Counsel</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>Number of Adopted Workers' Compensation Rules in which the Office of Injured Employee Counsel Participated</td>
<td>8</td>
<td>8</td>
</tr>
</tbody>
</table>

2. Unexpended Balance Authority. Any unexpended balances as of August 31, 2010, not to exceed 5 percent for any item of appropriation, are hereby appropriated to the Office of Injured Employee Counsel for the same purposes for the fiscal year ending August 31, 2011.

DEPARTMENT OF INSURANCE

For the Years Ending
August 31, August 31,
2010 2011

<table>
<thead>
<tr>
<th>Method of Financing:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$230,926</td>
<td>$230,926</td>
</tr>
</tbody>
</table>

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DEPARTMENT OF INSURANCE
(Continued)

Insurance Companies Maintenance Tax and Insurance Department Fees
36,091,932  35,858,632

Subtotal, General Revenue Fund
36,322,858  36,089,558

General Revenue Fund - Dedicated
Subsequent Injury Account No. 5101
4,420,140  4,420,140
Texas Department of Insurance Operating Fund Account No. 036
59,495,353  59,091,722

Subtotal, General Revenue Fund - Dedicated
63,915,493  63,511,862

Federal Funds
2,254,623  2,254,623

Other Funds
Appropriated Receipts
689,116  689,116
Interagency Contracts
57,600  57,600

Subtotal, Other Funds
746,716  746,716

Total, Method of Financing
103,239,690  102,602,759

Other Direct and Indirect Costs Appropriated Elsewhere in this Act
28,213,549  28,804,664

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE):
1,693.0  1,693.0

Schedule of Exempt Positions:
Commissioner of Insurance, Group 6 $175,000  $175,000
Commissioner of Workers’ Compensation, Group 5 140,000  140,000

Items of Appropriation:
A. Goal: ENCOURAGE FAIR COMPETITION
Encourage Fair Competition in the Insurance Industry,
A.1.1. Strategy: CONSUMER ED. AND MKT. ANALYSES
Analyze Market Data and Provide Information.
A.1.2. Strategy: RATES, FORMS AND LICENSES
Process Rates, Forms and Licenses.
A.1.3. Strategy: PROMOTE UNDERSERVED COVERAGE
Create Incentives and Requirements for Coverage in Underserved Markets.
A.2.1. Strategy: RESOLVE COMPLAINTS
Respond Promptly and Act on Complaints.
A.2.2. Strategy: INVESTIGATION AND ENFORCEMENT
Investigate Trade Practices and Enforcement as Needed.
A.2.3. Strategy: INSURER FRAUD
Investigate Potential Insurer Fraud and Initiate Legal Action.
A.2.4. Strategy: TEXASONLINE
TexasOnline. Estimated and Nontransferable.

Total, Goal A: ENCOURAGE FAIR COMPETITION
21,782,877  21,760,457

B. Goal: INSURANCE INDUSTRY FINANCIAL HEALTH
Encourage the Financial Health of the Insurance Industry,
B.1.1. Strategy: INSURERS FINANCIAL CONDITION
Analyze the Financial Condition of Insurers and Take Solvency Action.

C. Goal: DECREASE INDUSTRY LOSS COSTS
Decrease Insurance Industry Loss Costs.
C.1.1. Strategy: LOSS CONTROL PROGRAMS
Inspect Loss Control Programs and Assure Code and Schedule Compliance.
C.1.2. Strategy: PROVIDER AND CONSUMER FRAUD
Investigate Provider/Consumer Fraud & Refer Violations for Prosecution.

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### C.1.3. Strategy: WORKERS' COMPENSATION FRAUD
Investigate Workers' Compensation Insurance Fraud.

<table>
<thead>
<tr>
<th>Total, Goal C: DECREASE INDUSTRY LOSS COSTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>$266,076</td>
</tr>
</tbody>
</table>

### D. Goal: REDUCE LOSSES DUE TO FIRE
Reduce Loss of Life and Property Due to Fire.

#### D.1.1. Strategy: FIRE PROTECTION
Provide Fire Prevention through Education & Enforcement of Regulations.

| $266,076 | $266,213 |

### E. Goal: SAFE AND HEALTHY WORKPLACES
To Promote Safe and Healthy Workplaces.

#### E.1.1. Strategy: HEALTH AND SAFETY SERVICES
Provide Health and Safety Services in Texas Workplaces.

| $4,047,215 | $4,042,728 |

#### E.2.1. Strategy: RETURN-TO-WORK EDUCATION
Provide Education on Disability Management and Return-to-work Programs.

| $130,591  | $130,672 |

<table>
<thead>
<tr>
<th>Total, Goal E: SAFE AND HEALTHY WORKPLACES</th>
</tr>
</thead>
<tbody>
<tr>
<td>$4,177,806</td>
</tr>
</tbody>
</table>

### F. Goal: WORKERS' COMP BENEFITS & DELIVERY
Ensure the Appropriate Delivery of Workers' Compensation Benefits.

#### F.1.1. Strategy: MEDICAL COST Containment
Ensure Appropriate Utilization of Medical Services.

| $1,924,584 | $1,924,027 |

#### F.2.1. Strategy: MONITORING AND ENFORCEMENT
Monitor Stakeholder Activity and Take Enforcement Action.

| $3,008,217 | $3,010,157 |

#### F.3.1. Strategy: DEVELOP AND IMPLEMENT PROCESSES
Certify and Regulate Private Employers that Qualify to Self-Insure.

| $5,404,122 | $5,416,078 |

#### F.4.1. Strategy: CERTIFY SELF-INSURANCE
Certify and Regulate Private Employers that Qualify to Self-Insure.

| $647,481  | $647,936 |

#### F.5.1. Strategy: DISPUTE RESOLUTION
Minimize and Resolve Indemnity and Medical Disputes.

| $15,012,659 | $15,020,050 |

#### F.6.1. Strategy: SUBSEQUENT INJURY FUND ADMIN
Subsequent Injury Fund Administration.

| $4,514,826 | $4,497,469 |

<table>
<thead>
<tr>
<th>Total, Goal F: WORKERS' COMP BENEFITS &amp; DELIVERY</th>
</tr>
</thead>
<tbody>
<tr>
<td>$30,511,889</td>
</tr>
</tbody>
</table>

### G. Goal: INDIRECT ADMINISTRATION

#### G.1.1. Strategy: CENTRAL ADMINISTRATION

| $10,023,250 | $10,008,362 |

#### G.1.2. Strategy: INFORMATION RESOURCES

| $11,192,613 | $10,551,692 |

#### G.1.3. Strategy: OTHER SUPPORT SERVICES

| $3,549,286  | $3,551,866 |

<table>
<thead>
<tr>
<th>Total, Goal G: INDIRECT ADMINISTRATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>$24,765,149</td>
</tr>
</tbody>
</table>

### H. Goal: LONG TERM CARE

#### H.1.1. Strategy: LONG TERM CARE
Long Term Care Insurance Partnerships.

| $156,328  | $156,528 |

### I. Goal: THREE-SHARE ASSISTANCE PROGRAMS
Three-Share Premium Assistance Programs.

#### I.1.1. Strategy: THREE-SHARE ASSISTANCE PROGRAMS
Three-Share Premium Assistance Programs.

| $451,802  | $451,862 |

<table>
<thead>
<tr>
<th>Grand Total, DEPARTMENT OF INSURANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>$103,239,690</td>
</tr>
</tbody>
</table>

### Object-of-Expense Informational Listing:

| Salaries and Wages | $75,052,507 | $75,121,245 |
| Other Personnel Costs | $2,505,500 | $2,684,560 |
| Professional Fees and Services | $5,838,150 | $5,010,151 |
| Fuels and Lubricants | $117,460 | $117,460 |
| Consumable Supplies | $731,393 | $730,893 |
| Utilities | $946,795 | $946,795 |
| Travel | $2,404,203 | $2,404,203 |
| Rent - Building | $3,313,267 | $3,318,267 |

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### DEPARTMENT OF INSURANCE
(Continued)

<table>
<thead>
<tr>
<th>Item</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rent - Machine and Other</td>
<td>474,675</td>
<td>474,675</td>
</tr>
<tr>
<td>Other Operating Expense</td>
<td>10,908,925</td>
<td>10,847,695</td>
</tr>
<tr>
<td>Grants</td>
<td>395,000</td>
<td>395,000</td>
</tr>
<tr>
<td>Capital Expenditures</td>
<td>551,815</td>
<td>551,815</td>
</tr>
<tr>
<td><strong>Total, Object-of-Expense Informational Listing</strong></td>
<td><strong>$ 103,239,690</strong></td>
<td><strong>$ 102,602,759</strong></td>
</tr>
</tbody>
</table>

### Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

<table>
<thead>
<tr>
<th>Item</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Benefits</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retirement</td>
<td>$ 4,438,999</td>
<td>$ 4,505,584</td>
</tr>
<tr>
<td>Group Insurance</td>
<td>12,413,707</td>
<td>13,478,452</td>
</tr>
<tr>
<td>Social Security</td>
<td>5,535,210</td>
<td>5,618,238</td>
</tr>
<tr>
<td>Benefits Replacement</td>
<td>631,024</td>
<td>599,473</td>
</tr>
<tr>
<td><strong>Subtotal, Employee Benefits</strong></td>
<td><strong>$ 23,018,940</strong></td>
<td><strong>$ 24,201,747</strong></td>
</tr>
<tr>
<td>Debt Service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lease Payments</td>
<td>$ 1,031,819</td>
<td>$ 640,031</td>
</tr>
<tr>
<td><strong>Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act</strong></td>
<td><strong>$ 24,050,759</strong></td>
<td><strong>$ 24,841,778</strong></td>
</tr>
</tbody>
</table>

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Insurance. 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 Insurance. In order to achieve the objectives and service standards established by this Act, the Department of Insurance shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

#### A. Goal: ENCOURAGE FAIR COMPETITION

**Outcome (Results/Impact):**
- Percent of Agent License Filings Completed within 15 Days: 96% (2010), 96% (2011)
- Percent of Statutory Rate and Form Filings Completed within 90 Days: 87% (2010), 87% (2011)
- Number of Automobiles Covered by Auto Liability Policies as a Percent of Total Private Passenger Automobiles in Underserved Markets: 78% (2010), 78% (2011)
- Percent of Personal Auto and Residential Property Rate and Form Filings Completed within 60 Days: 95% (2010), 95% (2011)
- Percent of Licensees Who Renew Online: 78% (2010), 84% (2011)

**A.1. Strategy:** CONSUMER ED. AND MKT. ANALYSES

**Output (Volume):**
- Number of Inquiries Answered: 650,000 (2010), 650,000 (2011)
- Number of Rate Guides Distributed: 1,200,000 (2010), 1,200,000 (2011)

**A.2.1. Strategy:** RESOLVE COMPLAINTS

**Output (Volume):**

**Efficiencies:**
- Average Response Time (in Days) to Complaints: 29 (2010), 29 (2011)

**A.2.3. Strategy:** INSURER FRAUD

**Output (Volume):**
- Number of Referrals of Alleged Insurer Fraud to State and Federal Prosecutors: 70 (2010), 70 (2011)

#### B. Goal: INSURANCE INDUSTRY FINANCIAL HEALTH

**Outcome (Results/Impact):**
- Percent of Statutorily Mandated Examinations Completed within 18 Months: 88% (2010), 90% (2011)
- Special Deputy Receiver Receivership Asset Recovery Expenses as a Percent of the Total Dollars Collected by Special Deputy Receivers: 15% (2010), 15% (2011)
- Average Number of Days from Company "At Risk" Identification to the Date of Solvency-related Regulatory Action: 21 (2010), 21 (2011)
- Percent of Companies Rehabilitated after Texas Department of Insurance Solvency-related Intervention: 18% (2010), 18% (2011)
B.1.1. Strategy: Insurers Financial Condition

Output (Volume):
- Number of Entities Receiving Texas Department of Insurance Solvency-related Intervention: 10
- Number of On-site Examinations Conducted: 145

Efficiencies:
- Average State Cost Per Examination: $32,016

Explanatory:
- Dollar Amount (in Millions) of Insurance Company Insolvencies: 50
- Number of Estates Placed in Receivership: 6

C. Goal: Decrease Industry Loss Costs

Outcome (Results/Impact):
- Percent of Commercial Property Inspections That Meet Filed Rating Schedule Requirements: 85%

C.1.1. Strategy: Loss Control Programs

Output (Volume):
- Number of Windstorm Inspections Completed: 11,500
- Number of Inspections of Insurer Loss Control Programs Completed: 200
- Number of Commercial Property Oversight Inspections Completed: 1,160

Efficiencies:
- Average Cost Per Windstorm Inspection: $50

C.1.2. Strategy: Provider and Consumer Fraud

Output (Volume):
- Number of Referrals of Alleged Consumer and Provider Fraud to State or Federal Prosecutors: 110

D. Goal: Reduce Losses Due to Fire

Outcome (Results/Impact):
- Percent of State Fire Marshal’s Office Criminal Referrals Resulting in Enforcement/Legal Action: 60%
- Percent of Registrations, Licenses, and Permits Issued, after Receipt of a Completed Application, within 20 Days to Fire Alarm, Fire Extinguisher, Fire Sprinkler, and Fireworks Firms, Individuals, and Other Regulated Entities: 99%


Output (Volume):
- Number of Fire Investigations Completed: 507
- Number of Registrations, Licenses, and Permits Issued to Fire Alarm, Fire Extinguisher, Fire Sprinkler and Fireworks Firms, Individuals, and Other Regulated Entities: 11,700

E. Goal: Safe and Healthy Workplaces

Outcome (Results/Impact):
- Percent of Employees Temporary Income Benefits (TIBs) Recipients Returning to Work Within 90 Days of Injury: 54%

E.1.1. Strategy: Health and Safety Services

Output (Volume):
- Number of Consultations and Inspections Provided to Employers: 3,058

E.2.1. Strategy: Return-to-Work Education

Output (Volume):
- Number of Persons Receiving Return-to-work Training: 11,000

F. Goal: Workers’ Comp Benefits & Delivery

Outcome (Results/Impact):
- Percentage of Medical Bills Processed Timely: 95%
- Dollar Amount Returned to Workers’ Compensation System Participants through Complaint Resolution: $1,100,000
- Percentage of Medical Fee Disputes Resolved by Medical Fee Dispute Resolution Decision: 90%
- Total Payments Made out of the Subsequent Injury Fund for Lifetime Income Benefits and Reimbursements to Insurance Carriers: $3,960,000

F.1.1. Strategy: Medical Cost Containment

Output (Volume):
- Number of Quality of Care Reviews of Health Care Providers, Insurance Carriers, and Independent Review Organizations Completed: 102
DEPARTMENT OF INSURANCE
(Continued)

Efficiencies:
Average Number of Days to Complete Quality of Care Reviews of Health Care Providers, Insurance Carriers, and Independent Review Organizations 180 180

F.2.1. Strategy: MONITORING AND ENFORCEMENT
Output (Volume):
Number of Complaints Completed Involving Workers' Compensation System Participants 2,756 2,756

Efficiencies:
Average Days to Complete a Complaint Involving Workers' Compensation System Participants 120 120

F.5.1. Strategy: DISPUTE RESOLUTION
Efficiencies:
Average Number of Days from the Request for Benefit Review Conference to the Conclusion of the Benefit Review Conference 67 67
Average Number of Days from the Request for a Contested Case Hearing (CCH) to the Conclusion of the CCH 84 83

F.6.1. Strategy: SUBSEQUENT INJURY FUND ADMIN
Output (Volume):
Number of Injured Workers Receiving Lifetime Income Benefit (LIB) Payments through the SIF 39 41

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

<table>
<thead>
<tr>
<th>a. Acquisition of Information Resource Technologies</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Data Center Consolidation</td>
<td>$ 4,497,296</td>
<td>$ 3,779,797</td>
</tr>
<tr>
<td>(2) Purchase of Information Resource Technologies - Scheduled Replacement of Items</td>
<td>680,604</td>
<td>680,604</td>
</tr>
<tr>
<td>(3) Replace DWC Obsolete Infrastructure Technology</td>
<td>$ 238,211</td>
<td>$ 238,211</td>
</tr>
<tr>
<td><strong>Total, Acquisition of Information Resource Technologies</strong></td>
<td><strong>$ 5,416,111</strong></td>
<td><strong>$ 4,698,612</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>b. Transportation Items</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Purchase of Transportation Items</td>
<td>$ 198,000</td>
<td>$ 198,000</td>
</tr>
<tr>
<td><strong>Total, Capital Budget</strong></td>
<td><strong>$ 5,614,111</strong></td>
<td><strong>$ 4,896,612</strong></td>
</tr>
</tbody>
</table>

Method of Financing (Capital Budget):

| General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees | 2,107,839 | $ 1,841,166 |
| GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036 | 3,506,272 | 3,055,446 |
| **Total, Method of Financing** | **$ 5,614,111** | **$ 4,896,612** |

3. Appropriation Source, Rehabilitation of Insurance Companies. Of the amounts appropriated above, $125,000 each year of the biennium is from fees that the Department of Insurance shall collect from companies that are successfully rehabilitated by the department. Fees collected and appropriated above shall be in amounts sufficient to cover, yet not exceed, costs of rehabilitating those companies. Any such fees collected in excess of $125,000 each year of the biennium are also
hereby appropriated for the biennium beginning September 1, 2009, for the sole purpose of the rehabilitation of other insurance companies pursuant to 441.203 of the Texas Insurance Code (estimated to be $0).

4. State Support for NAIC Activities. The agency is prohibited from using resources in support of the National Association of Insurance Commissioners in the absence of NAIC accreditation of the Department of Insurance for compliance with NAIC Financial Regulation Standards. The prohibition would be effective immediately upon loss of accreditation. The only exceptions to this prohibition shall be limited to expenditures necessary for (1) continued departmental use of the NAIC database for monitoring financial solvency of companies doing business in Texas; (2) solvency-related training; and (3) efforts to regain accreditation. The prohibition on using resources does not apply in the event that the Commissioner voluntarily determines not to participate in the state insurance department accreditation program.

5. Liquidation Oversight and Title Examiner Full-Time-Equivalent Positions. In addition to the "Number of Full-Time-Equivalents (FTE)" positions authorized above, an additional 32.5 FTE positions are authorized for each year of the 2010-11 biennium to support liquidation oversight and title examiner activities. These positions are excluded from the FTE cap.

6. Appropriations Limited to Revenue Collections. The application of special provisions limiting appropriations to revenue collections elsewhere in this Article shall be consistent with relevant statutory provisions governing the agency's assessment of tax rates and fees. As provided by the Texas Insurance Code and the Texas Labor Code, the Commissioners shall take into account unexpended funds in the preceding year when adjusting rates of assessment necessary to pay all expenses of regulating insurance and conducting the operations of the State Fire Marshal and the Office of Injured Employee Counsel during the succeeding year.

7. Travel Cap. Out of the funds appropriated above, expenditures for out-of-state travel by the Department of Insurance are limited to $651,697 in fiscal year 2010 and $651,697 in fiscal year 2011. Of these amounts, $483,000 in fiscal year 2010 and $483,000 in fiscal year 2011 shall be utilized solely for out-of-state travel for the purpose of financial examinations. Notwithstanding any other provisions in this act, travel expenditures associated with federal programs and paid out of federal funds are exempt from this limitation.

8. Limit on Estimated Appropriations. Excluding appropriations for the TexasOnline Authority, the combined appropriation authority from the General Revenue Fund, which includes Insurance Companies Maintenance Tax (Object Code 3203) and Insurance Department Fees (Object Code 3215), and General Revenue Fund-Dedicated-Texas Department of Insurance Operating Fund Account No. Fund 36 shall not exceed $95,213,805 in fiscal year 2010 or $94,576,874 in fiscal year 2011.


10. Crash Records Information System. Included in Strategy D.2.1, Traffic Safety, at the Department of Transportation is $750,000 for fiscal year 2010 and $750,000 for fiscal year 2011 from General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees for on-going maintenance of the Crash Records Information System.

11. Increase Consumer Choice. Out of amounts appropriated above, the Department of Insurance shall contract with the Office of Public Insurance Counsel in the amount of $48,000 each fiscal year from the GR Dedicated-Texas Department of Insurance Operating Fund Account No. 036 to provide consumers with insurance information to make informed decisions.

12. Consumer Information Report. The Department of Insurance shall submit a report quarterly to the Legislature and the public no later than the 90th day after the last day of the quarter covered by the report the following information for each insurer that writes a line of insurance in the state: market share, profits and losses, average rate, and average loss ratio. The report shall include the change in rate over the previous 12, 24, and 36 months.

13. Appropriation of Unexpended Balances. Any unexpended balances as of August 31, 2010, not to exceed 5 percent for any item of appropriation above, are hereby appropriated for the same purposes, in the same strategies, for the fiscal year beginning September 1, 2010.
14. **Subsequent Injury Fund.** Amounts appropriated above in Strategy F.6.1, Subsequent Injury Fund Administration, include an estimated $4,420,140 in fiscal year 2010 and $4,420,140 in fiscal year 2011 out of the GR Dedicated - Subsequent Injury Account No. 5101 for payment of liabilities pursuant to Labor Code, Chapter 403. In the event that actual liabilities exceed the estimated amounts, the Division of Workers' Compensation shall furnish information supporting the estimated additional liabilities to the Comptroller of Public Accounts. If the Comptroller finds that there are sufficient balances in the GR Dedicated - Subsequent Injury Account No. 5101 to support the payment of projected liabilities, a finding of fact to that effect shall be issued and a contingent appropriation shall be made available for the intended purposes.

15. **Three-Share Premium Assistance Programs.** Amounts appropriated above to the Department of Insurance of $450,000 in fiscal year 2010 and $450,000 in fiscal year 2011 in General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees in Strategy I.1.1, Three-Share Assistance Programs, and 1.0 Full-Time-Equivalents (FTE) position each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" is for the purpose of awarding, through a competitive application process, grants to local government entities for the research, planning, development, and continuation of "three-share" premium assistance programs to increase access to private healthcare coverage for the uninsured, and providing technical assistance to grant recipients. The agency shall consider the following factors in selecting recipients of grant funds:

   a. proposals to match grant awards with local funds
   b. percentage of uninsured in the applicable area
   c. existing efforts in pursuing "three-share" premium assistance programs
   d. healthcare use and delivery factors affecting the area's healthcare infrastructure and capacity.

   The agency shall report a summary of the grants awarded to local government entities to the Legislative Budget Board and the Governor no later than January 1, 2011.

16. **Division of Workers' Compensation Reporting Requirement.** The Division of Workers' Compensation shall include information collected about on-the-job injuries and occupational diseases, compliance with notice requirements regarding whether employers carry workers' compensation insurance from non-subscribing employers and administrative penalties levied against non-complying employers under the provisions of the Labor Code § 411.032 and Texas Administrative Code, Title 28, Insurance §§ 110.1, 110.101, and 160.2 in its biennial report submitted to the Legislature.

17. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 for the Texas Department of Insurance are made contingent on the continuation of the Texas Department of Insurance by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

18. **Health Insurance Premiums.**

   a. It is the intent of the Legislature that, out of funds appropriated under Strategy A.1.1, Consumer Education and Marketing Analyses, the Texas Department of Insurance conduct reviews of the accessibility of health benefit plan coverage for and the affordability of health benefit plan premiums for:
      (1) families with annual household incomes that are less than 200% of the federal poverty level for the applicable household size;
      (2) families with annual household incomes that are $100,000 or less and the members of which are not eligible for coverage under a health benefit plan issued by, paid for, or sponsored by an employer of a member of the family; and
      (3) individuals with annual incomes that are $55,000 or less and who are not eligible for coverage under a health benefit plan issued by, paid for, or sponsored by an employer.

   b. The department shall include the results of those reviews in the biennial report submitted under Section 32.022, Insurance Code, to the appropriate committees of each house of the Legislature immediately preceding the 82nd Regular Legislative Session.
19. **Study of Data Mining.** It is the intent of the Legislature that, out of funds appropriated under Strategy A.1.1, Consumer Education and Market Analyses, the Texas Department of Insurance, using data collected under Chapters 38 and 2151, Insurance Code:

   a. conduct a review of insurance industry practices regarding:

      1) the use of data mining and pattern recognition practices and technologies that are used to predict difference in expected losses of covered persons or applicants for personal automobile or residential property insurance coverage or health benefit plan coverage; and

      2) the manner in which insurers use these technologies in underwriting and setting rates for personal automobile or residential property insurance or health benefit plans; and

   b. include that review in the biennial report submitted under Section 32.033, Insurance Code, to the appropriate committees of each house of the Legislature on or before December 31, 2010.

20. **Coverage Reductions.** Out of funds appropriated above to the Department of Insurance, the department shall conduct a review of levels of coverage to determine what, if any, changes have occurred in the level of protection offered by homeowners insurance policies since the department's adoption of approved national forms in 2002. The department shall prepare a report for the 82nd Legislature quantifying effect of the change to national forms on the level of coverage for the average homeowner in this state.

### OFFICE OF PUBLIC INSURANCE COUNSEL

<table>
<thead>
<tr>
<th>For the Years Ending</th>
<th>August 31, 2010</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Method of Financing:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$1,073,777</td>
<td>$1,073,777</td>
</tr>
<tr>
<td>Interagency Contracts</td>
<td>$48,000</td>
<td>$48,000</td>
</tr>
<tr>
<td><strong>Total, Method of Financing</strong></td>
<td>$1,121,777</td>
<td>$1,121,777</td>
</tr>
<tr>
<td><strong>Other Direct and Indirect Costs Appropriated Elsewhere in This Act</strong></td>
<td>$301,227</td>
<td>$298,441</td>
</tr>
</tbody>
</table>

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

| Number of Full-Time-Equivalents (FTE): | 16.5 | 16.5 |
| **Schedule of Exempt Positions:** | $106,500 | $106,500 |
| **Items of Appropriation:** |               |               |
| **A. Goal:** ADVOCATE FOR INSURANCE CONSUMERS |               |               |
| Advocate for TX Consumers in Rate/Rule/Judicial/Legislative Hearings |               |               |
| **A.1. Strategy:** PARTICIPATE IN RATE/RULE HEARINGS | $1,034,100 | $1,034,100 |
| Participate in Rate, Rulemaking, Judicial, and Legislative Proceedings |               |               |
B. Goal: INCREASE CONSUMER CHOICE
Increase Consumer Choice-Educate Texas Insurance Consumers.

B.1. Strategy: INSURANCE INFORMATION
Provide Consumers with Information to Make Informed Choices.

Grand Total, OFFICE OF PUBLIC INSURANCE COUNSEL $1,121,777

Object-of-Expense Informational Listing:

Salaries and Wages $874,319
Other Personnel Costs 39,733
Professional Fees and Services 81,463
Consumable Supplies 16,441
Utilities 2,238
Travel 9,500
Rent - Building 291
Rent - Machine and Other 8,169
Other Operating Expense 89,623

Total, Object-of-Expense Informational Listing $1,121,777

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $52,818
Group Insurance 83,868
Social Security 66,950
Benefits Replacement 5,560

Subtotal, Employee Benefits $209,196

Debt Service
Lease Payments 27,326

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $236,522

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Office of Public Insurance Counsel. 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 Office of Public Insurance Counsel. In order to achieve the objectives and service standards established by this Act, the Office of Public Insurance Counsel shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: ADVOCATE FOR INSURANCE CONSUMERS

Outcome (Results/Impact):
Percentage of Analyzed Rate and Rulemaking Proceedings in Which OPIC Participated 75% 75%
Percentage of Rate Filings and Rules Changed for the Benefit of Consumers as a Result of OPIC Participation 90% 90%

A.1. Strategy: PARTICIPATE IN RATE/RULE HEARINGS

Output (Volume):
Number of Rate Hearings in Which OPIC Participated 5 5
Number of Analyzed Rate Filings in Which OPIC Participated 32 32
Number of Rulemaking Proceedings in Which OPIC Participated 40 40

B. Goal: INCREASE CONSUMER CHOICE

Outcome (Results/Impact):
Percent of Texas Insurance Consumers Reached by OPIC Outreach Efforts 26% 26%

B.1. Strategy: INSURANCE INFORMATION

Output (Volume):
Number of Report Cards and Publications Produced and Distributed 850,000 850,000

A359-Conf-8-A VIII-35 May 22, 2009
2. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 for the Office of Public Insurance Counsel are made contingent on the continuation of the Office of Public Insurance Counsel by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

## BOARD OF PROFESSIONAL LAND SURVEYING

<table>
<thead>
<tr>
<th>Method of Financing:</th>
<th>For the Years Ending</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>August 31, 2010</td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$486,493</td>
</tr>
<tr>
<td><strong>Total, Method of Financing</strong></td>
<td>$486,493</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>$75,657</td>
<td>$78,455</td>
<td></td>
</tr>
</tbody>
</table>

This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.

<table>
<thead>
<tr>
<th>Number of Full-Time-Equivalents (FTE):</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.0</td>
<td>5.0</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Schedule of Exempt Positions:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Director, Group 1</td>
</tr>
</tbody>
</table>

### Items of Appropriation:

**A. Goal: LICENSING & ENFORCEMENT**

Ensure Surveys Prepared by Qualified Licensees Meet/Exceed Standards.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$361,416</td>
<td>$317,047</td>
<td></td>
</tr>
</tbody>
</table>
| Examine New Applicants & Ensure Continuing Education Requirements.

**A.1.2. Strategy: INDIRECT**

Admin-Licensing/Education

<table>
<thead>
<tr>
<th>ADMIN-LICENSE/EDUCATION</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>$94,927</td>
<td>$94,927</td>
<td></td>
</tr>
</tbody>
</table>
| Indirect Administration - Licensing and Education.

**A.1.3. Strategy: EXAMINATION**

Purchase and Grade the National Exam. Estimated and Nontransferable.

<table>
<thead>
<tr>
<th>Purchase and Grade</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>$12,150</td>
<td>$12,150</td>
<td></td>
</tr>
<tr>
<td>TexasOnline. Estimated and Nontransferable.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**A.1.4. Strategy: TEXASONLINE**

<table>
<thead>
<tr>
<th>TexasOnline</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>$18,000</td>
<td>$18,000</td>
<td></td>
</tr>
</tbody>
</table>

**Total, Goal A: LICENSING & ENFORCEMENT**

| $486,493 | $442,124 |

**Grand Total, BOARD OF PROFESSIONAL LAND SURVEYING**

| $486,493 | $442,124 |

### Object-of-Expense Informational Listing:

<table>
<thead>
<tr>
<th>Salaries and Wages</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>$252,274</td>
<td>$260,219</td>
<td></td>
</tr>
<tr>
<td>Other Personnel Costs</td>
<td>10,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Professional Fees and Services</td>
<td>102,509</td>
<td>50,194</td>
</tr>
<tr>
<td>Consumable Supplies</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>Utilities</td>
<td>2,500</td>
<td>2,500</td>
</tr>
<tr>
<td>Travel</td>
<td>45,661</td>
<td>45,661</td>
</tr>
<tr>
<td>Rent - Machine and Other</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>Other Operating Expense</td>
<td>65,549</td>
<td>65,550</td>
</tr>
</tbody>
</table>

**Total, Object-of-Expense Informational Listing**

| $486,493 | $442,124 |

A359-Conf8-A

VIII-36

May 22, 2009
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
- Retirement: $6,112 / $6,204
- Group Insurance: $30,448 / $32,790
- Social Security: $18,043 / $18,314
- Benefits Replacement: $1,798 / $1,708

Subtotal, Employee Benefits: $56,401 / $59,016

Debt Service
- Lease Payments: $13,229 / $13,209

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act: $69,630 / $72,225

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Board of Professional Land Surveying. 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 Board of Professional Land Surveying. In order to achieve the objectives and service standards established by this Act, the Board of Professional Land Surveying shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: LICENSING & ENFORCEMENT

Outcome (Results/Impact):
- Percent of Licensees with No Recent Violations: 99% / 99%
- Percent of Documented Complaints Resolved within Six Months: 95% / 95%

A.1. Strategy: LICENSING AND EDUCATION

Output (Volume):
- Number of New Licenses Issued to Individuals: 70 / 70
- Number of Licenses Renewed (Individuals): 2,986 / 2,986
- Complaints Resolved: 57 / 57

2. Contingent Revenue. Out of the amounts appropriated above to the Board of Professional Land Surveying in Strategy A.1.1, Licensing and Education, the amounts of $65,014 in fiscal year 2010 and $20,644 in fiscal year 2011 in General Revenue are contingent upon the Board of Professional Land Surveying assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $98,889 in excess of $1,298,000 (Object Code 3175), contained in the Comptroller of Public Accounts’ Biennial Revenue Estimate for fiscal years 2010 and 2011. The Board of Professional Land Surveying, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Professional Land Survey’s minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

DEPARTMENT OF LICENSING AND REGULATION

For the Years Ending August 31, 2010, 2011

Method of Financing:
- General Revenue Fund: $22,420,249 / $22,266,973

General Revenue Fund - Dedicated
- Private Beauty Culture School Tuition Protection Account No. 108: 20,000 / 20,000
- Barber School Tuition Protection Account No. 5081: 5,000 / 5,000

Subtotal, General Revenue Fund - Dedicated: $25,000 / $25,000

A464-Conf-8-A VIII-37 May 22, 2009
DEPARTMENT OF LICENSING AND REGULATION
(Continued)

Other Funds
Appropriated Receipts 495,000 495,000
Interagency Contracts 18,634 18,634
Auctioneer Education and Recovery Trust Fund No. 898 25,000 25,000

Subtotal, Other Funds 538,634 538,634

Total, Method of Financing 22,983,883 22,830,607

Other Direct and Indirect Costs Appropriated Elsewhere in this Act 5,765,334 5,923,510

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE): 385.5 385.5

Schedule of Exempt Positions:
Executive Director, Group 4 $135,000 $135,000

Items of Appropriation:
A. Goal: LICENSING
License, Certify, and Register Qualified Individuals and Businesses.
A.1.1. Strategy: LICENSE, REGISTER AND CERTIFY
Issue Licenses, Registrations, & Certificates to Qualified Individuals.
$1,889,628 $1,889,628

A.1.2. Strategy: LICENSE BUSINESSES AND FACILITIES
$734,882 $734,882

A.1.3. Strategy: EXAMINATIONS
$355,130 $355,130

A.1.4. Strategy: CONTINUING EDUCATION/CUSTOMER SERV
Develop Continuing Education and Provide Customer Service.
$2,213,886 $2,213,886

A.1.5. Strategy: TEXASONLINE
TexasOnline. Estimated and Nontransferable.
$331,200 $331,200

Total, Goal A: LICENSING 5,524,726 5,524,726

B. Goal: ENFORCEMENT
Protect the Public by Enforcing Laws Administered by the Agency.
B.1.1. Strategy: CONDUCT INSPECTIONS
Enforce Laws by Conducting Routine, Complex, and Special Inspections.
$6,011,441 $5,921,947

B.1.2. Strategy: BUILDING PLAN REVIEWS
Perform Building Plan Reviews.
$1,108,897 $1,108,897

B.1.3. Strategy: RESOLVE COMPLAINTS
Enforce Compliance by Settlement, Prosecution, Penalty and Sanction.
$2,863,230 $2,863,230

B.1.4. Strategy: INVESTIGATION
Investigate Complaints.
$2,638,054 $2,638,054

Total, Goal B: ENFORCEMENT 12,621,622 12,532,128

C. Goal: INDIRECT ADMINISTRATION
C.1.1. Strategy: CENTRAL ADMINISTRATION
$2,628,829 $2,628,829

C.1.2. Strategy: INFORMATION RESOURCES
$1,782,675 $1,781,893

C.1.3. Strategy: OTHER SUPPORT SERVICES
$426,031 $426,031

Total, Goal C: INDIRECT ADMINISTRATION 4,837,535 4,773,753

Grand Total, DEPARTMENT OF LICENSING AND REGULATION 22,983,883 22,830,607

Object-of-Expense Informational Listing:
Salaries and Wages 17,166,863 17,166,863
Other Personnel Costs 346,657 346,657
Professional Fees and Services 423,093 359,311

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DEPARTMENT OF LICENSING AND REGULATION  
(Continued)

Fuels and Lubricants 5,000  5,000
Consumable Supplies 132,825  132,825
Utilities 100,000  100,000
Travel 989,000  989,000
Rent - Building 698,561  698,561
Rent - Machine and Other 41,080  41,080
Other Operating Expense 3,021,604  2,991,310
Capital Expenditures 59,200  0

Total, Object-of-Expense Informational Listing $ 22,983,883 $ 22,830,607

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $ 891,844 $ 905,221
Group Insurance 2,185,801  2,362,631
Social Security 1,152,785  1,170,077
Benefits Replacement 78,612  74,681

Subtotal, Employee Benefits $ 4,309,042 $ 4,512,610

Debt Service
Lease Payments $ 88,458 $ 60,532

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $ 4,397,500 $ 4,573,142

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Department of Licensing and Regulation. 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 Licensing and Regulation. In order to achieve the objectives and service standards established by this Act, the Department of Licensing and Regulation shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: LICENSING
Outcome (Results/Impact):
Percent of Licensees with No Recent Violations 98%  98%
Percent of Licensees Who Renew Online 78%  79%
Percent of New Individual Licenses Issued Online 64%  65%
A.1.1. Strategy: LICENSE, REGISTER AND CERTIFY
Output (Volume):
Number of New Licenses Issued to Individuals 97,156  99,826
Number of Licenses Renewed (Individuals) 176,492  181,022
Explanatory:
Total Number of Individuals Licensed 420,000  425,000

A.1.2. Strategy: LICENSE BUSINESSES AND FACILITIES
Explanatory:
Total Number of Business Facilities Licensed 253,705  263,795

B. Goal: ENFORCEMENT
Outcome (Results/Impact):
Percent of Documented Complaints Resolved within Six Months 70%  71%
Percent of Architectural Barrier Building Plan Reviews Completed within Thirty Days 98%  98%
Inspection Coverage Rate 98%  98%
Percentage of Boilers Inspected for Certification within Appropriate Timelines 71%  73%
B.1.1. Strategy: CONDUCT INSPECTIONS
Output (Volume):
Total Number of Architectural Barrier Inspections Completed by Agency and Third Party Inspectors 20,920  20,670
Efficiencies:
Average Number of Months to Complete Architectural Barrier Inspections by Agency Staff 3  3
Explanatory:
Total Number of Inspections Completed 141,925  142,890

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### B.1.3. Strategy: RESOLVE COMPLAINTS

**Output (Volume):**

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Complaints Resolved</td>
<td>9,610</td>
<td>9,772</td>
</tr>
</tbody>
</table>

**Efficiencies:**

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Time for Consumer Complaint Resolution (Days)</td>
<td>143</td>
<td>140</td>
</tr>
</tbody>
</table>

### B.1.4. Strategy: INVESTIGATION

**Explanatory:**

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Jurisdictional Complaints Received</td>
<td>10,678</td>
<td>10,828</td>
</tr>
</tbody>
</table>

2. **Capital Budget.** None of the funds appropriated may be expended for capital budget items except as listed below. If a finding of fact is not issued by the Comptroller of Public Accounts to make the contingent appropriation specified in Rider 14, Contingent Revenue, the capital budget expenditure and transfer authority provided to the Department of Licensing and Regulation by Article IX, Section 14.03, Limitation on Expenditures - Capital Budget, of this act, only applies to $236,602 in fiscal year 2010 and $236,602 in 2011 for capital projects included in items (1) and (2) under Acquisition of Information Resource Technologies. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Acquisition of Information Resource Technologies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Acquisition of Information Resource Technologies - Scheduled Replacement</td>
<td>$74,270</td>
<td>$74,270</td>
</tr>
<tr>
<td>(2) Data Center Consolidation</td>
<td>$330,635</td>
<td>$266,853</td>
</tr>
<tr>
<td>Total, Acquisition of Information Resource Technologies</td>
<td>$404,905</td>
<td>$341,123</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>b. Transportation Items</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Rider 14 Contingency - Scheduled Replacement of 2 Vehicles</td>
<td>$59,200</td>
<td>$0</td>
</tr>
<tr>
<td>Total, Capital Budget</td>
<td>$464,105</td>
<td>$341,123</td>
</tr>
</tbody>
</table>

**Method of Financing (Capital Budget):**

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$464,105</td>
<td>$341,123</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$464,105</td>
<td>$341,123</td>
</tr>
</tbody>
</table>

3. **Appropriation: Travel Expenses and Fee Reimbursements.** Funds appropriated above include reimbursements for travel expenses and special inspection fees collected pursuant to Health and Safety Code § 755.030, Boilers Fees. Contingent upon certification by the Department of Licensing and Regulation and verification by the Comptroller, all fees collected in excess of $182,400 each year of the biennium (estimated to be $0) are hereby appropriated to the Texas Department of Licensing and Regulation for the same purpose.

4. **Auctioneer Education and Recovery.** Funds appropriated above in Strategy B.1.3, Resolve Complaints, include all revenue deposited to the Auctioneer Education and Recovery Fund for the purpose and in the amounts specified in Subchapter D § 1802.151, Occupations Code, not to exceed $25,000 in each fiscal year from the interest on the fund.

5. **Elimination of Architectural Barriers.** Out of the General Revenue appropriated above, $4,624,050 for each year of the biennium, is appropriated from fees collected pursuant to Government Code, Chapter 469, Subchapter B, for the purposes of administering and enforcing the Architectural Barrier Act. Any fees collected above those annual amounts (estimated to be $0) are hereby appropriated to the Department of Licensing and Regulation for the same purpose.

6. **Elevators, Escalators, and Related Equipment.** Out of the General Revenue appropriated above, $1,260,080 for each year of the biennium, is appropriated from fees collected pursuant to Health and Safety Code, Chapter 754, Subchapter B, for the purposes of administering and

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enforcing laws relating to elevators, escalators and related equipment, as set out in Chapter 754, Health and Safety Code. Any fees collected above those annual amounts (estimated to be $0) are hereby appropriated to the Department of Licensing and Regulation for the same purpose.

7. **Reciprocity Agreements.** It is the intent of the Legislature that the Department of Licensing and Regulation use funds appropriated by this act to initiate and enter into reciprocity agreements with other states for the purpose of performing industrialized housing inspections in order to minimize the need for the agency sending state employees out of state to perform such inspections. The department may use funds appropriated by this act to enter into contracts with out-of-state inspectors to conduct such inspections.

8. **Elimination of Architectural Barriers: Reduce Duplicate Inspections.** None of the funds appropriated by this Act shall be expended for the purpose of conducting inspections and plan reviews within the corporate boundaries of a municipality which has applied with the department to perform review and inspection functions pursuant to the Elimination of Architectural Barriers Act, Government Code, Chapter 469, Subchapter C.

9. **Architectural Barrier Standards: Exemption.** None of the funds appropriated by this Act shall be expended for the purpose of enforcing the accessibility standards under the Elimination of Architectural Barriers program, Government Code, Chapter 469, with respect to a structure or facility used primarily for religious rituals within a building or facility of a religious organization and which is exempt from the application of Government Code, Chapter 469, Subchapter A, pursuant to § 469.003 of that article.

10. **Appropriation: Barber School Tuition Protection Account.** Out of the amounts appropriated above to the Texas Department of Licensing and Regulation in Strategy A.1.4, Continuing Education/Customer Service, the amounts of $5,000 in fiscal year 2010 and $5,000 in fiscal year 2011 are appropriated from the GR-Dedicated Barber School Tuition Protection Account No. 5081, for the purpose of paying expenses and refunds authorized by the department under the provisions of Occupations Code §§1601.3571. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase additional fees, shall furnish copies of the Department of Licensing and Regulation's minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts.

11. **Appropriation: Private Beauty Culture School Tuition Protection Account.** Out of the amounts appropriated above to the Texas Department of Licensing and Regulation in Strategy A.1.4, Continuing Education/Customer Service, the amounts of $20,000 in fiscal year 2010 and $20,000 in fiscal year 2011 from the GR-Dedicated Private Beauty Culture School Tuition Protection Account No. 108, for the purpose of paying expenses and refunds authorized by the department under the provisions of Occupations Code §§1602.464. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase additional fees, shall furnish copies of the Department of Licensing and Regulation's minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts.

12. **Reimbursement of Advisory Committee Members for Travel Expenses.** Pursuant to VTCA, Government Code §2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above, is limited to the following advisory committees: Air Conditioning and Refrigeration Contractors Advisory Board, Architectural Barriers Advisory Committee, Advisory Board on Barbering, Board of Boiler Rules, Advisory Board on Cosmetology, Electrical Safety and Licensing Advisory Board, Elevator Advisory Board, Texas Industrial Building Code Council, Licensed Court Interpreters Advisory Board, Medical Advisory Committee, Property Tax Consultants Advisory Council, Towing and Storage Advisory Board, Water Well Drillers Advisory Council, and Weather Modification Advisory Committee.

13. **Unexpended Balance Authority.** The unobligated and unexpended balances of appropriations to the Department of Licensing and Regulation for the fiscal year ending August 31, 2010, are hereby appropriated to the Department of Licensing and Regulation for the same purposes for the fiscal year ending August 31, 2011.

14. **Contingent Revenue.** Out of the amounts appropriated above to the Department of Licensing and Regulation, in Strategy B.1.1, Conduct Inspections, the amounts of $575,186 in fiscal year 2010 and $485,692 in fiscal year 2011, in Strategy B.1.2, Building Plan Reviews, the amounts of $34,910 in fiscal year 2010 and $34,910 in fiscal year 2011, in Strategy B.1.3, Resolve Complaints, the amounts of $69,234 in fiscal year 2010 and $69,234 in fiscal year 2011, in
DEPARTMENT OF LICENSING AND REGULATION
(Continued)

Strategy B.1.4, Investigation, the amounts of $85,149 in fiscal year 2010 and $85,149 in fiscal year 2011, and in Strategy C.1.2, Information Resources, the amounts of $168,303 in fiscal year 2010 and $104,521 in fiscal year 2011 in General Revenue are contingent upon the Department of Licensing and Regulation assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $1,855,321 in excess of $62,551,340 (Object Codes 3035, 3146, 3147, 3160, 3161, 3164, 3175, 3366, 3727), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the “Number of Full-Time-Equivalents (FTE)” figure indicated above includes 6.0 FTEs in each fiscal year contingent upon the Department of Licensing and Regulation generating the amount of revenue indicated above. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Licensing and Regulation's minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

TEXAS MEDICAL BOARD

<table>
<thead>
<tr>
<th>Method of Financing:</th>
<th>For the Years Ending</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>August 31, 2010</td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$9,180,006</td>
</tr>
<tr>
<td>Public Assurance Account No. 5105</td>
<td>2,228,281</td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>64,423</td>
</tr>
<tr>
<td><strong>Total, Method of Financing</strong></td>
<td><strong>$11,472,710</strong></td>
</tr>
<tr>
<td>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</td>
<td>$2,259,663</td>
</tr>
</tbody>
</table>

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE): 156.5

Schedule of Exempt Positions:
- Executive Director, Group 4 $121,000 $121,000
- Salary Supplement $12,000 $12,000

Items of Appropriation:

A. Goal: LICENSURE
Protect the Public through Licensure of Qualified Practitioners.

A.1.1. Strategy: LICENSING
Conduct a Timely, Efficient, Cost-effective Licensure Process.

A.1.2. Strategy: TEXASONLINE
TexasOnline. Estimated and Nontransferable.

Total, Goal A: LICENSURE $2,116,737 $2,050,001

B. Goal: ENFORCE ACTS
Protect the Public with Investigations, Discipline and Education.

B.1. Strategy: ENFORCEMENT
Conduct Competent, Fair, Timely Investigations and Monitor Results.

B.2.1. Strategy: PUBLIC EDUCATION
Provide Programs to Educate the Public and Licensees.

Total, Goal B: ENFORCE ACTS $7,995,450 $7,704,809
C. Goal: INDIRECT ADMINISTRATION
C.1.1. Strategy: INDIRECT ADMIN
Indirect Administration - Licensing.

\[
\begin{array}{ll}
\text{Total, Goal C: INDIRECT ADMINISTRATION} & \$ 1,360,523 \\
\text{Grand Total, TEXAS MEDICAL BOARD} & \$ 11,472,710
\end{array}
\]

Object-of-Expense Informational Listing:

Salaries and Wages $ 6,955,082 $ 6,955,082
Other Personnel Costs 231,700 244,920
Professional Fees and Services 2,224,406 2,224,406
Fuels and Lubricants 5,000 5,000
Consumable Supplies 82,500 82,500
Utilities 83,825 83,825
Travel 307,600 307,600
Rent - Building 22,000 22,000
Rent - Machine and Other 14,575 14,575
Other Operating Expense 1,241,656 1,129,880
Capital Expenditures 304,366 0

Total, Object-of-Expense Informational Listing $ 11,472,710 $ 11,069,788

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $ 343,419 $ 348,570
Group Insurance 940,594 1,018,312
Social Security 448,266 454,990
Benefits Replacement 30,175 28,666

Subtotal, Employee Benefits $ 1,762,454 $ 1,850,538

Debt Service
Lease Payments $ 81,148 $ 51,285

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $ 1,843,602 $ 1,901,823

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Texas Medical Board. 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 Texas Medical Board. In order to achieve the objectives and service standards established by this Act, the Texas Medical Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

<table>
<thead>
<tr>
<th>A. Goal: LICENSURE</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of Licensees Who Renew Online (Physicians)</td>
<td>93%</td>
<td>93%</td>
</tr>
<tr>
<td>Percent of Licensees Who Renew Online (Physician Assistant)</td>
<td>85%</td>
<td>85%</td>
</tr>
</tbody>
</table>

A.1.1. Strategy: LICENSING
Output (Volume):
Number of New Licenses Issued to Individuals (Physicians) 6,261 6,261
Number of New Licenses Issued to Individuals (Acupuncture) 72 72
Number of New Licenses Issued to Individuals (Physician Assistant) 500 500
Number of New Licenses Issued to Individuals (Surgical Assistant) 10 10
Number of Licenses Renewed (Individuals) (Physicians) 31,720 32,338
Number of Licenses Renewed (Individuals) (Acupuncture) 900 900
Number of Licenses Renewed (Individuals) (Physician Assistant) 5,428 5,892
Number of Licenses Renewed (Individuals) (Surgical Assistant) 139 143
Efficiencies:
Average Number of Days for Individual License Issuance - Physicians 51 51

B. Goal: ENFORCE ACTS

Outcome (Results/Impact):
Percent of Complaints Resulting in Disciplinary Action
(Physician) 18% 18%
(Physician) 18% 18%
(Physician Assistant) 18% 18%
(Surgical Assistant) 18% 18%

B.1.1. Strategy: ENFORCEMENT

Output (Volume):
Number of Complaints Resolved (Physicians) 2,400 2,550
Number of Complaints Resolved (Acupuncture) 6 6
Number of Complaints Resolved (Physician Assistant) 75 105
Number of Complaints Resolved (Surgical Assistant) 3 3

Efficiencies:
Average Time for Complaint Resolution (Physician)
(Days) 260 240

Explanatory:
Number of Jurisdictional Complaints Received
(Physicians) 2,500 2,500
(Physician Assistant) 100 100
(Surgical Assistant) 3 3

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquisition of Information Resource Technologies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Replacement of Desktops and Laptops</td>
<td>$30,000</td>
<td>$30,000</td>
</tr>
<tr>
<td>(2) Replace Network Hardware</td>
<td>$120,500</td>
<td>0</td>
</tr>
<tr>
<td>(3) Replace Software</td>
<td>$52,500</td>
<td>0</td>
</tr>
<tr>
<td>Total, Acquisition of Information Resource Technologies</td>
<td>$203,000</td>
<td>$30,000</td>
</tr>
<tr>
<td>Total, Capital Budget</td>
<td>$203,000</td>
<td>$30,000</td>
</tr>
</tbody>
</table>

Method of Financing (Capital Budget):
General Revenue Fund $203,000 $30,000
Total, Method of Financing $203,000 $30,000

3. Salary Supplementation. In addition to the amount specified in the schedule of exempt positions for the salary of the executive director, the Texas Medical Board may approve a salary supplement not to exceed $12,000 annually if the executive director is a medical doctor and an attorney.

4. Rural Physician Assistant Loan Reimbursement. Out of the amounts appropriated above to the Texas Medical Board in Strategy B.2.1, Public Education, and in accordance with § 204.104, Occupations Code, the Physician Assistant Board shall authorize and the Texas Medical Board shall transfer annually to the Office of Rural Community Affairs $112,000 in General Revenue each year for the Rural Physician Assistant Loan Reimbursement program.
5. **Quarterly Financial Reports.** The Texas Medical Board shall submit the following information to the Legislative Budget Board, the Office of the Governor and the State Auditor's Office on a quarterly basis:

   (1) Information on appropriated, budgeted, expended, and projected funds and full-time-equivalents, by strategy and method of finance.

   (2) Information on appropriated, budgeted, expended, and projected revenues, including program income, interest earnings, fee revenues, and appropriated receipts.

   (3) Narrative explanations of significant budget adjustments, ongoing budget issues, and other items as appropriate.

   (4) Any other information requested by the Legislative Budget Board, the Office of the Governor or the State Auditor's Office.

The quarterly financial reports shall be prepared in a format specified by the Legislative Budget Board. It is further the intent of the Legislature that the Texas Medical Board comply with requirements related to the planning and submission of the Information Technology Detail to the Legislative Budget Board.

6. **Licensing Physicians.** Out of the amounts appropriated above in Strategy A.1.1, Licensing, the amounts of $267,000 in fiscal year 2010 and $198,000 in fiscal year 2011, and 6.0 Full-Time-Equivalents (FTE) in each fiscal year are contingent upon the Texas Medical Board prioritizing the licensing of physicians who treat Medicare and Medicaid patients. The Texas Medical Board shall submit a report to the Legislative Budget Board, the Comptroller of Public Accounts, the House Appropriations Committee and the Senate Finance Committee no later than December 1st of each year verifying the implementation of the requirements listed above.

7. **Contingent Revenue.** Out of the amounts appropriated above to the Texas Medical Board in Strategy A.1.1, Licensing, the amounts of $105,945 in fiscal year 2010 and $80,375 in fiscal year 2011, in Strategy B.1.1, Enforcement, the amounts of $1,878,672 in fiscal year 2010 and $1,686,085 in fiscal year 2011, and 14.0 Full-Time-Equivalents (FTE) figure indicated above includes 14.0 FTEs in each fiscal year contingent upon the Texas Medical Board generating the amount of revenue indicated above. The Texas Medical Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas Medical Board's minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

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**Texas Board of Nursing**

<table>
<thead>
<tr>
<th>Method of Financing:</th>
<th>For the Years Ending</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>August 31, 2010</td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$ 7,550,283</td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>823,100</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$ 8,373,383</td>
</tr>
<tr>
<td>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</td>
<td>$ 1,356,732</td>
</tr>
</tbody>
</table>

For the Years Ending August 31, 2010 and August 31, 2011.
This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE):
96.7  96.7

Schedule of Exempt Positions:
Executive Director, Group 3 $92,600  $92,600

Items of Appropriation:
A. Goal: LICENSING
Accredit, Examine, and License Nurse Education and Practice.
A.1.1. Strategy: LICENSING $ 2,444,605 $ 2,430,105
Operate Efficient System of Nursing Credential Verification.
A.1.2. Strategy: TEXASONLINE $ 325,000 $ 325,000
TexasOnline. Estimated and Nontransferable.
A.2.1. Strategy: ACCREDITATION $ 524,386 $ 524,386
Accredit Programs That Include Essential Competencies Curricula.

Total, Goal A: LICENSING $ 3,293,991 $ 3,279,491

B. Goal: PROTECT PUBLIC
Protect Public and Enforce Nursing Practice Act.
Administer System of Enforcement and Adjudication.
B.1.2. Strategy: PEER ASSISTANCE $ 700,000 $ 700,000
Identify, Refer and Assist Those Nurses Whose Practice Is Impaired.

Total, Goal B: PROTECT PUBLIC $ 4,172,727 $ 4,142,477

C. Goal: INDIRECT ADMINISTRATION
Indirect Administration for Licensing Programs.
C.1.2. Strategy: INDIRECT ADMIN - ENFORCEMENT $ 356,605 $ 356,605
Indirect Administration for Enforcement and Adjudication Programs.

Total, Goal C: INDIRECT ADMINISTRATION $ 906,665 $ 906,665

Grand Total, TEXAS BOARD OF NURSING $ 8,373,383 $ 8,328,633

Object-of-Expense Informational Listing:
Salaries and Wages $ 4,336,602 $ 4,336,602
Other Personnel Costs 104,700 106,300
Professional Fees and Services 44,000 44,000
Consumable Supplies 65,825 65,800
Utilities 4,275 4,375
Travel 78,000 78,000
Rent - Building 7,000 7,000
Rent - Machine and Other 16,100 16,100
Other Operating Expense 3,686,881 3,640,456
Capital Expenditures 30,000 30,000

Total, Object-of-Expense Informational Listing $ 8,373,383 $ 8,328,633

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $ 229,861 $ 233,309
Group Insurance 468,544 504,894
Social Security 278,728 282,909
Benefits Replacement 14,849 14,107

Subtotal, Employee Benefits $ 991,982 $ 1,035,219

A507-Conf-8-A VIII-46 May 22, 2009
Debt Service
Lease Payments $ 67,659 $ 42,792

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $ 1,059,641 $ 1,078,011

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Texas Board of Nursing. 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 Texas Board of Nursing. In order to achieve the objectives and service standards established by this Act, the Texas Board of Nursing shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

   A. Goal: LICENSING
   Outcome (Results/Impact):
   Percentage of Licensees with No Recent Violations (RN) 98.5% 98.5%
   Percent of Licensees Who Renew Online (RN) 92% 92%
   Percent of New Individual Licenses Issued Online (RN) 60% 60%
   Percentage of Licensees with No Recent Violations (LVN) 97.5% 97.5%
   Percent of Licensees Who Renew Online (LVN) 82% 82%
   Percent of New Individual Licenses Issued Online (LVN) 40% 40%

   A.1.1. Strategy: LICENSING
   Output (Volume):
   Number of New Licenses Issued to Individuals (RN) 12,500 12,500
   Number of Individual Licenses Renewed (RN) 96,000 97,000
   Number of New Licenses Issued to Individuals (LVN) 6,000 6,000
   Number of Individual Licenses Renewed (LVN) 38,500 38,500

   B. Goal: PROTECT PUBLIC
   Outcome (Results/Impact):
   Percent of Complaints Resulting in Disciplinary Action (RN) 24% 24%
   Percent of Complaints Resulting in Disciplinary Action (LVN) 28% 28%

   B.1.1. Strategy: ADJUDICATE VIOLATIONS
   Output (Volume):
   Number of Complaints Resolved (RN) 5,000 5,000
   Number of Complaints Resolved (LVN) 4,000 4,000

   Explanatory:
   Average Time for Complaint Resolution (Days) (RN) 223 223
   Number of Jurisdictional Complaints Received (RN) 5,300 5,300
   Number of Jurisdictional Complaints Received (LVN) 3,300 3,300

   B.1.2. Strategy: PEER ASSISTANCE
   Output (Volume):
   Number of Licensed Individuals Participating in a Peer Assistance Program (RN) 600 600
   Number of Licensed Individuals Participating in a Peer Assistance Program (LVN) 250 250

   2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.
a. Acquisition of Information Resource Technologies

(1) Purchase of Information Resource Technologies - Scheduled Replacement

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>30,000</td>
<td>30,000</td>
</tr>
</tbody>
</table>

Total, Capital Budget

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>30,000</td>
<td>30,000</td>
</tr>
</tbody>
</table>

Method of Financing (Capital Budget):

<table>
<thead>
<tr>
<th>Method of Financing</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>30,000</td>
<td>30,000</td>
</tr>
</tbody>
</table>

Total, Method of Financing

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>30,000</td>
<td>30,000</td>
</tr>
</tbody>
</table>

3. Texas Center for Nursing Workforce Studies Funding. Out of amounts appropriated above in Strategy A.1.1, Licensing, the Board of Nursing shall establish an Interagency Contract with the Department of State Health Services to provide funding for the Texas Center for Nursing Workforce Studies of $365,000 each year.
### OPTOMETRY BOARD

For the Years Ending
August 31, 2010  August 31, 2011

<table>
<thead>
<tr>
<th>Method of Financing:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$ 483,778</td>
<td>$ 440,381</td>
</tr>
<tr>
<td><strong>Other Funds</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>13,574</td>
<td>13,575</td>
</tr>
<tr>
<td>Interagency Contracts</td>
<td>36,006</td>
<td>36,006</td>
</tr>
<tr>
<td><strong>Subtotal, Other Funds</strong></td>
<td>$ 49,580</td>
<td>$ 49,581</td>
</tr>
<tr>
<td><strong>Total, Method of Financing</strong></td>
<td>$ 533,358</td>
<td>$ 489,962</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 111,912</td>
<td>$ 112,337</td>
</tr>
</tbody>
</table>

This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.

<table>
<thead>
<tr>
<th>Number of Full-Time-Equivalents (FTE):</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>7.0</td>
<td>7.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Schedule of Exempt Positions:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Director, Group 1</td>
<td>$70,000</td>
<td>$70,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Items of Appropriation:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Goal: LICENSURE AND ENFORCEMENT</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manage Quality Program of Examination and Licensure, Enforce Statutes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A.1. Strategy:</strong> LICENSURE AND ENFORCEMENT</td>
<td>$ 376,614</td>
<td>$ 333,217</td>
</tr>
<tr>
<td>Operate an Efficient &amp; Comprehensive Licensure &amp; Enforcement System.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A.1.2. Strategy:</strong> TEXASONLINE</td>
<td>$ 16,750</td>
<td>$ 16,750</td>
</tr>
<tr>
<td>TexasOnline. Estimated and Nontransferable.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A.1.3. Strategy:</strong> INDIRECT ADMINISTRATION</td>
<td>$ 103,994</td>
<td>$ 103,995</td>
</tr>
<tr>
<td><strong>A.1.4. Strategy:</strong> PEER ASSISTANCE</td>
<td>$ 36,000</td>
<td>$ 36,000</td>
</tr>
<tr>
<td>Provide a Peer Assistance Program for Licensed Individuals.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, Goal A:</strong> LICENSURE AND ENFORCEMENT</td>
<td>$ 533,358</td>
<td>$ 489,962</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Grand Total, OPTOMETRY BOARD</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 533,358</td>
<td>$ 489,962</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Object-of-Expense Informational Listing:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and Wages</td>
<td>$ 290,129</td>
<td>$ 290,129</td>
</tr>
<tr>
<td>Other Personnel Costs</td>
<td>10,300</td>
<td>10,300</td>
</tr>
<tr>
<td>Professional Fees and Services</td>
<td>80,600</td>
<td>80,600</td>
</tr>
<tr>
<td>Consumable Supplies</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Utilities</td>
<td>625</td>
<td>625</td>
</tr>
<tr>
<td>Travel</td>
<td>24,152</td>
<td>24,152</td>
</tr>
<tr>
<td>Rent - Building</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Rent - Machine and Other</td>
<td>1,750</td>
<td>1,750</td>
</tr>
<tr>
<td>Other Operating Expense</td>
<td>123,752</td>
<td>80,356</td>
</tr>
<tr>
<td><strong>Total, Object-of-Expense Informational Listing</strong></td>
<td>$ 533,358</td>
<td>$ 489,962</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Benefits</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retirement</td>
<td>$ 15,119</td>
<td>$ 15,345</td>
</tr>
<tr>
<td>Group Insurance</td>
<td>44,633</td>
<td>48,364</td>
</tr>
<tr>
<td>Social Security</td>
<td>21,591</td>
<td>21,915</td>
</tr>
<tr>
<td>Benefits Replacement</td>
<td>1,798</td>
<td>1,708</td>
</tr>
<tr>
<td><strong>Subtotal, Employee Benefits</strong></td>
<td>$ 83,141</td>
<td>$ 87,332</td>
</tr>
</tbody>
</table>
1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Optometry Board. 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 Optometry Board. In order to achieve the objectives and service standards established by this Act, the Optometry Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Goal: LICENSURE AND ENFORCEMENT</td>
<td></td>
</tr>
<tr>
<td>Outcome (Results/Impact):</td>
<td></td>
</tr>
<tr>
<td>Percent of Licensees with No Recent Violations</td>
<td>98%</td>
</tr>
<tr>
<td>Percent of Licensees Who Renew Online</td>
<td>85%</td>
</tr>
<tr>
<td>A.1.1. Strategy: LICENSURE AND ENFORCEMENT</td>
<td></td>
</tr>
<tr>
<td>Output (Volume):</td>
<td></td>
</tr>
<tr>
<td>Number of New Licenses Issued to Individuals</td>
<td>165</td>
</tr>
<tr>
<td>Number of Licenses Renewed (Individuals)</td>
<td>3,686</td>
</tr>
<tr>
<td>Number of Complaints Resolved</td>
<td>145</td>
</tr>
<tr>
<td>Number of Investigations Conducted</td>
<td>63</td>
</tr>
<tr>
<td>Efficiencies:</td>
<td></td>
</tr>
<tr>
<td>Average Time for Complaint Resolution (Days)</td>
<td>70</td>
</tr>
</tbody>
</table>

2. **Investigative Expenses Authorized.** The Texas Optometry Board is authorized to hire investigators as independent contractors and to establish a petty cash account not to exceed $5,000 for the advancement of monies for purposes of purchases of evidence and investigative expenses, including travel, deemed necessary by the Board.

3. **Contingent Revenue.** Out of the amounts appropriated above to the Optometry Board in Strategy A.1.1, Licensure and Enforcement, the amounts of $52,668 in fiscal year 2010 and $9,270 in fiscal year 2011, and in Strategy A.1.3, Indirect Administration, the amounts of $1,047 in fiscal year 2010 and $1,047 in fiscal year 2011, and in Strategy A.1.4, Peer Assistance, the amounts of $36,000 in fiscal year 2010 and $36,000 in fiscal year 2011 in General Revenue are contingent upon the Optometry Board assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $137,963 in excess of $1,310,000 (Object Codes 3562 and 3570), contained in the Comptroller of Public Accounts’ Biennial Revenue Estimate for fiscal years 2010 and 2011. The Optometry Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Optometry Board’s minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

---

**BOARD OF PHARMACY**

For the Years Ending
August 31, 2010  August 31, 2011

<table>
<thead>
<tr>
<th>Method of Financing:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$ 6,042,181</td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>7,730</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$ 6,049,911</td>
</tr>
</tbody>
</table>

| Other Direct and Indirect Costs Appropriated Elsewhere in this Act | $ 1,099,285 | $ 1,129,602 |

This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.
Number of Full-Time-Equivalents (FTE):

<table>
<thead>
<tr>
<th></th>
<th>71.0</th>
<th>71.0</th>
</tr>
</thead>
</table>

Schedule of Exempt Positions:

Executive Director, Group 4  $106,500  $106,500

Items of Appropriation:

**A. Goal: MAINTAIN STANDARDS**
Establish and Maintain Standards for Pharmacy Education and Practice.

- **A.1.1. Strategy:** LICENSING
  - Operate an Application and Renewal Licensure System.
  - $1,527,685  $663,154

- **A.1.2. Strategy:** TEXASONLINE
  - TexasOnline. Estimated and Nontransferable.
  - $217,345  $221,785

Total, Goal A: MAINTAIN STANDARDS  $1,745,030  $884,939

**B. Goal: ENFORCE REGULATIONS**
Protect Public Health by Enforcing All Laws Relating to Practice.

- **B.1.1. Strategy:** ENFORCEMENT
  - Operate System of Inspection Assistance Education.
  - $3,420,541  $3,342,515

- **B.1.2. Strategy:** PEER ASSISTANCE
  - Provide a Peer Assistance Program for Licensed Individuals.
  - $189,044  $189,044

Total, Goal B: ENFORCE REGULATIONS  $3,609,585  $3,531,559

**C. Goal: INDIRECT ADMINISTRATION**

- **C.1.1. Strategy:** LICENSING - INDIRECT ADMINISTRATION
  - $102,532  $101,947

- **C.1.2. Strategy:** ENFORCEMENT-INDIRECT ADMINISTRATION
  - $592,764  $578,394

Total, Goal C: INDIRECT ADMINISTRATION  $695,296  $680,341

Grand Total, BOARD OF PHARMACY  $6,049,911  $5,096,839

**Object-of-Expense Informational Listing:**

<table>
<thead>
<tr>
<th>Category</th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and Wages</td>
<td>3,603,788</td>
<td>3,677,997</td>
</tr>
<tr>
<td>Other Personnel Costs</td>
<td>85,170</td>
<td>89,840</td>
</tr>
<tr>
<td>Professional Fees and Services</td>
<td>386,895</td>
<td>370,556</td>
</tr>
<tr>
<td>Fuels and Lubricants</td>
<td>57,609</td>
<td>57,609</td>
</tr>
<tr>
<td>Consumable Supplies</td>
<td>35,402</td>
<td>35,402</td>
</tr>
<tr>
<td>Utilities</td>
<td>6,781</td>
<td>6,781</td>
</tr>
<tr>
<td>Travel</td>
<td>200,370</td>
<td>200,370</td>
</tr>
<tr>
<td>Rent - Building</td>
<td>2,808</td>
<td>2,808</td>
</tr>
<tr>
<td>Rent - Machine and Other</td>
<td>10,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Other Operating Expense</td>
<td>1,457,647</td>
<td>557,376</td>
</tr>
<tr>
<td>Capital Expenditures</td>
<td>203,441</td>
<td>88,100</td>
</tr>
</tbody>
</table>

Total, Object-of-Expense Informational Listing  $6,049,911  $5,096,839

**Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:**

<table>
<thead>
<tr>
<th>Category</th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Benefits</td>
<td>161,668</td>
<td>164,093</td>
</tr>
<tr>
<td>Retirement</td>
<td>422,370</td>
<td>456,588</td>
</tr>
<tr>
<td>Group Insurance</td>
<td>218,587</td>
<td>221,866</td>
</tr>
<tr>
<td>Social Security</td>
<td>15,699</td>
<td>14,914</td>
</tr>
</tbody>
</table>

Subtotal, Employee Benefits  $818,324  $857,441

<table>
<thead>
<tr>
<th>Category</th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debt Service</td>
<td>38,579</td>
<td>24,383</td>
</tr>
</tbody>
</table>

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act  $856,903  $881,824

A515-Conf-8-B  VIII-51  May 22, 2009
1. Performance Measure Targets. The following is a listing of the key performance target levels for the Board of Pharmacy. 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 Board of Pharmacy. In order to achieve the objectives and service standards established by this Act, the Board of Pharmacy shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: MAINTAIN STANDARDS
Outcome (Results/Impact):
Percent of Licensees with No Recent Violations 95% 95%
Percent of Licensees Who Renew Online 84% 84%
A.1.1. Strategy: LICENSING
Output (Volume):
Number of New Licenses Issued to Individuals 1,140 1,210
Number of Licenses Renewed (Individuals) 12,759 13,451
Explanatory:
Total Number of Business Facilities Licensed 6,615 6,721

B. Goal: ENFORCE REGULATIONS
Outcome (Results/Impact):
Percent of Complaints Resulting in Disciplinary Action 15% 15%
B.1.1. Strategy: ENFORCEMENT
Output (Volume):
Number of Complaints Resolved 4,980 4,980
Efficiencies:
Average Time for Complaint Resolution (Days) 180 180
Explanatory:
Number of Jurisdictional Complaints Received 5,000 5,000
B.1.2. Strategy: PEER ASSISTANCE
Output (Volume):
Number of Individuals Participating in a Peer Assistance Program 160 160

2. Capital Budget Items. None of the funds appropriated may be expended for capital budget items except as listed below. If a finding of fact is not issued by the Comptroller of Public Accounts to make the contingent appropriation specified in Rider 4, Contingent Revenue, the capital budget expenditure and transfer authority provided to the Board of Pharmacy by Article IX, Section 14.03, Limitation on Expenditures - Capital Budget, of this act, only applies to $35,100 in fiscal year 2010 and $55,100 in 2011 for the scheduled replacement of computer hardware, and $16,500 in 2010 and $33,000 in 2011 for transportation vehicles replacement. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

<table>
<thead>
<tr>
<th>Item</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Repair or Rehabilitation of Buildings and Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Rider 4 Contingency - Office Space Remodeling</td>
<td>$101,500</td>
<td>$0</td>
</tr>
<tr>
<td>Total, Repair or Rehabilitation of Buildings and Facilities</td>
<td>$101,500</td>
<td>$0</td>
</tr>
<tr>
<td>b. Acquisition of Information Resource Technologies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Replacement of Computer Hardware</td>
<td>35,100</td>
<td>55,100</td>
</tr>
<tr>
<td>(2) Rider 4 Contingency - Purchase of New Computers</td>
<td>17,341</td>
<td>0</td>
</tr>
<tr>
<td>Total, Acquisition of Information Resource Technologies</td>
<td>$52,441</td>
<td>$55,100</td>
</tr>
</tbody>
</table>
c. Transportation Items
(1) Transportation Vehicles Replacement  16,500  33,000
(2) Rider 4 Contingency - Purchase of New Agency Vehicles  33,000  0
Total, Transportation Items  $49,500  $33,000

Total, Capital Budget  $203,441  $88,100

Method of Financing (Capital Budget):
General Revenue Fund  $203,441  $88,100

Total, Method of Financing  $203,441  $88,100

3. Controlled Substance Forfeiture Program. In addition to amounts appropriated above, all forfeited money collected under federal or state forfeiture programs, proceeds from the sale of forfeited property or similar monetary awards related to the Board of Pharmacy's participation in the seizure of controlled substances or other contraband, are hereby appropriated to the Board of Pharmacy to be used for enforcement purposes. Any funds unexpended at the close of fiscal year 2010 are appropriated for fiscal year 2011.

4. Contingent Revenue. Out of the amounts appropriated above to the Board of Pharmacy in Strategy A.1.1, Licensing, the amounts of $1,004,444 in fiscal year 2010 and $140,353 in fiscal year 2011, in Strategy B.1.1, Enforcement, the amounts of $790,677 in fiscal year 2010 and $703,525 in fiscal year 2011, in Strategy B.1.2, Peer Assistance, the amounts of $14,906 in fiscal year 2010, in Strategy C.1.1, Licensing - Indirect Administration, the amounts of $1,721 in fiscal year 2010 and $3,486 in fiscal year 2011, and in Strategy C.1.2, Enforcement - Indirect Administration, the amounts of $9,752 in fiscal year 2010 and $19,753 in fiscal year 2011 in General Revenue are contingent upon the Board of Pharmacy assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $3,056,074 in excess of $12,081,060 (Object Codes 3570 and 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the “Number of Full-Time-Equivalents (FTE)” figure indicated above includes 9.0 FTEs in each fiscal year contingent upon the Board of Pharmacy generating the amount of revenue indicated above. The Board of Pharmacy, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Pharmacy's minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

EXECUTIVE COUNCIL OF PHYSICAL THERAPY & OCCUPATIONAL THERAPY EXAMINERS

For the Years Ending
August 31, 2010 August 31, 2011

Method of Financing:
General Revenue Fund  $1,060,722  $1,051,119
Appropriated Receipts  80,676  80,676

Total, Method of Financing  $1,141,398  $1,131,797

Other Direct and Indirect Costs Appropriated Elsewhere in this Act  $298,471  $300,606

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE): 18.0  18.0
Schedule of Exempt Positions:
Executive Director, Group 1 $70,000 $70,000

Items of Appropriation:
A. Goal: LICENSING AND REGISTRATION
License Physical and Occupational Therapists and Register Facilities.
A.1.1. Strategy: OPERATE LICENSING SYSTEM $649,964 $646,387
Issue and Renew Licenses and Register Facilities.
A.1.2. Strategy: TEXASONLINE $131,175 $131,175
TexasOnline. Estimated and Nontransferable.
Total, Goal A: LICENSING AND REGISTRATION $781,139 $777,562

B. Goal: ENFORCEMENT
Promote Compliance and Enforce PT and OT Practice Acts and Rules.
B.1.1. Strategy: ADMINISTER ENFORCEMENT $349,567 $344,024
Enforce the Physical Therapy and Occupational Therapy Practice Acts.

C. Goal: INDIRECT ADMINISTRATION
C.1.1. Strategy: LICENSING INDIRECT ADMINISTRATION $6,414 $6,126
C.1.2. Strategy: ENFORCEMENT INDIRECT ADMINISTRATION $4,278 $4,085
Total, Goal C: INDIRECT ADMINISTRATION $10,692 $10,211

Grand Total, EXECUTIVE COUNCIL OF PHYSICAL THERAPY & OCCUPATIONAL THERAPY EXAMINERS $1,141,398 $1,131,797

Object-of-Expense Informational Listing:
Salaries and Wages $801,996 $801,996
Other Personnel Costs 29,100 29,100
Professional Fees and Services 15,350 15,350
Consumable Supplies 15,000 15,000
Utilities 10,250 10,250
Travel 44,378 44,377
Rent - Building 400 400
Other Operating Expense 224,924 215,324
Total, Object-of-Expense Informational Listing $1,141,398 $1,131,797

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:
Employee Benefits
Retirement $51,405 $52,176
Group Insurance 114,767 123,114
Social Security 60,072 60,974
Benefits Replacement 5,560 5,282
Subtotal, Employee Benefits $231,804 $241,546

Debt Service
Lease Payments $16,721 $10,567

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $248,525 $252,113

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Executive Council of Physical Therapy & Occupational Therapy Examiners. 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 Executive Council of Physical Therapy & Occupational Therapy Examiners. In order to achieve the objectives and service
standards established by this Act, the Executive Council of Physical Therapy & Occupational Therapy Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: LICENSING AND REGISTRATION

Outcome (Results/Impact):
Percent of Licensees with No Recent Violations:
- Physical Therapy: 99% (2010), 99% (2011)
- Occupational Therapy: 100% (2010), 100% (2011)

Percent of Licensees Who Renew Online:
- Physical Therapy: 92% (2010), 92% (2011)
- Occupational Therapy: 80% (2010), 80% (2011)

A.1.1. Strategy: OPERATE LICENSING SYSTEM

Output (Volume):
- Number of New Licenses Issued to Individuals:
  - Physical Therapy: 950 (2010), 1,000 (2011)
  - Occupational Therapy: 590 (2010), 600 (2011)
- Number of Licenses Renewed (Individuals):
  - Physical Therapy: 6,600 (2010), 6,700 (2011)
  - Occupational Therapy: 4,200 (2010), 4,300 (2011)

Explanatory:
Total Number of Business Facilities Registered:
- 3,100 (2010), 3,100 (2011)

B. Goal: ENFORCEMENT

Outcome (Results/Impact):
Percent of Complaints Resulting in Disciplinary Action:
- Physical Therapy: 25% (2010), 25% (2011)
- Occupational Therapy: 25% (2010), 25% (2011)

B.1.1. Strategy: ADMINISTER ENFORCEMENT

Output (Volume):
- Number of Complaints Resolved:
  - Occupational Therapy: 125 (2010), 130 (2011)

Efficiencies:
- Average Time for Complaint Resolution: Physical Therapy (Days):
  - 125 (2010), 125 (2011)
- Average Time for Complaint Resolution: Occupational Therapy (Days):
  - 125 (2010), 125 (2011)

Explanatory:
Number of Jurisdictional Complaints Received:
- Physical Therapy: 325 (2010), 325 (2011)
- Occupational Therapy: 125 (2010), 125 (2011)

2. Contingent Revenue. Out of the amounts appropriated above to the Executive Council of Physical Therapy & Occupational Therapy Examiners in Strategy A.1.1, Operate Licensing System, the amounts of $40,696 in fiscal year 2010 and $31,120 in fiscal year 2011, in Strategy B.1.1, Administer Enforcement, the amounts of $21,775 in fiscal year 2010 and $16,231 in fiscal year 2011, in Strategy C.1.1, Licensing Indirect Administration, the amounts of $1,074 in 2010 and $786 in 2011, and in Strategy C.1.2, Enforcement Indirect Administration, the amounts of $716 in 2010 and $524 in 2011 in General Revenue are contingent upon the Executive Council of Physical Therapy & Occupational Therapy Examiners assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $129,185 in excess of $7,625,000 (Object Code 3562), contained in the Comptroller of Public Accounts’ Biennial Revenue Estimate for fiscal years 2010 and 2011. The Executive Council of Physical Therapy & Occupational Therapy Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Executive Council of Physical Therapy & Occupational Therapy Examiners minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.
**BOARD OF PLUMBING EXAMINERS**

<table>
<thead>
<tr>
<th>Method of Financing:</th>
<th>For the Years Ending</th>
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<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$2,583,474</td>
<td>$2,023,631</td>
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<td>Appropriated Receipts</td>
<td>48,750</td>
<td>48,750</td>
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</table>

Total, Method of Financing: $2,632,224 $2,073,381

Other Direct and Indirect Costs Appropriated Elsewhere in this Act: $441,648 $458,182

This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE): 26.0 26.0

Schedule of Exempt Positions:
- Executive Director, Group 1: $77,000 $77,000

Items of Appropriation:
**A. Goal: ENSURE PUBLIC SAFETY/PLUMBING**
- **A.1.1. Strategy:** EXAMINE AND LICENSE PLUMBERS
  - Administer Competency Examinations, Issue and Renew Licenses: $1,112,726 $748,410

- **A.1.2. Strategy:** TEXASONLINE
  - TexasOnline. Estimated and Nontransferable: $155,000 $155,000

- **A.1.3. Strategy:** INSPECTIONS AND ENFORCEMENT
  - Inspect and Monitor Job Sites, Investigate and Resolve Complaints: $1,099,900 $903,473

**Total, Goal A:** ENSURE PUBLIC SAFETY/PLUMBING: $2,367,626 $1,806,883

**B. Goal: INDIRECT ADMINISTRATION**
- **B.1.1. Strategy:** INDIRECT ADMIN - EXAM/LICENSE
  - Indirect Administration - Exam/License: $105,905 $106,405

- **B.1.2. Strategy:** INDIRECT ADMIN - INSPECT/ENFORCE
  - Indirect Administration - Inspections/Enforcement: $158,693 $159,093

**Total, Goal B:** INDIRECT ADMINISTRATION: $264,598 $265,498

**Grand Total, BOARD OF PLUMBING EXAMINERS:** $2,632,224 $2,072,381

**Object-of-Expense Informational Listing:**
- Salaries and Wages: $1,227,500 $1,227,500
- Other Personnel Costs: 65,600 65,600
- Professional Fees and Services: 87,100 88,100
- Fuels and Lubricants: 24,300 28,000
- Consumable Supplies: 15,550 15,950
- Utilities: 27,400 28,100
- Travel: 54,300 56,300
- Rent - Building: 183,791 183,791
- Rent - Machine and Other: 8,000 8,000
- Other Operating Expense: 892,683 371,040
- Capital Expenditures: 46,000 0

**Total, Object-of-Expense Informational Listing:** $2,632,224 $2,072,381

**Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:**
- Employee Benefits: $74,237 $75,351
- Group Insurance: 222,774 242,924
- Social Security: 89,174 90,511

A456-Conf-8-B VIII-56 May 22, 2009
1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Plumbing Examiners. 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 Board of Plumbing Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Plumbing Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. If a finding of fact is not issued by the Comptroller of Public Accounts to make the contingent appropriation specified in Rider 3, Contingent Revenue, the capital budget expenditure and transfer authority provided to the Board of Plumbing Examiners by Article IX, Section 14.03, Limitation on Expenditures - Capital Budget, of this act, only applies to $23,000 in fiscal year 2010 for the purpose of new vehicles. The amount shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.
fiscal year 2011, and in Strategy B.1.2, Indirect Administration-Inspections/Enforcement, the amounts of $1,250 in fiscal year 2010 and $1,250 in fiscal year 2011 in General Revenue are contingent upon the Board of Plumbing Examiners assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $974,645 in excess of $6,164,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time- Equivalents (FTE)" figure indicated above includes 2 FTEs in each fiscal year contingent upon the Board of Plumbing Examiners generating the amount of revenue indicated above. The Board of Plumbing Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Plumbing Examiners' minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

BOARD OF PODIATRIC MEDICAL EXAMINERS

For the Years Ending
August 31,     August 31,
2010        2011

Method of Financing:
General Revenue Fund $ 239,798 $ 238,375
Appropriated Receipts 3,200 3,200
Total, Method of Financing $ 242,998 $ 241,575

Other Direct and Indirect Costs Appropriated Elsewhere in this Act
$ 72,321 $ 71,480

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE):
4.0  4.0

Schedule of Exempt Positions:
Executive Director, Group 1 $70,000 $70,000

Items of Appropriation:
A. Goal: PROTECT TEXANS
Protect Citizens of Texas from Incompetent and Unethical Podiatrists.

  A.1.1. Strategy: LICENSURE AND ENFORCEMENT
  Provide Exams and Continuing Education & Investigate Violations of Act. $ 198,634 $ 199,211
  A.1.2. Strategy: TEXASONLINE
  TexasOnline. Estimated and Nontransferable. $ 4,130 $ 4,130
  A.1.3. Strategy: INDIRECT ADMINISTRATION
  $ 40,234 $ 38,234

Total, Goal A: PROTECT TEXANS $ 242,998 $ 241,575

Grand Total, BOARD OF PODIATRIC MEDICAL EXAMINERS $ 242,998 $ 241,575

Object-of-Expense Informational Listing:
Salaries and Wages $ 169,798 $ 169,798
Other Personnel Costs 6,920 7,580
Professional Fees and Services 17,000 15,000
Consumable Supplies 6,100 6,100
Utilities 400 400
Travel 16,500 16,500
Other Operating Expense 26,280 26,197

Total, Object-of-Expense Informational Listing $ 242,998 $ 241,575

A456-Conf-8-B VIII-58 May 22, 2009
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
- Retirement: $10,026 $10,176
- Group Insurance: 20,366 21,751
- Social Security: 12,613 12,803
- Benefits Replacement: 927 880

Subtotal, Employee Benefits $43,932 $45,610

Debt Service
- Lease Payments: $6,408 $4,049

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $50,340 $49,659

1. Performance Measure Targets.

The following is a listing of the key performance target levels for the Board of Podiatric Medical Examiners. 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 Board of Podiatric Medical Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Podiatric Medical Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: PROTECT TEXANS

Outcome (Results/Impact):
- Percent of Licensees with No Recent Violations: 98.5% 98.5%
- Percent of Documented Complaints Resolved within Six Months: 77.5% 77.5%

A.1.1. Strategy: LICENSURE AND ENFORCEMENT

Output (Volume):
- Number of New Licenses Issued to Individuals: 45 45
- Complaints Resolved: 135 135

Efficiencies:
- Average Time for Complaint Resolution (Days): 260 260

Explanatory:
- Total Number of Individuals Licensed: 1,130 1,130

2. Contingent Revenue.

Out of the amounts appropriated above to the Board of Podiatric Medical Examiners in Strategy A.1.1, Licensure and Enforcement, the amounts of $5,612 in fiscal year 2010 and $5,612 in fiscal year 2011, and in Strategy A.1.3, Indirect Administration, the amounts of $803 in fiscal year 2010 and $803 in fiscal year 2011 in General Revenue are contingent upon the Board of Podiatric Medical Examiners assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $17,875 in excess of $862,000 (Object Code 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. The Board of Podiatric Medical Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Podiatric Medical Examiners' minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

BOARD OF EXAMINERS OF PSYCHOLOGISTS

For the Years Ending
August 31,     August 31,
2010          2011

Method of Financing:
- General Revenue Fund $892,976 $800,206
- Appropriated Receipts 57,000 57,000

A512-Conf-8-B VIII-59 May 22, 2009
Interagency Contracts  \[22,398\]  \[22,398\]

Subtotal, Other Funds  \[$79,398\]$  \[$79,398\]

Total, Method of Financing  \[$972,374\]$  \[$879,604\]

Other Direct and Indirect Costs Appropriated Elsewhere in this Act  \[$223,941\]$  \[$225,176\]

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE): 14.0  14.0

Schedule of Exempt Positions:

Executive Director, Group I  \[$75,075\]$  \[$75,075\]

Items of Appropriation:

A. Goal: LICENSURE

Protect Public through Quality Program of Licensure.

A.1.1. Strategy: LICENSING

Operate Quality Program of Licensure.  \[$465,917\]$  \[$415,056\]

A.1.2. Strategy: TEXASONLINE

TexasOnline. Estimated and Nontransferable.  \[$32,000\]$  \[$32,000\]

Total, Goal A: LICENSURE  \[$497,917\]$  \[$447,056\]

B. Goal: ENFORCEMENT LAWS & RULES

Protect the Public through Enforcement of Laws & Rules.

B.1.1. Strategy: ENFORCEMENT

Operate a Quality Investigation/Enforcement Program.  \[$316,863\]$  \[$274,954\]

C. Goal: INDIRECT ADMINISTRATION

C.1.1. Strategy: INDIRECT ADMIN - LICENSING

Indirect Administration - Licensing.  \[$84,193\]$  \[$84,193\]

C.1.2. Strategy: INDIRECT ADMIN - ENFORCEMENT

Indirect Administration - Enforcement.  \[$73,401\]$  \[$73,401\]

Total, Goal C: INDIRECT ADMINISTRATION  \[$157,594\]$  \[$157,594\]

Grand Total, BOARD OF EXAMINERS OF PSYCHOLOGISTS  \[$972,374\]$  \[$879,604\]

Object-of-Expense Informational Listing:

Salaries and Wages  \[$627,889\]$  \[$627,889\]

Other Personnel Costs  \[19,860\]$  \[19,860\]

Professional Fees and Services  \[79,988\]$  \[79,989\]

Fuels and Lubricants  \[172\]$  \[172\]

Consumable Supplies  \[5,000\]$  \[5,000\]

Utilities  \[500\]$  \[500\]

Travel  \[22,400\]$  \[22,400\]

Rent - Building  \[3,800\]$  \[3,800\]

Rent - Machine and Other  \[6,600\]$  \[6,600\]

Other Operating Expense  \[193,265\]$  \[104,994\]

Capital Expenditures  \[12,900\]$  \[8,400\]

Total, Object-of-Expense Informational Listing  \[$972,374\]$  \[$879,604\]

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits

Retirement  \[$33,182\]$  \[$33,680\]

Group Insurance  \[75,441\]$  \[80,842\]

Social Security  \[43,393\]$  \[44,044\]

Benefits Replacement  \[5,505\]$  \[5,230\]

Subtotal, Employee Benefits  \[$157,521\]$  \[$163,796\]

A520-Conf-8-B  VIII-60  May 22, 2009
1. Performance Measure Targets. The following is a listing of the key performance target levels for the Board of Examiners of Psychologists. 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 Board of Examiners of Psychologists. In order to achieve the objectives and service standards established by this Act, the Board of Examiners of Psychologists shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

### A. Goal: LICENSURE

**Outcome (Results/Impact):**
- Percent of Licensees with No Recent Violations: 99% (2010), 99% (2011)
- Percent of Licensees Who Renew Online: 80% (2010), 80% (2011)

**A.1.1. Strategy: LICENSING**

**Output (Volume):**
- Number of New Certificates/Licenses Issued to Individuals: 550 (2010), 550 (2011)
- Number of Certificates/Licenses Renewed (Individuals): 7,200 (2010), 7,200 (2011)

### B. Goal: ENFORCEMENT LAWS & RULES

**Outcome (Results/Impact):**
- Percent of Documented Complaints Resolved within Six Months: 50% (2010), 50% (2011)

**B.1.1. Strategy: ENFORCEMENT**

**Output (Volume):**

**Efficiencies:**
- Average Time for Complaint Resolution (Days): 235 (2010), 235 (2011)

**Explanatory:**
- Number of Jurisdictional Complaints Received: 225 (2010), 225 (2011)

2. Contingent Revenue. Out of the amounts appropriated above to the Board of Examiners of Psychologists in Strategy A.1.1, Licensing, the amounts of $81,503 in fiscal year 2010 and $30,641 in fiscal year 2011, in Strategy B.1.1, Enforcement, the amounts of $84,037 in fiscal year 2010 and $42,128 in fiscal year 2011, in Strategy C.1.1, Indirect Administration - Licensing, the amounts of $6,000 in fiscal year 2010 and $6,000 in fiscal year 2011, in Strategy C.1.2, Indirect Administration - Enforcement, the amounts of $3,900 in fiscal year 2010 and $3,900 in fiscal year 2011 in General Revenue are contingent upon the Board of Examiners of Psychologists assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $300,450 in excess of $2,518,000 (Object Codes 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the “Number of Full-Time-Equivalents (FTE)” figure indicated above includes 1.5 FTEs in each fiscal year contingent upon the Board of Examiners of Psychologists generating the amount of revenue indicated above. The Board of Examiners of Psychologists, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Examiners of Psychologists' minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

### RACING COMMISSION

**For the Years Ending August 31, August 31,**

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<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
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<tr>
<td>Method of Financing:</td>
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<tr>
<td>Texas Racing Commission Account No. 597</td>
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**Total, Method of Financing**

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<th>2010</th>
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<td>$10,148,402</td>
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A520-Conf-8-B VIII-61 May 22, 2009
### Other Direct and Indirect Costs Appropriated Elsewhere in this Act

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<th>$1,065,524</th>
<th>$1,100,224</th>
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This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

### Number of Full-Time-Equivalents (FTE):

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### Number of FTEs in Riders:

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### Schedule of Exempt Positions:

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<th>Position</th>
<th>Salary</th>
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<tr>
<td>Executive Director, Group 2</td>
<td>$94,090</td>
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</table>

### Items of Appropriation:

#### A. Goal: ENFORCE RACING REGULATION

**Enforce Racing Regulations in Texas.**

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Appropriation</th>
<th>Appropriation</th>
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<tbody>
<tr>
<td>A.1.1.</td>
<td>LICENSE/REGULATE RACETRACKS</td>
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<td>A.2.1.</td>
<td>TEXAS BRED INCENTIVE PROGRAM</td>
<td>$5,092,661</td>
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<td>A.3.1.</td>
<td>SUPERVISE &amp; CONDUCT LIVE RACES</td>
<td>$1,007,337</td>
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<td>A.3.2.</td>
<td>MONITOR LICENSEE ACTIVITIES</td>
<td>$434,187</td>
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<td>A.4.1.</td>
<td>INSPECT &amp; PROVIDE EMERGENCY CARE</td>
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<tr>
<td>A.4.2.</td>
<td>ADMINISTER DRUG TESTS</td>
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**Total, Goal A: ENFORCE RACING REGULATION**

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<th>$7,650,605</th>
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#### B. Goal: REGULATE PARTICIPATION

**Regulate the Participation in Racing.**

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Appropriation</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>B.1.1.</td>
<td>OCCUPATIONAL LICENSING PROGRAM</td>
<td>$453,764</td>
</tr>
<tr>
<td>B.1.2.</td>
<td>TEXASONLINE</td>
<td>$23,250</td>
</tr>
</tbody>
</table>

**Total, Goal B: REGULATE PARTICIPATION**

<table>
<thead>
<tr>
<th></th>
<th>$477,014</th>
<th>$472,934</th>
</tr>
</thead>
</table>

#### C. Goal: REGULATE PARI-MUTUEL WAGERING

**Regulate pari-mutuel wagering in Texas.**

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Appropriation</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>C.1.1.</td>
<td>MONITOR WAGERING AND AUDIT</td>
<td>$479,610</td>
</tr>
<tr>
<td>C.1.2.</td>
<td>WAGERING COMPLIANCE INSPECTIONS</td>
<td>$307,330</td>
</tr>
</tbody>
</table>

**Total, Goal C: REGULATE PARI-MUTUEL WAGERING**

<table>
<thead>
<tr>
<th></th>
<th>$786,940</th>
<th>$785,480</th>
</tr>
</thead>
</table>

#### D. Goal: INDIRECT ADMINISTRATION

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Appropriation</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>D.1.1.</td>
<td>CENTRAL ADMIN &amp; OTHER SUPPORT SVCS</td>
<td>$789,117</td>
</tr>
<tr>
<td>D.1.2.</td>
<td>INFORMATION RESOURCES</td>
<td>$451,170</td>
</tr>
</tbody>
</table>

**Total, Goal D: INDIRECT ADMINISTRATION**

<table>
<thead>
<tr>
<th></th>
<th>$1,240,287</th>
<th>$1,239,382</th>
</tr>
</thead>
</table>

**Grand Total, RACING COMMISSION**

<table>
<thead>
<tr>
<th></th>
<th>$10,148,402</th>
<th>$10,148,401</th>
</tr>
</thead>
</table>

### Supplemental Appropriations Made in Riders:

<table>
<thead>
<tr>
<th></th>
<th>$635,637</th>
<th>$635,637</th>
</tr>
</thead>
</table>

### Object-of-Expense Informational Listing:

<table>
<thead>
<tr>
<th>Category</th>
<th>Appropriation</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and Wages</td>
<td>$3,987,955</td>
<td>$3,987,955</td>
</tr>
<tr>
<td>Other Personnel Costs</td>
<td>162,532</td>
<td>163,514</td>
</tr>
<tr>
<td>Professional Fees and Services</td>
<td>204,720</td>
<td>204,720</td>
</tr>
</tbody>
</table>

A476-Conf-8-B VIII-62 May 22, 2009
Consumable Supplies 31,000 31,000
Utilities 26,500 26,500
Travel 346,670 346,670
Rent - Building 108,014 108,014
Rent - Machine and Other 14,500 14,500
Other Operating Expense 419,912 417,667
Grants 5,424,698 5,424,698
Capital Expenditures 57,538 58,800

Total, Object-of-Expense Informational Listing $10,784,039 $10,784,038

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $220,077 $223,378
Group Insurance 435,020 469,305
Social Security 270,616 274,675
Benefits Replacement 26,694 25,359

Subtotal, Employee Benefits $952,407 $992,717

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $952,407 $992,717

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Racing Commission. 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 Racing Commission. In order to achieve the objectives and service standards established by this Act, the Racing Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: ENFORCE RACING REGULATION
Outcome (Results/Impact):
Percentage of Investigations (Individuals) Resulting in Disciplinary Action 97% 97%
Percentage of Licensees with No Recent Violations 97% 97%
Percentage of Race Animals Injured or Dismissed from the Racetrack 0.35% 0.35%

A.1.1. Strategy: LICENSE/REGULATE RACETRACKS
Output (Volume):
Number of Racetrack Inspections 100 100

Explanatory:
Number of Horse Tracks Regulated 13 13
Number of Greyhound Tracks Regulated 3 3

A.2.1. Strategy: TEXAS BRED INCENTIVE PROGRAM
Output (Volume):
Number of Texas-bred Awards 16,562 16,562

A.3.1. Strategy: SUPERVISE & CONDUCT LIVE RACES
Output (Volume):
Number of Occupational Licenses Suspended or Revoked 175 175

Output (Volume):
Number of Investigations Completed 210 210

A.4.1. Strategy: INSPECT & PROVIDE EMERGENCY CARE
Output (Volume):
Number of Race Animals Inspected Pre-race 77,860 77,860

B. Goal: REGULATE PARTICIPATION
Outcome (Results/Impact):
Average Time Required to Issue a New Occupational License (Minutes) 7 7

B.1.1. Strategy: OCCUPATIONAL LICENSING PROGRAM
Output (Volume):
Number of New Occupational Licenses Issued 4,775 4,775
Number of Occupational Licenses Renewed 7,625 7,625

C. Goal: REGULATE PARI-MUTUEL WAGERING
Outcome (Results/Impact):
Percentage of Compliance Audits Passed 98% 98%
C.1.1. Strategy: MONITOR WAGERING AND AUDIT

Explanatory:

Total Pari-mutuel Handle (In Millions) 450.2 463.55
Total Take to the State Treasury from Pari-mutuel Wagering on Live and Simulcast Races 4,080,382 3,991,884

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. If a finding of fact is not issued by the Comptroller of Public Accounts to make the contingent appropriation specified in Rider 8, Contingent Appropriation: New Horse Racetrack and Accredited Texas Bred Program, available, the capital budget expenditure and transfer authority provided to the Racing Commission by Article IX, Section 14.03, Limitation on Expenditures - Capital Budget, of this act, only applies to $32,538 in fiscal year 2010 and $33,800 in fiscal year 2011 to purchase computer hardware and software. The amount shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase" or for other items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by commission management to be in the best interest of the State of Texas.

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Acquisition of Information Resource Technologies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Purchase Computer Hardware and Software</td>
<td>$32,538</td>
<td>$33,800</td>
</tr>
<tr>
<td>(2) Rider 8 Contingency - New Operational Horse Racetrack</td>
<td>$25,000</td>
<td>$25,000</td>
</tr>
<tr>
<td>Total, Acquisition of Information Resource Technologies</td>
<td>$57,538</td>
<td>$58,800</td>
</tr>
<tr>
<td>Total, Capital Budget</td>
<td>$57,538</td>
<td>$58,800</td>
</tr>
</tbody>
</table>

Method of Financing (Capital Budget):

<table>
<thead>
<tr>
<th>General Revenue Fund - Dedicated</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>GR Dedicated - Texas Racing Commission Account No. 597</td>
<td>$57,538</td>
<td>$58,800</td>
</tr>
<tr>
<td>Subtotal, General Revenue Fund - Dedicated</td>
<td>$57,538</td>
<td>$58,800</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$57,538</td>
<td>$58,800</td>
</tr>
</tbody>
</table>

3. Limitation on Travel Reimbursement. Out of the funds appropriated above, not more than $1,500 per Commissioner may be expended on out-of-state travel and not more than $6,000 per Commissioner may be expended on in-state travel in each year of the biennium.


5. Texas Bred Incentive Program Receipts. Amounts set aside by the Texas Racing Act for the Texas Bred Incentive Program are appropriated above in Strategy A.2.1, Texas Bred Incentive Program.

6. Criminal History Checks and Background Checks. Out of the funds appropriated above in Strategy B.1.1, Occupational Licensing Program, $25,000 in fiscal year 2010 and $25,000 in fiscal year 2011 are appropriated to the Racing Commission for the purpose of reimbursing the Department of Public Safety for costs incurred in conducting criminal history checks or background checks on individuals seeking to transfer ownership interest in an existing racetrack license on Racing Commission license applicants and renewals. Any additional revenue received from occupational license fees to cover the costs of criminal history checks or background checks (estimated to be $0) is hereby appropriated to the Racing Commission for the purpose of reimbursing the Department of Public Safety.

7. Texas Bred Incentive Program Awards. None of the funds appropriated above for Texas Bred Incentive Program Awards may be expended for payments to a member serving on the commission. The Racing Commission shall take all necessary steps to ensure compliance with this provision.

a. In addition to the amounts appropriated above, the Texas Racing Commission shall be appropriated out of funds collected by the agency and deposited to GR Dedicated-Texas Racing Commission Account No. 597 during each fiscal year of the 2010-11 biennium, the following amounts for each new horse racetrack that begins operation for the first time during the biennium (estimated to be one new horse racetrack) contingent upon the Texas Racing Commission assessing fees sufficient to generate, in addition to revenue requirements elsewhere in this act, during the 2010-11 biennium, $370,540 for fiscal year 2010 and $370,540 for fiscal year 2011 for each new horse racetrack during the 2010-11 biennium in excess of $9,904,000 in fiscal year 2010 and $9,772,000 in fiscal year 2011 (Object Codes 3188, 3189, 3190, 3193, 3194, and 3197) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011:

(1) $88,561 in Strategy A.3.1, Supervise and Conduct Live Races;
(2) $66,893 in Strategy A.3.2, Monitor Licensee Activities;
(3) $48,200 in Strategy A.4.1, Inspect and Provide Emergency Care;
(4) $27,946 in Strategy A.4.2, Administer Drug Tests;
(5) $34,000 in Strategy B.1.1, Occupational Licensing Program;
(6) $38,000 in Strategy C.1.1, Monitor Wagering and Audit.

Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above shall be increased by 5.0 FTEs in each fiscal year for each new horse racetrack that begins operations for the first time during the biennium contingent upon the Texas Racing Commission generating the amount of revenue indicated above for each new horse racetrack. The Texas Racing Commission upon completion of necessary actions to access or increase such additional revenue shall furnish copies of the Texas Racing Commissions' minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.

Also, contingent upon the Texas Racing Commission assessing fees to cover the costs of the regulation of each new horse racetrack, the Texas Racing Commission's Capital Budget authority includes the purchase of computer hardware and software in the amount of $25,000 each year.

b. In addition to amounts appropriated above in GR Dedicated - Texas Racing Commission Account No. 597, the Texas Racing Commission shall be appropriated in Strategy A.2.1, Texas Bred Incentive Program, revenue set aside by the Texas Racing Act pursuant to VTCS, Article 179e § 6.08 (j) for the Texas Bred Incentive Program that is collected by the agency from each new horse racetrack that begins operations for the first time in the 2010-11 biennium in an amount not to exceed $332,037 from GR Dedicated - Texas Racing Commission Account No. 597 each year for each new horse racetrack. Any appropriations from revenue collected by the agency from new horse racetracks for the Texas Bred Incentive Program during the 2010-11 biennium may be used only for that purpose and are not transferable to any other strategy.

9. Contingent Appropriation: New Racetrack Application. All fees collected to cover the cost of the racetrack application process, in excess of the $15,000 in each fiscal year from GR Dedicated - Texas Racing Commission Account No. 597 (Object Code 3191) in the Comptroller's Biennial Revenue Estimate (estimated to be $0 each fiscal year), are hereby appropriated to Strategy A.1.1, License and Regulate Racetracks. Any appropriations from revenue collected by the agency from new racetrack applications shall be used only for the racetrack application review process for those racetracks that have a scheduled hearing before the State Office of Administrative Hearing or the Texas Racing Commission during the 2010-11 biennium and are not transferable to any other strategy.

10. Sunset Contingency. Funds appropriated above for fiscal year 2011 for the Racing Commission are made contingent on the continuation of the Racing Commission by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.
11. **Contingent Revenue.** Out of the amounts appropriated above to the Racing Commission in Strategy A.2.1, Texas Bred Incentive Program, the amounts of $3,657 in fiscal year 2010 and $3,657 in fiscal year 2011, Strategy A.3.1, Supervise and Conduct Live Races, the amounts of $4,496 in fiscal year 2010 and $4,496 in fiscal year 2011, Strategy B.1.1, Occupational Licensing Program, the amounts of $2,620 in fiscal year 2010 and $2,620 in fiscal year 2011, and Strategy C.1.1, Monitor Wagering and Audit, the amounts of $2,095 in fiscal year 2010 and $2,095 in fiscal year 2011 in General Revenue Dedicated Texas Racing Commission Account No. 597 are contingent upon the Racing Commission assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $15,500 in excess of $9,904,000 in fiscal year 2010 and $15,500 in excess of $9,772,000 in fiscal year 2011 (Object Code 3188, 3189, 3190, 3193, 3194, and 3197), contained in the Comptroller of Public Accounts’ Biennial Revenue Estimate. The Racing Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Racing Commission's minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

12. **Contingency for SB 1013.** Contingent on the enactment of Senate Bill 1013, or similar legislation, relating to the continuation and functions of the Racing Commission, the abolishment of the Equine Research Account Advisory Committee, and the authority of Texas AgriLife Research, amending the Texas Racing Act, Section 3.09, by the Eighty-first Legislature, Regular Session:

a. the Racing Commission, subject to prior approval by the Legislative Budget Board, shall be appropriated $1,500,000 in fiscal year 2010 from General Revenue and shall have appropriations in the amount of $1,500,000 from the General Revenue Dedicated Texas Racing Commission Account No. 597 decreased in fiscal year 2010;

b. the revenue amounts included in rider 8, Contingent Appropriation: New Horse Racetrack and Accredited Texas Bred Program, and rider 11, Contingent Revenue, subject to prior approval by the Legislative Budget Board, shall be decreased by $1,500,000 in fiscal year 2010; and

c. the Legislative Budget Board shall notify the Racing Commission and the Comptroller of Public Accounts of either its approval or disapproval no later than October 1, 2009.

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**REAL ESTATE COMMISSION**

<table>
<thead>
<tr>
<th>For the Years Ending</th>
<th>August 31,</th>
<th>August 31,</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2010</td>
<td>2011</td>
</tr>
<tr>
<td><strong>Method of Financing:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$ 8,013,351</td>
<td>$ 8,131,234</td>
</tr>
<tr>
<td>GR Dedicated - Appraiser Registry Account No. 028</td>
<td>120,000</td>
<td>120,000</td>
</tr>
<tr>
<td><strong>Other Funds</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>186,500</td>
<td>186,500</td>
</tr>
<tr>
<td>Real Estate Recovery Trust Fund</td>
<td>3,500</td>
<td>3,500</td>
</tr>
<tr>
<td>Real Estate Inspection Trust Fund</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td><strong>Subtotal, Other Funds</strong></td>
<td>$ 190,500</td>
<td>$ 190,500</td>
</tr>
<tr>
<td><strong>Total, Method of Financing</strong></td>
<td>$ 8,323,851</td>
<td>$ 8,441,734</td>
</tr>
<tr>
<td><strong>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</strong></td>
<td>$ 1,449,875</td>
<td>$ 1,501,566</td>
</tr>
</tbody>
</table>

*This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.*

**Number of Full-Time-Equivalents (FTE):**

|       | 110.5 | 110.5 |

A476-Conf-8-B VIII-66 May 22, 2009
Schedule of Exempt Positions:
Administrator, Group 4 $106,500 $106,500

Items of Appropriation:
A. Goal: ENSURE STANDARDS
Determine the Eligibility of TREC Applicants for Licensure.
A.1.1. Strategy: TREC LICENSING
A.1.2. Strategy: TEXASONLINE
TexasOnline. Estimated and Nontransferable.
Total, Goal A: ENSURE STANDARDS $2,801,853 $3,322,562

B. Goal: ENFORCE REGULATIONS
Promptly, Aggressively, and Fairly Enforce TREC Laws and Rules.
B.1.1. Strategy: TREC INVESTIGATION
Investigate and Resolve Valid Complaint Cases.

C. Goal: PROVIDE EDUCATION
To Communicate Effectively with the Public and Licensees.
C.1.1. Strategy: LICENSEE/CONSUMER EDUCATION
Prepare and Distribute Information Describing TREC Functions.

D. Goal: LICENSING APPRAISERS
Implement and Enforce TALCB and Standards.
D.1.1. Strategy: TALCB LICENSING
Process Applications and License Applicants.
D.2.1. Strategy: TALCB ENFORCEMENT
Investigate and Resolve Complaints; Impose Penalties as Appropriate.
Total, Goal D: LICENSING APPRAISERS $1,134,673 $959,233

E. Goal: INDIRECT ADMINISTRATION
E.1.1. Strategy: INDIRECT ADMINISTRATION

Grand Total, REAL ESTATE COMMISSION $8,323,851 $8,441,734

Object-of-Expense Informational Listing:
Salaries and Wages $4,753,404 $4,753,404
Other Personnel Costs 155,233 168,633
Professional Fees and Services 84,900 85,100
Consumable Supplies 75,000 75,000
Utilities 47,900 44,900
Travel 96,000 96,000
Rent - Building 445,747 445,747
Rent - Machine and Other 41,700 41,700
Other Operating Expense 1,934,267 2,716,550
Capital Expenditures 689,700 14,700
Total, Object-of-Expense Informational Listing $8,323,851 $8,441,734

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $236,756 $240,308
Group Insurance 707,015 768,402
Social Security 319,094 323,881
Benefits Replacement 26,025 24,724
Subtotal, Employee Benefits $1,288,890 $1,357,315

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $1,288,890 $1,357,315
1. Performance Measure Targets. The following is a listing of the key performance target levels for the Real Estate Commission. 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 Real Estate Commission. In order to achieve the objectives and service standards established by this Act, the Real Estate Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

<table>
<thead>
<tr>
<th>A. Goal: ENSURE STANDARDS</th>
<th>Outcome (Results/Impact):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of Licensees with No Recent Violations</td>
<td>99%</td>
</tr>
<tr>
<td>Percent of Licensees Who Renew Online</td>
<td>82%</td>
</tr>
<tr>
<td>Percent of New Licenses Issued Online</td>
<td>73%</td>
</tr>
<tr>
<td><strong>A.1.1. Strategy: TREC LICENSING</strong></td>
<td></td>
</tr>
<tr>
<td>Number of New Licenses Issued to Individuals</td>
<td>20,000</td>
</tr>
<tr>
<td>Number of Licenses Renewed (Individuals)</td>
<td>60,000</td>
</tr>
<tr>
<td><strong>Efficiencies:</strong></td>
<td></td>
</tr>
<tr>
<td>Average Time for Individual License Issuance (Days)</td>
<td>40</td>
</tr>
<tr>
<td>Percentage of New Individual Licenses Issued Within Ten Days</td>
<td>95%</td>
</tr>
<tr>
<td>Percentage of Individual License Renewals Issued within Seven Days</td>
<td>95%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>B. Goal: ENFORCE REGULATIONS</th>
<th>Outcome (Results/Impact):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of Documented Complaints Resolved Within Six Months</td>
<td>85%</td>
</tr>
<tr>
<td><strong>B.1.1. Strategy: TREC INVESTIGATION</strong></td>
<td></td>
</tr>
<tr>
<td>Number of Complaints Resolved</td>
<td>2,240</td>
</tr>
<tr>
<td><strong>Efficiencies:</strong></td>
<td></td>
</tr>
<tr>
<td>Average Time for Complaint Resolution (Days)</td>
<td>135</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C. Goal: PROVIDE EDUCATION</th>
<th>Outcome (Results/Impact):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Calls Received</td>
<td>400,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>D. Goal: LICENSING APPRAISERS</th>
<th>Outcome (Results/Impact):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of Licensed or Certified Appraisers with No Recent Violations</td>
<td>99%</td>
</tr>
<tr>
<td>Percent of Licensees Who Renew Online</td>
<td>65%</td>
</tr>
<tr>
<td>Percent of Documented Complaints Resolved Within Six Months</td>
<td>60%</td>
</tr>
<tr>
<td><strong>D.1.1. Strategy: TALCB LICENSING</strong></td>
<td></td>
</tr>
<tr>
<td>Number of New Licenses/Certifications/Registrations Issued to Individuals</td>
<td>600</td>
</tr>
<tr>
<td>Number of Licenses and Certifications Renewed (Individuals)</td>
<td>2,500</td>
</tr>
<tr>
<td><strong>D.2.1. Strategy: TALCB ENFORCEMENT</strong></td>
<td></td>
</tr>
<tr>
<td>Number of Complaints Resolved</td>
<td>300</td>
</tr>
</tbody>
</table>

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by commission management to be in the best interest of the State of Texas.
### REAL ESTATE COMMISSION (Continued)

#### a. Acquisition of Information Resource Technologies

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Core Application Conversion</td>
<td>$275,000</td>
<td>$0</td>
</tr>
<tr>
<td>Image System Implementation</td>
<td>$196,000</td>
<td>0</td>
</tr>
<tr>
<td>TALCB Licensee automation</td>
<td>$150,000</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total, Acquisition of Information Resource Technologies</strong></td>
<td><strong>$621,000</strong></td>
<td><strong>$0</strong></td>
</tr>
</tbody>
</table>

#### b. Other Lease Payments to the Master Lease Purchase Program (MLPP)

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lease Payments for Enterprise Server Acquisition</td>
<td>$54,000</td>
<td>0</td>
</tr>
<tr>
<td>Upgrade Obsolete Telephone System</td>
<td>$14,700</td>
<td>$14,700</td>
</tr>
<tr>
<td><strong>Total, Other Lease Payments to the Master Lease Purchase Program (MLPP)</strong></td>
<td><strong>$68,700</strong></td>
<td><strong>$14,700</strong></td>
</tr>
</tbody>
</table>

**Total, Capital Budget:** $689,700

**Method of Financing (Capital Budget):**

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$689,700</td>
<td>$14,700</td>
</tr>
</tbody>
</table>

**Total, Method of Financing:** $689,700

### 3. Appropriation of Residential Service Company Examination Fees

In addition to the funds appropriated above ($5,500 each year of the biennium), all monies collected pursuant to §1303.052 (c), Occupations Code, are hereby appropriated to the Texas Real Estate Commission for the purposes of conducting examinations and related activities included within Strategy B.1.1, TREC Investigation.

### 4. Appropriation of Receipts: National Registry Fees

Fee revenue deposited to the Appraiser Registry Account No. 028, in the General Revenue Fund pursuant to § 1103.156, Occupations Code, including the estimated amounts appropriated above, $120,000 in fiscal year 2010 and $120,000 in fiscal year 2011, is hereby appropriated to the Texas Appraiser Licensing and Certification Board, as an independent subdivision of the Texas Real Estate Commission. The appropriation made herein shall be expended only for the purpose specified in § 1103.156, Occupations Code, relating to revenue transmitted to the federal Appraisal Subcommittee.

### 5. Real Estate Recovery Fund and Inspection Recovery Fund

The amounts appropriated above include an estimated total of $4,000 per year from the Real Estate Recovery Trust Fund and the Real Estate Inspection Trust Fund to recover travel and related expenses incurred for collection of court judgments affecting the funds.

### 6. 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: Texas Real Estate Broker-Lawyer Committee and the Texas Real Estate Inspector Committee.

### 7. Contingent Revenue

Out of the amounts appropriated above to the Texas Real Estate Commission, in Strategy A.1.1, TREC Licensing, the amounts of $43,479 in fiscal year 2010 and $343,479 in fiscal year 2011, in Strategy B.1.1, TREC Investigation, the amounts of $93,876 in fiscal year 2010 and $85,016 in fiscal year 2011, in Strategy C.1.1, Licensee/Consumer Education, the amounts of $36,616 in fiscal year 2010 and $36,616 in fiscal year 2011, in Strategy D.1.1, TALCB Licensing, the amounts of $11,451 in fiscal year 2010 and $61,451 in fiscal year 2011, in Strategy D.2.1, TALCB Enforcement, the amounts of $197,739 in fiscal year 2010 and $162,299 in fiscal year 2011, in Strategy E.1.1, Indirect Administration, the amounts of $59,743 in fiscal year 2010 and $59,743 in fiscal year 2011 in General Revenue are contingent upon the Texas Real Estate Commission assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $1,408,984 in excess of $18,372,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above includes 5.0 FTEs in each fiscal year contingent upon the Texas Real Estate Commission generating the amount of revenue indicated above. The Texas Real Estate Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas Real Estate Commission's
minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

RESIDENTIAL CONSTRUCTION COMMISSION

For the Years Ending
August 31, 2010 August 31, 2011

Method of Financing:
General Revenue Fund $8,991,102 $8,991,103
Appropriated Receipts 4,000 4,000
Total, Method of Financing $8,995,102 $8,995,103

Other Direct and Indirect Costs Appropriated Elsewhere in this Act $962,215 $986,958

This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE):
80.0 80.0

Schedule of Exempt Positions:
Executive Director, Group 3 $98,000 $98,000

Items of Appropriation:
A. Goal: REGISTRATION
Ensure Effective Supervision of Residential Construction/Remodeling.
A.1.1. Strategy: REGISTRATION PROGRAM
Implement and Monitor the Registration Program.
$1,942,958 $1,942,958
A.1.2. Strategy: TEXASONLINE
TexasOnline. Estimated and Nontransferable.
$350,000 $350,000
Total, Goal A: REGISTRATION $2,292,958 $2,292,958

B. Goal: COMPLAINT RESOLUTION & COMPLIANCE
Complaint Resolution and Compliance.
B.1.1. Strategy: COMPLAINT RESOLUTION
Implement and Monitor the SIRP Process.
$2,499,559 $2,499,559
B.1.2. Strategy: PERFORMANCE STANDARDS & WARRANTIES
Develop Performance Standards and Warranties for Review.
$1,783,595 $1,783,595
B.1.3. Strategy: THIRD-PARTY INSPECTIONS
Third-party Inspections. Estimated and Nontransferable.
$400,000 $400,000
Total, Goal B: COMPLAINT RESOLUTION & COMPLIANCE $4,683,154 $4,683,154

C. Goal: INDUSTRY & CONSUMER EDUCATION
Provide Information for Industry & Consumers.
C.1.1. Strategy: EDUCATION
Implement an Education Program for Industry and Consumers.
$929,827 $929,827

D. Goal: INDIRECT ADMINISTRATION
Indirect Administration and Support.
D.1.1. Strategy: INDIRECT ADMINISTRATION
Indirect Administration and Support.
$1,089,163 $1,089,164

Grand Total, RESIDENTIAL CONSTRUCTION COMMISSION $8,995,102 $8,995,103
Object-of-Expense Informational Listing:

Salaries and Wages $3,757,008 $3,757,008
Other Personnel Costs 68,000 68,000
Professional Fees and Services 1,299,518 1,299,519
Consumable Supplies 70,000 70,000
Utilities 60,500 60,500
Travel 243,000 243,000
Rent - Building 471,300 471,300
Rent - Machine and Other 432,600 432,600
Other Operating Expense 2,569,176 2,569,176
Capital Expenditures 24,000 24,000

Total, Object-of-Expense Informational Listing $8,995,102 $8,995,103

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $139,572 $141,665
Group Insurance 229,188 244,773
Social Security 185,942 188,731
Benefits Replacement 8,039 7,637

Subtotal, Employee Benefits $562,741 $582,806

Debt Service
Lease Payments $5,987 $6,019

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $568,728 $588,825

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Residential Construction Commission. 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 Residential Construction Commission. In order to achieve the objectives and service standards established by this Act, the Residential Construction Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: REGISTRATION
Outcome (Results/Impact):
Percent of Registrants Who Renew Online 60% 62.5%
Percent of Home Registrations Completed Online 86% 87%

A.1.1. Strategy: REGISTRATION PROGRAM
Output (Volume):
Number of Home Registrations Issued 130,000 135,000
Number of New Builder/Remodeler Registrations Issued 2,000 1,000
Number of Registrations Renewed 13,000 14,000

B. Goal: COMPLAINT RESOLUTION & COMPLIANCE
B.1.1. Strategy: COMPLAINT RESOLUTION
Output (Volume):
Total Number of SIRP Actions Closed 600 625
Efficiencies:
Average Days to Complete the SIRP 130 125
Explanatory:
Total Number of Complaints Received 2,500 2,750
Number of Non-jurisdictional Complaints 450 425
Number of SIRP Requests Received 650 675

C. Goal: INDUSTRY & CONSUMER EDUCATION
C.1.1. Strategy: EDUCATION
Output (Volume):
Total Number of Events with TRCC Participation 40 40

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease
Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Acquisition of Information Resource Technologies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Scheduled Replacement of IT Items</td>
<td>$24,000</td>
<td>$24,000</td>
</tr>
<tr>
<td>Total, Capital Budget</td>
<td>$24,000</td>
<td>$24,000</td>
</tr>
<tr>
<td>Method of Financing (Capital Budget):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$24,000</td>
<td>$24,000</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$24,000</td>
<td>$24,000</td>
</tr>
</tbody>
</table>

3. **Builder/Remodeler Registration Applications.** It is the intent of the Legislature that the Residential Construction Commission thoroughly investigate each builder or remodeler registration application in its efforts to be satisfied with the person's honesty, trustworthiness and integrity pursuant to Property Code § 416.005(2).

4. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 for the Texas Residential Construction Commission are made contingent on the continuation of the Texas Residential Construction Commission by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

**DEPARTMENT OF SAVINGS AND MORTGAGE LENDING**

<table>
<thead>
<tr>
<th>For the Years Ending</th>
<th>August 31, 2010</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Method of Financing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$6,827,183</td>
<td>$6,879,211</td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>$6,000</td>
<td>$6,000</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$6,833,183</td>
<td>$6,885,211</td>
</tr>
<tr>
<td>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</td>
<td>$766,527</td>
<td>$804,003</td>
</tr>
</tbody>
</table>

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

| Number of Full-Time-Equivalents (FTE): | 106.0 | 106.0 |

| Schedule of Exempt Positions:          |             |             |
| Commissioner, Group 4                  | $106,500    | $106,500    |

| Items of Appropriation:                |             |             |
| A. Goal: THRIFT SAFETY AND SOUNDNESS   |             |             |
| Aggressively Enforce Thrift Safety and Soundness Standards. |             |             |
| A.1.1. Strategy: THRIFT EXAMINATION AND SUPERVISION | $1,380,388 | $1,406,968 |
| Perform Examinations and Coordinate with Federal Regulators. |             |             |
DEPARTMENT OF SAVINGS AND MORTGAGE LENDING

(Continued)

B. Goal: MORTGAGE REGULATION
Regulate Mortgage Originators.

B.1.1. Strategy: MORTGAGE BROKER LICENSING
Process License Applications, Establish Continuing Education Standards.

B.1.2. Strategy: MORTGAGE BROKER EXAMINATION
TexasOnline. Estimated and Nontransferable.

B.1.3. Strategy: TEXASONLINE
TexasOnline. Estimated and Nontransferable.

Total, Goal B: MORTGAGE REGULATION


C. Goal: CONSUMER RESPONSIVENESS
To Ensure Responsiveness to Inquiries, Requests and Complaints.

C.1.1. Strategy: COMPLAINT AND INQUIRY PROCESS
Provide a Forum for Registering Complaints, and Respond to Requests.

D. Goal: INDIRECT ADMINISTRATION

D.1.1. Strategy: INDIRECT ADMINISTRATION

E. Goal: REGULATORY RESPONSE

E.1.1. Strategy: CONTINGENCY THRIFT REG RESPONSE
Contingency Appropriation.

E.1.2. Strategy: CONTINGENCY BROKER REG RESPONSE
Contingency Appropriation.

Total, Goal E: REGULATORY RESPONSE

Grand Total, DEPARTMENT OF SAVINGS AND MORTGAGE LENDING

Object-of-Expense Informational Listing:

Salaries and Wages $ 5,047,666 $ 5,099,694
Other Personnel Costs 67,001 67,001
Professional Fees and Services 128,700 128,700
Consumable Supplies 65,800 65,800
Utilities 20,498 20,498
Travel 690,500 690,500
Rent - Building 41,002 41,002
Other Operating Expense 772,016 772,016

Total, Object-of-Expense Informational Listing

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $ 178,895 $ 181,578
Group Insurance 413,555 445,978
Social Security 217,855 221,123
Benefits Replacement 5,792 5,502

Subtotal, Employee Benefits $ 816,097 $ 854,181

Debt Service
Lease Payments $ 141 $ 135

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $ 816,238 $ 854,316

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Department of Savings and Mortgage Lending. 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 Savings and Mortgage Lending. In order to achieve the objectives and service standards established by this Act, the Department of Savings and Mortgage Lending shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.
A. Goal: THRIFT SAFETY AND SOUNDNESS
Outcome (Results/Impact):
Percent of State-chartered Savings Institutions Receiving Examinations as Required by Priority Schedule 100% 100%
Percent of Safe and Sound Institutions to Total Savings Institutions 75% 80%
A.1.1. Strategy: THRIFT EXAMINATION AND SUPERVISION
Output (Volume):
Number of Examinations Performed 25 25
Explanatory:
Number of State-chartered Savings and Loans and Savings Banks 28 30
Dollar Amount of Assets under Regulation (in Billions) 12 12

B. Goal: MORTGAGE REGULATION
Outcome (Results/Impact):
Percent of Licensees and Mortgage Originators Who Renew Online 80% 80%
B.1.1. Strategy: MORTGAGE BROKER LICENSING
Output (Volume):
Number of New Licenses Issued and Mortgage Originators Approved 3,600 3,600
B.1.2. Strategy: MORTGAGE BROKER EXAMINATION
Output (Volume):
Licensees Inspected 4,800 4,800

C. Goal: CONSUMER RESPONSIVENESS
Outcome (Results/Impact):
Percentage of Complaints, Requests and Inquiries Answered within Ten Business Days 85% 85%
C.1.1. Strategy: COMPLAINT AND INQUIRY PROCESS
Output (Volume):
Number of Consumer Complaints Completed 1,200 1,200

2. Appropriation of Receipts. Funds received by the Department of Savings and Mortgage Lending pursuant to supervision and conservatorship proceedings authorized by Section 13.007, Texas Finance Code, (estimated to be $0) are hereby appropriated to the department in Strategy A.1.1, Thrift Examination and Supervision, to pay costs incidental to such proceedings, including the salary and per diem expenses of the appointed supervisory agent.

3. Federal Per Diem Authorized. Financial Institutions Examiners employed by the Department of Savings and Mortgage Lending, shall be authorized reimbursement for travel expenses from amounts appropriated above, at a rate of per diem equal to that of the participating federal regulatory agency when (1) traveling on official state business related to the examining function of the Department of Savings and Mortgage Lending and (2) participating in either a joint or concurrent examination with the Office of Thrift Supervision, the Federal Deposit Insurance Corporation, the Federal Reserve, or their successors.

   a. Amounts appropriated above to the Department of Savings and Mortgage Lending not to exceed $815,800 in each fiscal year in General Revenue in Strategy E.1.1, Contingency Thrift Regulatory Response, and 10.0 Full-Time-Equivalents (FTE) positions in each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are contingent upon a finding of fact by the Finance Commission that:
      (1) the size of the state-chartered thrift industry under the jurisdiction of the Department of Savings and Mortgage Lending, determined either as a function of assets or number of institutions, has grown to a point where additional appropriations are deemed necessary to maintain adequate regulation of the industry; or
      (2) increased incidents of regulatory and supervisory concern regarding the safe and sound operations of thrift institutions under the department's jurisdiction have occurred to the extent that additional appropriations are deemed necessary to maintain adequate regulation of the industry; or
      (3) a reduction of federal regulatory resources applied to the Texas state-chartered thrift industry by the Office of Thrift Supervision, the Federal Deposit Insurance Corporation,
Federal Reserve Board, or their successors, has occurred to the extent that additional appropriations are deemed necessary to maintain adequate regulation of the industry; or

(4) the Department of Savings and Mortgage Lending is unable to maintain adequate supervision of the industry and is unable to meet its examination frequency performance measures due to reductions in the quality or quantity of its examination staff, resulting either from examiner turnover, or an inability to recruit adequately qualified examiners because of salary levels, or the salary is at a level that is not competitive and is less than 95 percent of a comparable position with a state or federal regulatory agency with similar responsibilities considering the experience, knowledge, and skill sets required to undertake the requirements of a particular position.

b. None of the funds appropriated in Strategy E.1.1, Contingency Thrift Regulatory Response, above may be expended and none of the 10.0 Full-Time-Equivalents (FTE) positions in each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may be used by the Department of Savings and Mortgage Lending unless the Finance Commission files a finding of fact with the Governor and the Legislative Budget Board and neither the Governor nor the Legislative Budget Board issues a written disapproval not later than:

(1) the 10th day after the date the staff of the Legislative Budget Board concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or comments of the Legislative Budget Board staff to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor; and

(2) within 10 business days of the receipt of the finding of fact by the Governor.

c. The appropriations above in Strategy E.1.1, Contingency Thrift Regulatory Response, and 10.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are also contingent upon the Department of Savings and Mortgage Lending generating sufficient additional fee revenues to cover these contingency appropriations and related employee benefits, and providing such information as may be deemed necessary by the Comptroller of Public Accounts to issue a finding of fact that the increased revenues will be available to fund the increased appropriation. These increased revenues must exceed $1,200,000 for fiscal year 2010 and $1,200,000 for fiscal year 2011 (Object Code 3172) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate.

d. Funds appropriated above in Strategy E.1.1, Contingency Thrift Regulatory Response, and 10.0 Full-Time-Equivalents (FTE) positions in each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may only be used to address issues included in the finding of fact submitted to the Governor and the Legislative Budget Board pursuant to subsection b above.

e. Notwithstanding transfer limits under Section 14.01, Article IX of this Act, at the discretion of the agency, amounts appropriated above may be transferred to another appropriation item in an amount not to exceed $815,800 each fiscal year in General Revenue in Strategy E.1.1.

5. **Contingency Appropriation: Mortgage Broker Regulatory Response.**

a. Amounts appropriated above to the Department of Savings and Mortgage Lending not to exceed $1,404,400 in each fiscal year in General Revenue in Strategy E.1.2, Contingency Broker Regulatory Response, and 26.0 Full-Time-Equivalents (FTE) positions in each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are contingent upon a finding of fact by the Finance Commission that:

(1) the size of the mortgage broker industry under the jurisdiction of the Department of Savings and Mortgage Lending, determined either as a function of licensees, has grown to a point where additional appropriations are deemed necessary to maintain adequate regulation of the industry; or
(2) increased incidents of regulatory and supervisory concern regarding the safe and sound operations of thrift institutions under the department's jurisdiction have occurred to the extent that additional appropriations are deemed necessary to maintain adequate regulation of the industry; or

(3) the Department of Savings and Mortgage Lending is unable to maintain adequate supervision of the industry and is unable to meet its examination frequency performance measures due to reductions in the quality or quantity of its examination staff, resulting either from examiner turnover, or an inability to recruit adequately qualified examiners because of salary levels, or the salary is at a level that is not competitive and is less than 95 percent of a comparable position with a state or federal regulatory agency with similar responsibilities considering the experience, knowledge, and skill sets required to undertake the requirements of a particular position.

b. None of the funds appropriated in Strategy E.1.2, Contingency Broker Regulatory Response, above may be expended and none of the 26.0 Full-Time-Equivalents (FTE) positions in each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may be used by the Department of Savings and Mortgage Lending unless the Finance Commission files a finding of fact with the Governor and the Legislative Budget Board and neither the Governor nor the Legislative Budget Board issues a written disapproval not later than:

(1) the 10th day after the date the staff of the Legislative Budget Board concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or comments of the Legislative Budget Board staff to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor; and

(2) within 10 business days of the receipt of the finding of fact by the Governor.

c. The appropriations above in Strategy E.1.2, Contingency Broker Regulatory Response, and 26.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are also contingent upon the Department of Savings and Mortgage Lending generating sufficient additional fee revenues to cover these contingency appropriations and related employee benefits, and providing such information as may be deemed necessary by the Comptroller of Public Accounts to issue a finding of fact that the increased revenues will be available to fund the increased appropriation. These increased revenues must exceed $4,154,000 for fiscal year 2010 and $4,154,000 for fiscal year 2011 (Object Code 3175) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate.

d. Funds appropriated above in Strategy E.1.2, Contingency Broker Regulatory Response, and 26.0 Full-Time-Equivalents (FTE) positions in each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may only be used to address issues included in the finding of fact submitted to the Governor and the Legislative Budget Board pursuant to subsection (b) above.

e. Notwithstanding transfer limits under Section 14.01, Article IX of this Act, at the discretion of the agency, amounts appropriated above may be transferred to another appropriation item in an amount not to exceed $1,404,400 each fiscal year in General Revenue in Strategy E.1.2.

6. Appropriation: Criminal Record Check Receipts. Funds appropriated above in Strategy B.1.1, Mortgage Broker Licensing, include receipts collected pursuant to Section 156.206, Texas Finance Code. Contingent upon certification by the Department of Savings and Mortgage Lending, and verification by the Comptroller of Public Accounts, all fees collected in excess of $225,000 each fiscal year of the biennium (estimated to be $0) are hereby appropriated to the Department of Savings and Mortgage Lending. These funds shall be used for the sole purpose of acquiring criminal record checks from the Department of Public Safety, Federal Bureau of Investigation, or other law enforcement agency.

7. Unexpended Balance Authority. The unobligated and unexpended balances of appropriations to the Department of Savings and Mortgage Lending for the fiscal year ending August 31, 2010, are hereby appropriated to the Department of Savings and Mortgage Lending for the same purposes for the fiscal year ending August 31, 2011.
## SECURITIES BOARD

For the Years Ending

<table>
<thead>
<tr>
<th>September 30,</th>
<th>September 30,</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>2011</td>
</tr>
</tbody>
</table>

### Method of Financing:
- **General Revenue Fund**
  - 2010: $7,851,340
  - 2011: $7,871,716

**Total, Method of Financing**
- 2010: $7,851,340
- 2011: $7,871,716

**Other Direct and Indirect Costs Appropriated Elsewhere in this Act**
- 2010: $1,706,347
- 2011: $1,721,265

This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.

### Number of Full-Time-Equivalents (FTE):
- 2010: 109.0
- 2011: 109.0

### Schedule of Exempt Positions:
- Securities Commissioner, Group 5
  - 2010: $130,000
  - 2011: $130,000

### Items of Appropriation:

#### A. Goal: PROTECT INVESTORS
- **Strategy:** LAW ENFORCEMENT
  - 2010: $2,719,117
  - 2011: $2,728,491
- **Strategy:** SECURITIES REGISTRATION
  - 2010: $526,645
  - 2011: $527,256
- **Strategy:** DEALER REGISTRATION
  - 2010: $597,108
  - 2011: $597,923
- **Strategy:** INSPECT RECORDS
  - 2010: $1,617,608
  - 2011: $1,624,536

**Total, Goal A:** PROTECT INVESTORS
- 2010: $5,460,478
- 2011: $5,478,206

#### B. Goal: INDIRECT ADMINISTRATION
- **Strategy:** CENTRAL ADMINISTRATION
  - 2010: $1,257,604
  - 2011: $1,260,252
- **Strategy:** INFORMATION TECHNOLOGY
  - 2010: $199,186
  - 2011: $199,186

**Total, Goal B:** INDIRECT ADMINISTRATION
- 2010: $1,456,790
- 2011: $1,459,438

#### C. Goal: REGULATORY RESPONSE
- **Strategy:** CONTINGENCY REGULATORY RESPONSE
  - 2010: $934,072
  - 2011: $934,072

**Grand Total, SECURITIES BOARD**
- 2010: $7,851,340
- 2011: $7,871,716

### Object-of-Expense Informational Listing:

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and Wages</td>
<td>$6,674,526</td>
<td>$6,703,436</td>
</tr>
<tr>
<td>Other Personnel Costs</td>
<td>$135,357</td>
<td>$135,357</td>
</tr>
<tr>
<td>Professional Fees and Services</td>
<td>$58,288</td>
<td>$58,288</td>
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<tr>
<td>Consumable Supplies</td>
<td>$38,228</td>
<td>$38,228</td>
</tr>
<tr>
<td>Utilities</td>
<td>$27,585</td>
<td>$27,585</td>
</tr>
<tr>
<td>Travel</td>
<td>$275,886</td>
<td>$306,518</td>
</tr>
<tr>
<td>Rent - Building</td>
<td>$171,011</td>
<td>$171,011</td>
</tr>
<tr>
<td>Rent - Machine and Other</td>
<td>$19,467</td>
<td>$19,467</td>
</tr>
<tr>
<td>Other Operating Expense</td>
<td>$345,807</td>
<td>$322,051</td>
</tr>
<tr>
<td>Capital Expenditures</td>
<td>$105,185</td>
<td>$89,775</td>
</tr>
</tbody>
</table>

**Total, Object-of-Expense Informational Listing**
- 2010: $7,851,340
- 2011: $7,871,716

### Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retirement</td>
<td>$307,050</td>
<td>$311,656</td>
</tr>
<tr>
<td>Group Insurance</td>
<td>$654,503</td>
<td>$709,323</td>
</tr>
<tr>
<td>Social Security</td>
<td>$370,671</td>
<td>$376,231</td>
</tr>
</tbody>
</table>

A312-Conf-8-B  VIII-77  May 22, 2009
Benefits Replacement

Subtotal, Employee Benefits

Debt Service

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Securities Board. 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 Securities Board. In order to achieve the objectives and service standards established by this Act, the Securities Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: PROTECT INVESTORS

Outcome (Results/Impact):

Percentage of Texas Dealers and Investment Advisers Inspected 20% 20%
Percentage of Inspected Dealers and Investment Advisers Found to Require Corrective Action 80% 80%

A.1. Strategy: LAW ENFORCEMENT

Output (Volume):

Number of Investigations Opened 370 370

A.2. Strategy: SECURITIES REGISTRATION

Output (Volume):

Number of Securities Filings and Submissions Processed 53,000 53,000

Explanatory:

Revenues Deposited to the State Treasury from Securities Applications 117,451,876 119,800,913

A.3. Strategy: DEALER REGISTRATION

Output (Volume):

Number of New Applications Processed 56,000 56,000

Explanatory:

Number of Dealers, Agents, Investment Advisers, and Investment Adviser Representatives Registered 210,000 210,000

A.4.1. Strategy: INSPECT RECORDS

Output (Volume):

Number of Inspections Conducted 225 225

2. Capital Budget. None of the funds appropriated may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchase of Information Technologies $ 89,775 $ 89,775</td>
<td></td>
</tr>
</tbody>
</table>

Total, Capital Budget $ 89,775 $ 89,775

Method of Financing (Capital Budget):

General Revenue Fund $ 89,775 $ 89,775

Total, Method of Financing $ 89,775 $ 89,775

3. Appropriation of Unexpended Balances Within the Biennium. The unobligated and unexpended balances of appropriations to the Securities Board for the fiscal year ending August 31, 2010, are hereby appropriated to the Securities Board for the same purposes for the fiscal year ending August 31, 2011.

A312-Conf-8-B VIII-78 May 22, 2009
4. **Out-of-State Travel Cap Exemption.** Out of the funds appropriated above, expenditures for out-of-state travel by the Securities Board are limited to $5,300 in fiscal year 2010 and $5,300 in fiscal year 2011. Travel related to regulatory matters, including examinations, inspections and the training of financial examiners, inspectors, investigators, attorneys and related directors is exempt from this limitation.

5. **Contingent Revenue.** Out of the amounts appropriated above to the Securities Board in Strategy A.1.1, Law Enforcement, the amounts of $327,306 in fiscal year 2010 and $336,680 in fiscal year 2011, in Strategy A.2.1, Securities Registration, the amounts of $54,188 in fiscal year 2010 and $54,799 in fiscal year 2011, in Strategy A.3.1, Dealer Registration, the amounts of $65,594 in 2010 and $66,409 in 2011, in Strategy A.4.1, Inspect Records, the amounts of $518,750 in 2010 and $525,678 in 2011, in Strategy B.1.1, and in Central Administration, $45,723 in 2010 and $48,371 in 2011 in General Revenue are contingent upon the Securities Board assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $2,594,920 in excess of $2,559,094,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the “Number of Full-Time-Equivalents (FTE)” figure indicated above includes 4.0 FTEs in each fiscal year contingent upon the Securities Board generating the amount of revenue indicated above. The Securities Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Securities Board minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

6. **Contingency Appropriation: State Regulatory Response.**
   a. Amounts appropriated above to the Securities Board not to exceed $934,072 each fiscal year in General Revenue in Strategy C.1.1, Contingency Regulatory Response, and 10.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are contingent upon a finding of fact by the Securities Board that additional resources are needed by the Securities Board because:
      
      (1) the number of inspections required of state regulated dealers and investment advisers under the jurisdiction of the Securities Board, increase to a point where additional appropriations are required to maintain adequate regulation of the industry;
   
   (2) federal regulatory oversight applied to issuers, dealers and investment advisers has been reduced; or
   
   (3) the Securities Board is unable to maintain adequate supervision of the industry and is unable to meet its examination frequency performance measures due to reductions in the quality or quantity of its examination staff, resulting either from examiner turnover, or an inability to recruit adequately qualified examiners because of salary levels, or the salary is at a level that is not competitive and is less than 95 percent of a comparable position with a state or federal regulatory agency with similar responsibilities considering the experience, knowledge, and skill sets required to undertake the requirements of a particular position.
   
   b. None of the funds appropriated above in Strategy C.1.1, Contingency Regulatory Response, above may be expended and none of the 10.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may be used by the Securities Board unless the Securities Board files a finding of fact with the Governor and the Legislative Budget Board and neither the Governor nor the Legislative Budget Board issues a written disapproval not later than:
      
      (1) the 10th day after the date the staff of the Legislative Budget Board concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or comments of the Legislative Budget Board staff to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor; and
   
   (2) within 10 business days of the receipt of the finding of fact by the Governor.
c. The appropriations above in Strategy C.1.1, Contingency Regulatory Response, and 10.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are also contingent upon the Securities Board assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this act, during the 2010-11 biennium, $1,152,818 in fiscal year 2010 and $1,161,078 in fiscal year 2011 in excess of $127,547,000 each fiscal year (Object Code 3175) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for each fiscal year 2010 and 2011. The Securities Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Securities Board minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

d. Funds appropriated above in Strategy C.1.1, Contingency Regulatory Response, and 10.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may only be used to address issues included in the finding of fact submitted to the Governor and the Legislative Budget Board pursuant to subsection (b) above.

e. Notwithstanding transfer limits under Section 14.01, Article IX of this Act, at the discretion of the agency, amounts appropriated above may be transferred to another appropriation item in an amount not to exceed $934,072 each fiscal year in General Revenue in Strategy C.1.1.

BOARD OF TAX PROFESSIONAL EXAMINERS

For the Years Ending August 31, August 31, 2010 2011

Method of Financing: General Revenue Fund $192,763 $192,763
Total, Method of Financing $192,763 $192,763

Other Direct and Indirect Costs Appropriated Elsewhere in this Act $84,768 $85,668

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE): 3.7 3.7

Schedule of Exempt Positions:
Executive Director, Group 1 $70,000 $70,000

Items of Appropriation:
A. Goal: ESTABLISH AND OVERSEE PROCESS
Maintain Registration & Certification Process and Enforce Statute.

A.1.1. Strategy: CERTIFICATION PROGRAM $169,763 $169,763
Conduct Exams, Register Candidates, Manage CE Program, Distribute Info.

A.1.2. Strategy: TEXASONLINE $16,250 $16,250
TexasOnline. Estimated and Nontransferable.

A.1.3. Strategy: INDIRECT ADMINISTRATION $6,750 $6,750

Total, Goal A: ESTABLISH AND OVERSEE PROCESS $192,763 $192,763

Grand Total, BOARD OF TAX PROFESSIONAL EXAMINERS $192,763 $192,763

Object-of-Expense Informational Listing:
Salaries and Wages $138,408 $138,408
Professional Fees and Services 15,000 15,000
Consumable Supplies 2,000 2,000
Travel 6,800 6,800
Rent - Building 250 250
1. Performance Measure Targets. The following is a listing of the key performance target levels for the Board of Tax Professional Examiners. 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 Board of Tax Professional Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Tax Professional Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: ESTABLISH AND OVERSEE PROCESS

**Outcome (Results/Impact):**
- Percent of Licensees with No Recent Violations: 99% (2010) 99% (2011)
- Number of Approved Courses Offered: 160 (2010) 160 (2011)

**Percent of Complaints Resulting in Disciplinary Action:**
- 13% (2010) 13% (2011)

**A.1.1. Strategy: CERTIFICATION PROGRAM**

**Output (Volume):**
- Number of New Licenses Issued to Individuals: 450 (2010) 450 (2011)

**Efficiencies:**
- Average Licensing Cost per Individual License Issued: $38.65 (2010) $38.65 (2011)

**Explanatory:**
- Total Number of Individuals Licensed: 4,000 (2010) 4,000 (2011)

2. Fees Established. To provide for the recovery of costs for the preceding appropriations, the following fee rates shall be in effect for fiscal years 2010 and 2011, pursuant to provisions of Government Code § 316.041-316.045:

   1. Registration Fee: Not Less Than $45 or More Than $75
   2. Annual Renewal Fee: Not Less Than $45 or More Than $75

3. Interagency Agreement. Out of funds appropriated above in Strategy A.1.3, Indirect Administration, the Board of Tax Professional Examiners shall transfer no less than $6,750 each fiscal year of biennium beginning September 1, 2009, to the Comptroller of Public Accounts through an interagency contract, for administrative support services which shall consist of the same levels of service as were provided to the Board by the Comptroller of Public Accounts during the 2008-09 biennium.

4. Sunset Contingency. Funds appropriated above for fiscal year 2011 for the Board of Tax Professional Examiners are made contingent on the continuation of the Board of Tax Professional Examiners by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.
**PUBLIC UTILITY COMMISSION OF TEXAS**

For the Years Ending

<table>
<thead>
<tr>
<th></th>
<th>August 31, 2010</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Method of Financing:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$ 10,877,758</td>
<td>$ 10,785,198</td>
</tr>
<tr>
<td>GR Dedicated - System Benefit Account No. 5100</td>
<td>122,525,075</td>
<td>135,246,066</td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>475,000</td>
<td>475,000</td>
</tr>
<tr>
<td><strong>Total, Method of Financing</strong></td>
<td><strong>$ 133,877,833</strong></td>
<td><strong>$ 146,506,264</strong></td>
</tr>
</tbody>
</table>

This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.

**Number of Full-Time-Equivalents (FTE):**

188.6  

**Schedule of Exempt Positions:**

<table>
<thead>
<tr>
<th>Position</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Director, Group 4</td>
<td>$125,000</td>
<td>$125,000</td>
</tr>
<tr>
<td>Commissioner Chairman, Group 6</td>
<td>150,000</td>
<td>150,000</td>
</tr>
<tr>
<td>Commissioners, Group 6 (2)</td>
<td>(2) 150,000</td>
<td>(2) 150,000</td>
</tr>
</tbody>
</table>

**Items of Appropriation:**

**A. Goal: COMPETITION/CHOICE/RATES/SERVICE**

Ensure Competition, Choice, Just Rates, and Reliable Quality Service.

**A.1. Strategy:** MARKET COMPETITION
Foster and Monitor Market Competition.

**A.2.1. Strategy:** UTILITY REGULATION
Conduct Rate Cases for Regulated Telephone and Electric Utilities.

**A.3.1. Strategy:** INVESTIGATION AND ENFORCEMENT
Conduct Investigations and Initiate Enforcement Actions.

**Total, Goal A:** COMPETITION/CHOICE/RATES/SERVICE

$ 9,910,689  $ 9,834,450

**B. Goal: EDUCATION AND CUSTOMER ASSISTANCE**

Educate Customers and Assist Customers.

**B.1.1. Strategy:** PROVIDE FACTS ABOUT CHANGES
Provide Information about Changes in Electric and Telecom Industries.

**B.2.1. Strategy:** ASSIST CUSTOMERS
Assist Customers in Resolving Disputes.

**Total, Goal B:** EDUCATION AND CUSTOMER ASSISTANCE

$ 1,716,573  $ 1,702,415

**C. Goal: ELECTRIC UTILITY RESTRUCTURING**

**C.1.1. Strategy:** ENERGY ASSISTANCE
Energy Assistance. Nontransferable.

**C.1.2. Strategy:** CONSUMER EDUCATION
Customer Education. Nontransferable.

**Total, Goal C:** ELECTRIC UTILITY RESTRUCTURING

$ 120,320,603  $ 133,041,594

**D. Goal: INDIRECT ADMINISTRATION**

**D.1.1. Strategy:** CENTRAL ADMINISTRATION

**D.1.2. Strategy:** INFORMATION RESOURCES

**D.1.3. Strategy:** OTHER SUPPORT SERVICES

**Total, Goal D:** INDIRECT ADMINISTRATION

$ 1,929,968  $ 1,927,805

**Grand Total, PUBLIC UTILITY COMMISSION OF TEXAS**

$ 133,877,833  $ 146,506,264

**Object-of-Expense Informational Listing:**

<table>
<thead>
<tr>
<th>Category</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and Wages</td>
<td>$ 10,539,457</td>
<td>$ 10,539,457</td>
</tr>
<tr>
<td>Other Personnel Costs</td>
<td>402,500</td>
<td>402,500</td>
</tr>
<tr>
<td>Professional Fees and Services</td>
<td>3,904,423</td>
<td>3,842,652</td>
</tr>
</tbody>
</table>

A473-Conf-8-B  VIII-82  May 22, 2009
Consumable Supplies  60,000  60,000  
Utilities  23,260  23,260  
Travel  70,000  50,000  
Rent - Building  10,000  10,000  
Rent - Machine and Other  400,000  400,000  
Other Operating Expense  830,590  866,801  
Client Services  117,637,603  130,311,594  

Total, Object-of-Expense Informational Listing  
$ 133,877,833  $ 146,506,264  

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:  

Employee Benefits  
Retirement  $ 653,065  $ 662,861  
Group Insurance  1,202,372  1,297,013  
Social Security  793,146  805,043  
Benefits Replacement  54,425  51,704  

Subtotal, Employee Benefits  $ 2,703,008  $ 2,816,621  

Debt Service  
Lease Payments  $ 47,971  $ 45,136  

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act  $ 2,750,979  $ 2,861,757  

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Public Utility Commission of Texas. 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 Public Utility Commission of Texas. In order to achieve the objectives and service standards established by this Act, the Public Utility Commission of Texas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.  

A. Goal: COMPETITION/CHOICE/RATES/SERVICE  
Outcome (Results/Impact):  
Percent of Texas Cities Served by Three or More Certificated Telecommunication Providers  82%  81%  
Average Price of Electricity Per kWh in Texas for Residential Customers from Competitive Suppliers as a Percentage of the National Residential Average  121%  119%  
Average Annual Residential Electric Bill from Competitive Suppliers as a Percentage of the National Average  150%  148%  
Average Annual Residential Telephone Bill in Texas as a Percentage of the National Average  73%  73%  

A.1.1. Strategy: MARKET COMPETITION  
Output (Volume):  
Number of Investigations Conducted for Market Power, Market Design, or Anti-competitive Conduct in the Electric Market  1  1  
Number of Investigations Conducted for Market Power, Market Design, or Anti-competitive Conduct in the Telephone Market  1  1  
Number of Cases Completed Related to Competition Among Providers  450  450  

Efficiencies:  
Average Number of Days to Process an Application for a Certificate of Authority and Service Provider Certificate of Authority  52  52  

A.2.1. Strategy: UTILITY REGULATION  
Output (Volume):  
Number of Rate Cases Completed for Regulated Electric Utilities  30  30  
Number of Rate Cases Completed for Regulated Telecommunications Providers  9  9  

Efficiencies:  
Average Number of Days to Process a Major Rate Case for a Transmission and Distribution Utility  220  220  

A473-Conf-8-B  VIII-83  May 22, 2009
B. Goal: EDUCATION AND CUSTOMER ASSISTANCE

Outcome (Results/Impact):
Percentage of Customer Complaints Resolved through Informal Complaint Resolution Process 99% 99%

B.1.1. Strategy: PROVIDE FACTS ABOUT CHANGES
Output (Volume):
Number of Information Requests to Which Responses Were Provided 80,000 85,000

Efficiencies:
Percent of Customer Information Product Distributed Electronically 75% 75%

Explanatory:
Number of Calls Completed through Relay Texas 1,700,000 1,700,000

B.2.1. Strategy: ASSIST CUSTOMERS
Output (Volume):
Number of Customer Complaints Concluded 15,000 15,000

Efficiencies:
Average Number of Days to Conclude Customer Complaints 24 24

C. Goal: ELECTRIC UTILITY RESTRUCTURING

Outcome (Results/Impact):
Percent of Eligible Low-income Customers Provided a Discount for Electric Service 93% 93%

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budget funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by commission management to be in the best interest of the State of Texas.

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquisition of Information Resource Technologies</td>
<td></td>
</tr>
<tr>
<td>(1) Digital Copiers Lease $160,000</td>
<td>$160,000</td>
</tr>
<tr>
<td>(2) Desktop Software and Desktop Computer Lease $240,000</td>
<td>$240,000</td>
</tr>
<tr>
<td>(3) Data Center Consolidation $479,000</td>
<td>$386,440</td>
</tr>
<tr>
<td>Total, Acquisition of Information Resource Technologies $879,000</td>
<td>$786,440</td>
</tr>
<tr>
<td>Total, Capital Budget $879,000</td>
<td>$786,440</td>
</tr>
</tbody>
</table>

Method of Financing (Capital Budget):
General Revenue Fund $879,000 $786,440
Total, Method of Financing $879,000 $786,440

3. Transfer Authority. The Public Utility Commission shall not transfer an appropriation to or from any item under Goal C: Electric Utility Restructuring, and shall not expend amounts above those appropriated above in each strategy of Goal C: Electric Utility Restructuring.

4. System Benefit Account Reporting. The Public Utility Commission shall submit a quarterly report to the Legislative Budget Board and the Governor on revenues and expenditures made from the GR Dedicated - System Benefit Account No. 5100. The report shall be submitted with documentation as specified by the Legislative Budget Board and the Governor.

5. Appropriation of Unexpended Balances: 2010 Appropriations. The unobligated and unexpended balances of appropriations to the Public Utility Commission for the fiscal year ending August 31, 2010, are hereby appropriated to the commission for the same purposes for the fiscal year ending August 31, 2011.

6. Contingent Revenue. Of the amounts appropriated above to the Public Utility Commission from the GR Dedicated - System Benefit Account No. 5100, the estimated amounts of $122,525,075 in
fiscal year 2010 and $135,246,066 in fiscal year 2011 are contingent on the Public Utility Commission assessing a rate sufficient to generate the estimated needs of the GR Dedicated - System Benefit Account No. 5100. The Public Utility Commission, upon completion of necessary actions for the assessment, shall furnish copies of the Public Utility Commission's order and other information supporting the estimated revenues to be generated for the 2010-11 biennium to the Comptroller of Public Accounts. If the comptroller finds the information sufficient to support the projection of revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

7. Allocation of System Benefit Account. The maximum statutory assessment rate of the GR Dedicated - System Benefit Account No. 5100 is estimated to be $147,936,000 in fiscal year 2010 and $149,922,000 in fiscal year 2011. The estimated balance as of August 31, 2009 is $565,169,000 and interest income is estimated to be $66,640,000 for the biennium. The total account balance available for appropriation for 2010-11, estimated to be $929,667,000, has been allocated throughout this act as follows:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Utility Commission:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electric Market Oversight Contracts Wholesale and Retail Market</td>
<td>$1,200,000</td>
<td>$1,200,000</td>
</tr>
<tr>
<td>Low Income Discount</td>
<td>119,570,603</td>
<td>132,291,594</td>
</tr>
<tr>
<td>Customer Education</td>
<td>750,000</td>
<td>750,000</td>
</tr>
<tr>
<td>Administration</td>
<td>$1,004,472</td>
<td>$1,004,472</td>
</tr>
<tr>
<td>Total</td>
<td>$122,525,075</td>
<td>$135,246,066</td>
</tr>
</tbody>
</table>

8. Low Income Discount. All amounts appropriated above in Strategy C.1.1, Energy Assistance, shall only be expended to provide a discount of up to 17 percent during the months of May through September in each fiscal year.

9. Consumer Education Requirements. Out of amounts appropriated above, the Public Utility Commission shall develop a section on its "power to choose" website as well as other educational materials for retail and commercial customers that provide easily comparable information about buy back rates offered by all retail electric providers (REPs) for electricity generated on-site, and renewable energy credit marketers and the contract terms they offer. If a REP does not offer a buy-back rate for on-site generated power, the column will indicate "no offer." The PUC shall also make available on its website information about on-site renewable rebates and tax incentives offered by the state, federal government and utilities.

10. Cable and Video Service Provider Study. Out of the funds appropriated above, the Public Utility Commission shall conduct a comprehensive and objective study to determine the extent to which any cable service providers or video service providers currently offering cable services or video services in Texas engage in the discriminatory practice of redlining. The commission shall report any and all objective and verifiable data at its disposal, including but not limited to average home value, median household income, race of household occupants, and whether or not the cable service or video service consumers own or rent their residences, of areas served per county compared to these same statistics for areas not served within the same county. The commission shall include in its study an analysis, for all cable service providers or video service providers that have been granted a state-issued certificate of franchise authority, of workforce diversity and ways to increase opportunities for historically underutilized businesses. The commission shall provide a copy of its study to every member of the Texas Legislature, and the Texas Sunset Commission, by December 31, 2009.
OFFICE OF PUBLIC UTILITY COUNSEL

For the Years Ending
August 31,     August 31,
2010        2011

Method of Financing:
General Revenue Fund $ 1,758,717 $ 1,758,717

Total, Method of Financing $ 1,758,717 $ 1,758,717

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE):
23.0  23.0

Schedule of Exempt Positions:
Public Counsel, Group 4 $115,000 $115,000

Items of Appropriation:
A. Goal: EQUITABLE ELECTRIC RATES
Equitable Electric Rates for Residential and Small Business Consumers.
A.1.1. Strategy: PARTICIPATION IN PROCEEDINGS
$ 1,262,871 $ 1,262,871
Participate in Major Electric Rate Cases, Rules and Other Proceedings.

B. Goal: TELEPHONE COMPETITION
Provide Benefits and Protect Telephone Consumers in Competitive Market.
B.1.1. Strategy: TELECOMMUNICATIONS PROCEEDINGS
$ 495,846 $ 495,846
Participate in Telecom Proceedings Involving Competitive Issues.

Grand Total, OFFICE OF PUBLIC UTILITY COUNSEL $ 1,758,717 $ 1,758,717

Object-of-Expense Informational Listing:
Salaries and Wages $ 1,261,903 $ 1,261,903
Other Personnel Costs 60,461 60,461
Professional Fees and Services 256,152 256,152
Consumable Supplies 12,500 12,500
Travel 5,500 5,500
Rent - Building 3,264 3,264
Rent - Machine and Other 26,116 26,116
Other Operating Expense 132,821 132,821

Total, Object-of-Expense Informational Listing $ 1,758,717 $ 1,758,717

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:
Employee Benefits
Retirement $ 63,709 $ 64,664
Group Insurance 109,747 118,537
Social Security 90,784 92,146
Benefits Replacement 8,024 7,623

Subtotal, Employee Benefits $ 272,264 $ 282,970

Debt Service
Lease Payments $ 7,444 $ 7,004

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $ 279,708 $ 289,974

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Office of Public Utility Counsel. 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 Office of Public Utility Counsel. In order to achieve the objectives and service

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standards established by this Act, the Office of Public Utility Counsel shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: EQUITABLE ELECTRIC RATES

<table>
<thead>
<tr>
<th>Outcome (Results/Impact):</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage of OPUC Electric Proceedings That Are Competition Related</td>
<td>55%</td>
<td>55%</td>
</tr>
</tbody>
</table>

A.1.1. Strategy: PARTICIPATION IN PROCEEDINGS

<table>
<thead>
<tr>
<th>Output (Volume):</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Electric Cases in Which OPUC Participates</td>
<td>45</td>
<td>45</td>
</tr>
<tr>
<td>Number of Electric Projects in Which OPUC Participates</td>
<td>15</td>
<td>15</td>
</tr>
</tbody>
</table>

Efficiencies:

<table>
<thead>
<tr>
<th>Efficiencies:</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Cost Per Electric Proceeding in Which OPUC Participates</td>
<td>11,400</td>
<td>11,400</td>
</tr>
</tbody>
</table>

B. Goal: TELEPHONE COMPETITION

<table>
<thead>
<tr>
<th>Outcome (Results/Impact):</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of OPUC Telecommunications Proceedings That Are Competition Related</td>
<td>65%</td>
<td>65%</td>
</tr>
</tbody>
</table>

B.1.1. Strategy: TELECOMMUNICATIONS PROCEEDINGS

<table>
<thead>
<tr>
<th>Output (Volume):</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Telecommunications Cases in Which OPUC Participates</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Number of Telecommunications Projects in Which OPUC Participates</td>
<td>24</td>
<td>24</td>
</tr>
</tbody>
</table>

Efficiencies:

<table>
<thead>
<tr>
<th>Efficiencies:</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Cost Per Telecommunications Proceeding in Which OPUC Participates</td>
<td>3,300</td>
<td>3,300</td>
</tr>
</tbody>
</table>

2. Unexpended Balance Authority. The unobligated and unexpended balances of appropriations to the Office of Public Utility Counsel for the fiscal year ending August 31, 2010, are hereby appropriated to the agency for the same purposes for the fiscal year ending August 31, 2011.

BOARD OF VETERINARY MEDICAL EXAMINERS

<table>
<thead>
<tr>
<th>For the Years Ending August 31,</th>
<th>August 31,</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2010</td>
</tr>
<tr>
<td>Method of Financing:</td>
<td>$ 1,009,773</td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$ 1,009,773</td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>1,884</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$ 1,011,657</td>
</tr>
<tr>
<td>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</td>
<td>$ 226,307</td>
</tr>
</tbody>
</table>

This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE): 17.0

Schedule of Exempt Positions:

| Schedule of Exempt Positions: | Executive Director, Group 2 | $80,500 | $80,500 |

Items of Appropriation:

A. Goal: VETERINARY REGULATION

Implement Standards of Veterinary Practice, Enforce Statutes and Rules.

A.1.1. Strategy: OPERATE LICENSURE SYSTEM

Examine and License Veterinarians and Renew Licenses.

A.1.2. Strategy: TEXASONLINE

TexasOnline. Estimated and Nontransferable.
A.2.1. Strategy: COMPLAINTS AND ACTION  
Investigate Complaints, Take Disciplinary Action, Compliance Program.  
A.2.2. Strategy: PEER ASSISTANCE  
Total, Goal A: VETERINARY REGULATION  

B. Goal: INDIRECT ADMINISTRATION  
B.1.1. Strategy: LICENSING INDIRECT ADMINISTRATION  
B.1.2. Strategy: COMPLAINTS & ACTION INDIRECT ADMIN  
Complaints and Action Indirect Administration.  
Total, Goal B: INDIRECT ADMINISTRATION  

Grand Total, BOARD OF VETERINARY MEDICAL EXAMINERS  

Object-of-Expense Informational Listing:  
Salaries and Wages $747,330 $752,700  
Other Personnel Costs 23,020 23,020  
Professional Fees and Services 53,530 53,530  
Consumable Supplies 8,850 8,850  
Utilities 2,737 2,737  
Travel 60,341 60,341  
Rent - Building 1,964 1,964  
Other Operating Expense 113,885 101,885  
Total, Object-of-Expense Informational Listing $1,011,657 $1,005,027  

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:  
Employee Benefits  
Retirement $26,456 $26,853  
Group Insurance 70,960 76,747  
Social Security 44,713 45,384  
Benefits Replacement 1,580 1,501  
Subtotal, Employee Benefits $143,709 $150,485  
Debt Service  
Lease Payments $11,504 $7,271  
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $155,213 $157,756  

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Board of Veterinary Medical Examiners. 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 Board of Veterinary Medical Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Veterinary Medical Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.  

A. Goal: VETERINARY REGULATION  
Outcome (Results/Impact):  
Percentage of Licensees with No Recent Violations 99% 99%  
Percent of Licensees Who Renew Online 84% 84%  
Percentage of Complaints Resulting in Disciplinary Action 20% 20%  
Recidivism Rate for Peer Assistance Programs 16% 16%  
A.1.1. Strategy: OPERATE LICENSURE SYSTEM  
Output (Volume):  
Number of New Licenses Issued to Individuals 345 345  
Number of Licenses Renewed (Individuals) 7,085 7,250  
A.2.1. Strategy: COMPLAINTS AND ACTION  
Output (Volume):  
Number of Complaints Resolved 500 500  

2010 2011  

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Efficiencies:
Average Time for Complaint Resolution (Days) 180 180

Explanatory:
Number of Jurisdictional Complaints Received 440 460

A.2.2. Strategy: PEER ASSISTANCE
Output (Volume):
Number of Licensed Individuals Participating in a Peer Assistance Program 15 15

2. Contingent Revenue. Out of the amounts appropriated above to the Board of Veterinary Medical Examiners in Strategy A.1.1, Operate Licensure System, the amounts of $750 in fiscal year 2010, in Strategy A.2.1, Complaints and Action, the amounts of $141,328 in fiscal year 2010 and $134,281 in fiscal year 2011, in Strategy B.1.1, Licensing Indirect Administration, the amounts of $7,347 in 2010 and $7,639 in 2011, and in Strategy B.1.2, Complaints and Action Indirect Administration, the amounts of $22,042 in 2010 and $22,917 in 2011 in General Revenue are contingent upon the Board of Veterinary Medical Examiners assessing or increasing fees sufficient to generate, during the 2010-11 biennium, $414,673 in excess of $2,110,000 (Object Code 3175), contained in the Comptroller of Public Accounts’ Biennial Revenue Estimate for fiscal years 2010 and 2011. Also, the "Number of Full-Time- Equivalents (FTE)" figure indicated above includes 4.0 FTEs in each fiscal year contingent upon the Board of Veterinary Medical Examiners generating the amount of revenue indicated above. The Board of Veterinary Medical Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Veterinary Medical Examiners minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

3. Inspection of Non-Licensed Veterinarians. Out of amounts appropriated above in Strategy A.2.1, Complaints and Action, the Board of Veterinary Medical Examiners shall use one full-time equivalent position for inspecting unauthorized or non-licensed practices of veterinarian medicine.

RETIREMENT AND GROUP INSURANCE

<table>
<thead>
<tr>
<th>For the Years Ending</th>
<th>August 31,</th>
<th>August 31,</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2010</td>
<td>2011</td>
</tr>
<tr>
<td>Method of Financing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Revenue Fund, estimated</td>
<td>$ 15,674,558</td>
<td>$ 16,609,160</td>
</tr>
<tr>
<td>General Revenue Dedicated Accounts, estimated</td>
<td>$ 18,815,256</td>
<td>$ 20,052,662</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$ 34,489,814</td>
<td>$ 36,661,822</td>
</tr>
<tr>
<td>Items of Appropriation:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Goal: EMPLOYEES RETIREMENT SYSTEM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.1.1. Strategy: RETIREMENT CONTRIBUTIONS</td>
<td>$ 10,048,990</td>
<td>$ 10,199,725</td>
</tr>
<tr>
<td>Retirement Contributions. Estimated.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.1.2. Strategy: GROUP INSURANCE</td>
<td>$ 24,440,824</td>
<td>$ 26,462,097</td>
</tr>
<tr>
<td>Group Insurance. Estimated.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total, Goal A: EMPLOYEES RETIREMENT SYSTEM</td>
<td>$ 34,489,814</td>
<td>$ 36,661,822</td>
</tr>
<tr>
<td>Grand Total, RETIREMENT AND GROUP INSURANCE</td>
<td>$ 34,489,814</td>
<td>$ 36,661,822</td>
</tr>
</tbody>
</table>
### SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

For the Years Ending August 31, August 31,  
2010 2011

**Method of Financing:**
- General Revenue Fund, estimated  $6,459,577  $6,530,704
- General Revenue Dedicated Accounts, estimated  7,103,052  7,162,367
- State Highway Fund No. 006, estimated  202,096  204,025

**Total, Method of Financing**  $13,764,725  $13,897,096

**Items of Appropriation:**

**A. Goal:** SOCIAL SECURITY/BENEFIT REPLACEMENT  
Comptroller - Social Security.

**A.1.1. Strategy:** STATE MATCH — EMPLOYER  
State Match — Employer. Estimated.  $12,624,753  $12,814,123

**A.1.2. Strategy:** BENEFIT REPLACEMENT PAY  
Benefit Replacement Pay. Estimated.  $1,139,972  $1,082,973

**Total, Goal A:** SOCIAL SECURITY/BENEFIT REPLACEMENT  $13,764,725  $13,897,096

**Grand Total, SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY**  $13,764,725  $13,897,096

### LEASE PAYMENTS

For the Years Ending August 31, August 31,  
2010 2011

**Method of Financing:**
- General Revenue Fund  $1,185,526  $978,405
- GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036  1,031,819  640,031

**Total, Method of Financing**  $2,217,345  $1,618,436

**Items of Appropriation:**

**A. Goal:** FINANCE CAPITAL PROJECTS  

**A.1.1. Strategy:** LEASE PAYMENTS  
To TFC for Payment to TPFA.  $2,217,345  $1,618,436

**Grand Total, LEASE PAYMENTS**  $2,217,345  $1,618,436

### SPECIAL PROVISIONS RELATING TO ALL REGULATORY AGENCIES

**Sec. 2. Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines, and other miscellaneous revenues as authorized and generated by each of the following agencies cover, at a minimum, the cost of appropriations made above and elsewhere in this Act to those agencies as well as an amount equal to the amount identified in the informational item "Other Direct and Indirect Costs Appropriated Elsewhere in This Act."

- Department of Banking
- Board of Chiropractic Examiners
- Office of Consumer Credit Commissioner
- Credit Union Department
- Texas State Board of Dental Examiners
- Funeral Service Commission
- Board of Professional Geoscientists
- Office of Injured Employee Counsel
SPECIAL PROVISIONS RELATING TO ALL REGULATORY AGENCIES
(Continued)

Department of Insurance
Office of Public Insurance Counsel
Board of Professional Land Surveying
Department of Licensing and Regulation
Texas Medical Board
Texas Board of Nursing
Optometry Board
Board of Pharmacy
Executive Council of Physical Therapy and Occupational Therapy Examiners
Board of Plumbing Examiners
Board of Podiatric Medical Examiners
Board of Examiners of Psychologists
Racing Commission
Real Estate Commission
Residential Construction Commission
Department of Savings and Mortgage Lending
Securities Board
Board of Tax Professional Examiners
Board of Veterinary Medical Examiners

In the event that actual and/or projected revenue collections are insufficient to offset the costs identified
by this provision, the Legislative Budget Board and Governor may direct that the Comptroller of Public
Accounts reduce the appropriation authority provided by this Act to be within the amount of fee
revenue expected to be available.

Sec. 3. Funding for Health Professions Council. An agency participating in the Health Professions
Council shall transfer funds through interagency contract to the Health Professions Council from
appropriations made to the agency elsewhere in this Act in order to carry out the functions required
under Chapter 101, Occupation Code. Included in the amounts appropriated above to the Health
Professions Council, are funds transferred by the following participating agencies in the amounts noted
below for each year of the 2010-11 biennium:

<table>
<thead>
<tr>
<th>Agency</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of State Health Services</td>
<td>$11,846</td>
<td>$11,846</td>
</tr>
<tr>
<td>Board of Chiropractic Examiners</td>
<td>5,435</td>
<td>5,435</td>
</tr>
<tr>
<td>Texas State Board of Dental Examiners</td>
<td>20,187</td>
<td>20,187</td>
</tr>
<tr>
<td>Funeral Service Commission</td>
<td>8,468</td>
<td>8,468</td>
</tr>
<tr>
<td>Texas Medical Board</td>
<td>25,646</td>
<td>25,646</td>
</tr>
<tr>
<td>Texas Board of Nursing</td>
<td>22,638</td>
<td>22,638</td>
</tr>
<tr>
<td>Optometry Board</td>
<td>5,481</td>
<td>5,481</td>
</tr>
<tr>
<td>Board of Pharmacy</td>
<td>20,384</td>
<td>20,384</td>
</tr>
</tbody>
</table>
| Executive Council of Physical Therapy &
  Occupational Therapy Examiners                   | 11,004  | 11,004  |
| Board of Podiatric Medical Examiners            | 4,877   | 4,877   |
| Board of Examiners of Psychologists             | 9,082   | 9,082   |
| Board of Veterinary Medical Examiners           | 8,173   | 8,173   |
| **Total**                                       | **$153,221** | **$153,221** |

Sec. 4. TexasOnline Authority Appropriation.

a. Each Article VIII licensing agency participating in the TexasOnline Authority is authorized in
accordance with § 2054.252 of the Government Code to increase the occupational license,
permit, and registration fees imposed on the licensees by an amount sufficient to cover the
cost of the subscription fee charged by the TexasOnline Authority.

b. The following is an informational listing for each Article VIII licensing agency participating
in TexasOnline of appropriated fee revenue for the purpose of paying TexasOnline Authority
subscription fees.

<table>
<thead>
<tr>
<th>Agency</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board of Chiropractic Examiners</td>
<td>$29,850</td>
<td>$29,850</td>
</tr>
<tr>
<td>Office of Consumer Credit Commissioner</td>
<td>15,000</td>
<td>15,000</td>
</tr>
<tr>
<td>Texas State Board of Dental Examiners</td>
<td>184,629</td>
<td>184,629</td>
</tr>
</tbody>
</table>
SPECIAL PROVISIONS RELATING TO ALL REGULATORY AGENCIES  
(Continued)

<table>
<thead>
<tr>
<th>Agency</th>
<th>Revenue 1</th>
<th>Revenue 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funeral Services Commission</td>
<td>39,000</td>
<td>39,000</td>
</tr>
<tr>
<td>Board of Professional Geoscientists</td>
<td>30,000</td>
<td>30,000</td>
</tr>
<tr>
<td>Department of Insurance</td>
<td>380,000</td>
<td>380,000</td>
</tr>
<tr>
<td>Board of Professional Land Surveying</td>
<td>18,000</td>
<td>18,000</td>
</tr>
<tr>
<td>Department of Licensing and Regulation</td>
<td>331,200</td>
<td>331,200</td>
</tr>
<tr>
<td>Texas Medical Board</td>
<td>316,841</td>
<td>316,841</td>
</tr>
<tr>
<td>Texas Board of Nursing</td>
<td>325,000</td>
<td>325,000</td>
</tr>
<tr>
<td>Optometry Board</td>
<td>16,750</td>
<td>16,750</td>
</tr>
<tr>
<td>Board of Pharmacy</td>
<td>217,345</td>
<td>221,785</td>
</tr>
<tr>
<td>Executive Council of Physical Therapy &amp;</td>
<td>131,175</td>
<td>131,175</td>
</tr>
<tr>
<td>Occupational Therapy Examiners</td>
<td>155,000</td>
<td>155,000</td>
</tr>
<tr>
<td>Board of Plumbing Examiners</td>
<td>4,130</td>
<td>4,130</td>
</tr>
<tr>
<td>Board of Podiatric Medical Examiners</td>
<td>32,000</td>
<td>32,000</td>
</tr>
<tr>
<td>Board of Examiners of Psychologists</td>
<td>23,250</td>
<td>23,250</td>
</tr>
<tr>
<td>Racing Commission</td>
<td>322,000</td>
<td>322,000</td>
</tr>
<tr>
<td>Residential Construction Commission</td>
<td>350,000</td>
<td>350,000</td>
</tr>
<tr>
<td>Department of Savings and Mortgage Lending</td>
<td>52,000</td>
<td>52,000</td>
</tr>
<tr>
<td>Board of Tax Professional Examiners</td>
<td>16,250</td>
<td>16,250</td>
</tr>
<tr>
<td>Board of Veterinary Medical Examiners</td>
<td>33,650</td>
<td>33,650</td>
</tr>
</tbody>
</table>

Total $3,023,070 $3,027,510

c. In the event that actual and/or projected revenue collections from fee increases to cover the cost of TexasOnline subscription fees are insufficient to offset the costs identified above, the Comptroller is hereby directed to reduce the appropriation authority provided by this Act to agencies participating in TexasOnline to be within the amount of fee revenue expected to be available.

d. For new licensing applications, the Article VIII licensing agencies participating in TexasOnline are hereby appropriated the additional revenue generated from occupational license, permit, or registration fees in excess of the Comptroller's biennial revenue estimate 2010-11 for the sole purpose of payment to the TexasOnline Authority contractor of subscription fees for implementing and maintaining electronic services for the licensing agencies. Each agency, upon completion of necessary actions to access or increase fees, shall furnish copies of board meeting minutes, an annual schedule of the number of license issuances or renewals and associated annual fee total, and any other supporting documentation to the Comptroller. If the Comptroller finds the information sufficient to support the projection of increased revenues, a notification letter will be issued and the contingent appropriation made available for the intended purposes.

e. Each Article VIII licensing agency participating in TexasOnline shall notify the Legislative Budget Board and the Comptroller of Public Accounts in writing upon receiving an exemption from participating in TexasOnline. Within 45 days of receiving an exemption, an agency shall provide the Legislative Budget Board and the Comptroller with a report of the effective date, the reason for exemption, and all estimated expenditures for TexasOnline costs in the fiscal year in which the exemption is made.

Sec. 5. Peer Assistance Program Funding Requirements. Funds collected during the biennium beginning September 1, 2009, by the Board of Pharmacy pursuant to Chapter 564, Occupations Code, and by the Texas Board of Nursing, the Texas State Board of Dental Examiners, the Optometry Board, and the Board of Veterinary Medical Examiners pursuant to Chapter 467 of the Health and Safety Code, in order to administer or finance peer assistance programs for professionals impaired by chemical dependency or mental illness, are appropriated elsewhere in this Act as identified in each Board's peer assistance strategy. The expenditure of the appropriations identified by this section is hereby made contingent upon sufficient revenue collections from peer assistance surcharges or other receipts collected pursuant to Chapter 467 of the Health and Safety Code or Chapter 564, Occupations Code as appropriate. None of the appropriations identified by this section may be expended unless each agency with a peer assistance program has on file the following current documents:

a. a request for proposal documentation and contracts documenting that the respective agency governing board has a competitively bid contract with the peer assistance program;
SPECIAL PROVISIONS RELATING TO ALL REGULATORY AGENCIES
(Continued)

b. documentation for programs authorized under Chapter 467 of the Health and Safety Code that the agency's peer assistance program has been certified by the Department of State Health Services (DSHS) as meeting all DSHS criteria for peer assistance programs;

c. documentation for programs authorized under Chapter 467 showing compliance with statutory requirements regarding eligible participants and conditions for which services may be offered; and

d. documentation that the program has been approved by the agency governing board.

Sec. 6. Contingency Appropriation for Criminal History Record Information.

a. For each Article VIII licensing agency conducting criminal history background checks that is authorized in accordance with the Government Code to increase the occupational license, permit, and/or registration fee imposed on the licensees by an amount sufficient to cover the cost of the fee charged by the Department of Public Safety (DPS), Federal Bureau of Investigation (FBI), and/or any other entity authorized to conduct criminal history background checks, in the event that actual and/or projected revenue collections from fee increases to cover the cost of criminal history background checks are insufficient to offset the costs included in the agency's appropriations that is budgeted for criminal history background checks, the Comptroller is hereby directed to reduce the appropriation authority provided by this Act to agencies conducting criminal history background checks to be within the amount of revenue expected to be available.

b. Each Article VIII licensing agency conducting criminal history background checks is hereby appropriated the additional revenue generated from occupational license, permit, and/or registration fees in excess of the Comptroller's biennial revenue estimate for 2010-11 for the sole purpose of conducting criminal history background checks. Each agency, upon completion of necessary actions to assess or increase fees, shall furnish copies of board meeting minutes, an annual schedule of the number of license issuances or renewals and associated annual fee total, and any other supporting documentation to the Comptroller. If the Comptroller finds the information sufficient to support the projection of increased revenues, a notification letter will be issued and the contingent appropriation made available for the intended purpose.

c. The following is an informational listing of agency appropriations included for each Article VIII licensing agency conducting criminal history background checks.

<table>
<thead>
<tr>
<th>Agency</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of Consumer Credit Commissioner</td>
<td>$ 130,000</td>
<td>$ 130,000</td>
</tr>
<tr>
<td>Department of Licensing and Regulation</td>
<td>276,000</td>
<td>283,000</td>
</tr>
<tr>
<td>Texas Board of Nursing</td>
<td>928,225</td>
<td>928,225</td>
</tr>
<tr>
<td>Optometry Board</td>
<td>6,500</td>
<td>6,500</td>
</tr>
<tr>
<td>Board of Plumbing Examiners</td>
<td>2,500</td>
<td>2,500</td>
</tr>
<tr>
<td>Board of Podiatric Medical Examiners</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td>Racing Commission</td>
<td>25,000</td>
<td>25,000</td>
</tr>
<tr>
<td>Real Estate Commission</td>
<td>1,089,550</td>
<td>1,449,525</td>
</tr>
<tr>
<td>Department of Savings and Mortgage Lending</td>
<td>225,000</td>
<td>225,000</td>
</tr>
<tr>
<td>Board of Veterinary Medical Examiners</td>
<td>200</td>
<td>200</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 2,685,975</strong></td>
<td><strong>$ 3,052,950</strong></td>
</tr>
</tbody>
</table>

Sec. 7. Contingent Funding for Health Professions Council Shared Regulatory Database Migration.

a. If a finding of fact is not issued by the Comptroller of Public Accounts to make available the contingent appropriation specified in Contingent Revenue riders elsewhere in this Act for all of the agencies identified below, this subsection (a) has no effect. Otherwise, an agency participating in the Health Professions Council Shared Regulatory Database Migration Project shall transfer funds through interagency contract to the Health Professions Council from appropriations made elsewhere in this Act in order to fund the new shared database. Included in the amounts appropriated above to the Health Professions Council and in addition to
amounts identified in Sec. 3, Funding for Health Professions Council, are funds transferred by the following participating agencies in the amounts noted below for each year of the 2010-11 biennium:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas State Board of Dental Examiners</td>
<td>$644,427</td>
<td>$158,125</td>
</tr>
<tr>
<td>Board of Professional Land Surveying</td>
<td>$54,409</td>
<td>$17,843</td>
</tr>
<tr>
<td>Optometry Board</td>
<td>$47,784</td>
<td>$32,991</td>
</tr>
<tr>
<td>Board of Pharmacy</td>
<td>$943,228</td>
<td>$206,321</td>
</tr>
<tr>
<td>Board of Plumbing Examiners</td>
<td>$569,121</td>
<td>$133,048</td>
</tr>
<tr>
<td>Board of Examiners of Psychologists</td>
<td>$93,339</td>
<td>$58,862</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$2,352,308</strong></td>
<td><strong>$607,190</strong></td>
</tr>
</tbody>
</table>

b. If subsection (a) has no effect, amounts identified below for each agency may not be expended if a finding of fact has been issued by the Comptroller of Public Accounts making available contingent appropriations specified in Contingent Revenue riders elsewhere in this Act. Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated elsewhere for the Health Professions Council shall be reduced by 3.0 FTEs in each fiscal year if subsection (a) has no effect.

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas State Board of Dental Examiners</td>
<td>$644,427</td>
<td>$59,155</td>
</tr>
<tr>
<td>Board of Professional Land Surveying</td>
<td>$54,409</td>
<td>$4,994</td>
</tr>
<tr>
<td>Optometry Board</td>
<td>$47,784</td>
<td>$4,386</td>
</tr>
<tr>
<td>Board of Pharmacy</td>
<td>$943,228</td>
<td>$86,583</td>
</tr>
<tr>
<td>Board of Plumbing Examiners</td>
<td>$569,121</td>
<td>$52,242</td>
</tr>
<tr>
<td>Board of Examiners of Psychologists</td>
<td>$93,339</td>
<td>$8,568</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$2,352,308</strong></td>
<td><strong>$215,928</strong></td>
</tr>
</tbody>
</table>

Sec. 8. Self-Leveling Agency Fee Change Notification Requirements.

a. Upon completion of actions to increase fees to cover an increase in appropriations and other necessary costs, an agency listed below in subsection (c) shall furnish copies of the agency's minutes and other information supporting the estimated revenues to be generated for the biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the increased appropriations shall be made available for the intended purposes.

b. Upon completion of actions to decrease fees or upon receiving information that actual and/or projected revenue collections will be insufficient to offset appropriations and other necessary costs, an agency listed below in subsection (c) shall immediately provide notification to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts. The Comptroller of Public Accounts shall reduce the appropriation authority provided by this Act to be within the amount of revenue expected to be available unless the agency completes actions to increase revenues and receives a finding of fact from the Comptroller of Public Accounts pursuant to the requirements of subsection (a) above.

c. Department of Banking  
Office of Consumer Credit Commissioner  
Credit Union Department  
Department of Insurance  
Department of Savings and Mortgage Lending
### Recapitulation - Article VIII

#### Regulatory (General Revenue)

<table>
<thead>
<tr>
<th>Agency/Special Fund</th>
<th>August 31, 2010</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Office of Administrative Hearings</td>
<td>$3,490,002</td>
<td>$3,484,353</td>
</tr>
<tr>
<td>Department of Banking</td>
<td>$23,024,144</td>
<td>$23,871,473</td>
</tr>
<tr>
<td>Board of Chiropractic Examiners</td>
<td>$610,620</td>
<td>$592,620</td>
</tr>
<tr>
<td>Office of Consumer Credit Commissioner</td>
<td>$5,524,602</td>
<td>$5,649,601</td>
</tr>
<tr>
<td>Credit Union Department</td>
<td>$2,519,316</td>
<td>$2,555,995</td>
</tr>
<tr>
<td>Texas State Board of Dental Examiners</td>
<td>$2,689,715</td>
<td>$2,102,718</td>
</tr>
<tr>
<td>Funeral Service Commission</td>
<td>$691,751</td>
<td>$691,751</td>
</tr>
<tr>
<td>Board of Professional Geoscientists</td>
<td>$795,812</td>
<td>$653,953</td>
</tr>
<tr>
<td>Department of Insurance</td>
<td>$36,322,858</td>
<td>$36,089,558</td>
</tr>
<tr>
<td>Office of Public Insurance Counsel</td>
<td>$1,073,777</td>
<td>$1,073,777</td>
</tr>
<tr>
<td>Board of Professional Land Surveying</td>
<td>$486,493</td>
<td>$442,124</td>
</tr>
<tr>
<td>Department of Licensing and Regulation</td>
<td>$22,420,249</td>
<td>$22,266,973</td>
</tr>
<tr>
<td>Texas Medical Board</td>
<td>$9,180,006</td>
<td>$8,775,723</td>
</tr>
<tr>
<td>Texas Board of Nursing</td>
<td>$7,550,283</td>
<td>$7,505,533</td>
</tr>
<tr>
<td>Optometry Board</td>
<td>$483,778</td>
<td>$440,381</td>
</tr>
<tr>
<td>Board of Pharmacy</td>
<td>$6,042,181</td>
<td>$5,089,109</td>
</tr>
<tr>
<td>Executive Council of Physical Therapy &amp;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Occupational Therapy Examiners</td>
<td>$1,060,722</td>
<td>$1,051,119</td>
</tr>
<tr>
<td>Board of Plumbing Examiners</td>
<td>$2,583,474</td>
<td>$2,023,631</td>
</tr>
<tr>
<td>Board of Podiatric Medical Examiners</td>
<td>$239,798</td>
<td>$238,375</td>
</tr>
<tr>
<td>Board of Examiners of Psychologists</td>
<td>$892,976</td>
<td>$800,206</td>
</tr>
<tr>
<td>Racing Commission, Contingency Appropriations</td>
<td>$1,500,000</td>
<td>$0</td>
</tr>
<tr>
<td>Real Estate Commission</td>
<td>$8,013,351</td>
<td>$8,131,234</td>
</tr>
<tr>
<td>Residential Construction Commission</td>
<td>$8,991,102</td>
<td>$8,991,103</td>
</tr>
<tr>
<td>Department of Savings and Mortgage Lending</td>
<td>$6,827,183</td>
<td>$6,879,211</td>
</tr>
<tr>
<td>Securities Board</td>
<td>$7,851,340</td>
<td>$7,871,716</td>
</tr>
<tr>
<td>Board of Tax Professional Examiners</td>
<td>$192,763</td>
<td>$192,763</td>
</tr>
<tr>
<td>Public Utility Commission of Texas</td>
<td>$10,877,758</td>
<td>$10,785,198</td>
</tr>
<tr>
<td>Office of Public Utility Counsel</td>
<td>$1,758,717</td>
<td>$1,758,717</td>
</tr>
<tr>
<td>Board of Veterinary Medical Examiners</td>
<td>$1,009,773</td>
<td>$1,003,143</td>
</tr>
</tbody>
</table>

#### Subtotal, Regulatory

- **Total:** $175,304,542

| Retirement and Group Insurance | $15,674,558 | $16,609,160 |
| Social Security and Benefit Replacement Pay | $6,459,577 | $6,530,704 |

#### Subtotal, Employee Benefits

- **Total:** $22,134,135

| Lease Payments | $1,185,526 | $978,405 |

#### Subtotal, Debt Service

- **Total:** $1,185,526

| TOTAL, ARTICLE VIII - REGULATORY | $198,624,203 | $195,130,327 |

---

RECAP-Conf-8-B  VIII-95  May 22, 2009
<table>
<thead>
<tr>
<th></th>
<th>For the Years Ending</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>August 31, 2010</td>
<td>August 31, 2011</td>
<td></td>
</tr>
<tr>
<td>Office of Injured Employee Counsel</td>
<td>$7,769,542</td>
<td>$7,769,542</td>
<td></td>
</tr>
<tr>
<td>Department of Insurance</td>
<td>63,915,493</td>
<td>63,511,862</td>
<td></td>
</tr>
<tr>
<td>Department of Licensing and Regulation</td>
<td>25,000</td>
<td>25,000</td>
<td></td>
</tr>
<tr>
<td>Texas Medical Board</td>
<td>2,228,281</td>
<td>2,229,642</td>
<td></td>
</tr>
<tr>
<td>Racing Commission</td>
<td>10,148,402</td>
<td>10,148,401</td>
<td></td>
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<tr>
<td>Contingency Appropriations</td>
<td>(864,363)</td>
<td>635,637</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>9,284,039</td>
<td>10,784,038</td>
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<tr>
<td>Real Estate Commission</td>
<td>120,000</td>
<td>120,000</td>
<td></td>
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<tr>
<td>Public Utility Commission of Texas</td>
<td>122,525,075</td>
<td>135,246,066</td>
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<tr>
<td>Subtotal, Regulatory</td>
<td>$205,867,430</td>
<td>$219,686,150</td>
<td></td>
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<tr>
<td>Retirement and Group Insurance</td>
<td>18,815,256</td>
<td>20,052,662</td>
<td></td>
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<tr>
<td>Social Security and Benefit Replacement Pay</td>
<td>7,103,052</td>
<td>7,162,367</td>
<td></td>
</tr>
<tr>
<td>Subtotal, Employee Benefits</td>
<td>$25,918,308</td>
<td>$27,215,029</td>
<td></td>
</tr>
<tr>
<td>Lease Payments</td>
<td>1,031,819</td>
<td>640,031</td>
<td></td>
</tr>
<tr>
<td>Subtotal, Debt Service</td>
<td>$1,031,819</td>
<td>$640,031</td>
<td></td>
</tr>
<tr>
<td>TOTAL, ARTICLE VIII - REGULATORY</td>
<td>$232,817,557</td>
<td>$247,541,210</td>
<td></td>
</tr>
</tbody>
</table>
RECAPITULATION - ARTICLE VIII
REGULATORY
(Federal Funds)

For the Years Ending
August 31, 2010 August 31, 2011

<table>
<thead>
<tr>
<th>Department of Insurance</th>
<th>$2,254,623</th>
<th>$2,254,623</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subtotal, Regulatory</td>
<td>$2,254,623</td>
<td>$2,254,623</td>
</tr>
<tr>
<td>TOTAL, ARTICLE VIII - REGULATORY</td>
<td>$2,254,623</td>
<td>$2,254,623</td>
</tr>
<tr>
<td>Agency</td>
<td>2010</td>
<td>2011</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>--------------</td>
<td>--------------</td>
</tr>
<tr>
<td>State Office of Administrative Hearings</td>
<td>$7,059,211</td>
<td>$7,059,212</td>
</tr>
<tr>
<td>Department of Banking</td>
<td>$6,100</td>
<td>$6,100</td>
</tr>
<tr>
<td>Board of Chiropractic Examiners</td>
<td>$31,000</td>
<td>$31,000</td>
</tr>
<tr>
<td>Texas State Board of Dental Examiners</td>
<td>$72,000</td>
<td>$72,000</td>
</tr>
<tr>
<td>Funeral Service Commission</td>
<td>$58,000</td>
<td>$58,000</td>
</tr>
<tr>
<td>Health Professions Council</td>
<td>$2,513,779</td>
<td>$768,662</td>
</tr>
<tr>
<td>Department of Insurance</td>
<td>$746,716</td>
<td>$746,716</td>
</tr>
<tr>
<td>Office of Public Insurance Counsel</td>
<td>$48,000</td>
<td>$48,000</td>
</tr>
<tr>
<td>Department of Licensing and Regulation</td>
<td>$538,634</td>
<td>$538,634</td>
</tr>
<tr>
<td>Texas Medical Board</td>
<td>$64,423</td>
<td>$64,423</td>
</tr>
<tr>
<td>Texas Board of Nursing</td>
<td>$823,100</td>
<td>$823,100</td>
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<tr>
<td>Optometry Board</td>
<td>$49,580</td>
<td>$49,581</td>
</tr>
<tr>
<td>Board of Pharmacy</td>
<td>7,730</td>
<td>7,730</td>
</tr>
<tr>
<td>Executive Council of Physical Therapy &amp;</td>
<td>80,676</td>
<td>80,678</td>
</tr>
<tr>
<td>Occupational Therapy Examiners</td>
<td>84,750</td>
<td>84,750</td>
</tr>
<tr>
<td>Board of Podiatric Medical Examiners</td>
<td>3,200</td>
<td>3,200</td>
</tr>
<tr>
<td>Board of Examiners of Psychologists</td>
<td>79,398</td>
<td>79,398</td>
</tr>
<tr>
<td>Real Estate Commission</td>
<td>190,500</td>
<td>190,500</td>
</tr>
<tr>
<td>Residential Construction Commission</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>Department of Savings and Mortgage Lending</td>
<td>6,000</td>
<td>6,000</td>
</tr>
<tr>
<td>Public Utility Commission of Texas</td>
<td>475,000</td>
<td>475,000</td>
</tr>
<tr>
<td>Board of Veterinary Medical Examiners</td>
<td>1,884</td>
<td>1,884</td>
</tr>
<tr>
<td><strong>Subtotal, Regulatory</strong></td>
<td><strong>$12,907,681</strong></td>
<td><strong>$11,162,568</strong></td>
</tr>
<tr>
<td>Social Security and Benefit Replacement Pay</td>
<td>$202,096</td>
<td>$204,025</td>
</tr>
<tr>
<td><strong>Subtotal, Employee Benefits</strong></td>
<td><strong>$202,096</strong></td>
<td><strong>$204,025</strong></td>
</tr>
<tr>
<td>Less Interagency Contracts</td>
<td>$6,365,865</td>
<td>$4,620,749</td>
</tr>
<tr>
<td><strong>TOTAL, ARTICLE VIII - REGULATORY</strong></td>
<td><strong>$6,743,912</strong></td>
<td><strong>$6,745,844</strong></td>
</tr>
</tbody>
</table>
### RECAPITULATION - ARTICLE VIII
#### REGULATORY

(All Funds)

<table>
<thead>
<tr>
<th>Agency Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Office of Administrative Hearings</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Department of Banking</td>
</tr>
<tr>
<td>Board of Chiropractic Examiners</td>
</tr>
<tr>
<td>Office of Consumer Credit Commissioner</td>
</tr>
<tr>
<td>Credit Union Department</td>
</tr>
<tr>
<td>Texas State Board of Dental Examiners</td>
</tr>
<tr>
<td>Funeral Service Commission</td>
</tr>
<tr>
<td>Board of Professional Geoscientists</td>
</tr>
<tr>
<td>Health Professions Council</td>
</tr>
<tr>
<td>Office of Injured Employee Counsel</td>
</tr>
<tr>
<td>Department of Insurance</td>
</tr>
<tr>
<td>Office of Public Insurance Counsel</td>
</tr>
<tr>
<td>Board of Professional Land Surveying</td>
</tr>
<tr>
<td>Department of Licensing and Regulation</td>
</tr>
<tr>
<td>Texas Medical Board</td>
</tr>
<tr>
<td>Texas Board of Nursing</td>
</tr>
<tr>
<td>Optometry Board</td>
</tr>
<tr>
<td>Board of Pharmacy</td>
</tr>
<tr>
<td>Executive Council of Physical Therapy &amp; Occupational Therapy Examiners</td>
</tr>
<tr>
<td>Board of Plumbing Examiners</td>
</tr>
<tr>
<td>Board of Podiatric Medical Examiners</td>
</tr>
<tr>
<td>Board of Examiners of Psychologists</td>
</tr>
<tr>
<td>Racing Commission</td>
</tr>
<tr>
<td>Contingency Appropriations</td>
</tr>
<tr>
<td>Total</td>
</tr>
<tr>
<td>Real Estate Commission</td>
</tr>
<tr>
<td>Residential Construction Commission</td>
</tr>
<tr>
<td>Department of Savings and Mortgage Lending</td>
</tr>
<tr>
<td>Securities Board</td>
</tr>
<tr>
<td>Board of Tax Professional Examiners</td>
</tr>
<tr>
<td>Public Utility Commission of Texas</td>
</tr>
<tr>
<td>Office of Public Utility Counsel</td>
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<tr>
<td>Board of Veterinary Medical Examiners</td>
</tr>
<tr>
<td>Subtotal, Regulatory</td>
</tr>
<tr>
<td>Retirement and Group Insurance</td>
</tr>
<tr>
<td>Social Security and Benefit Replacement Pay</td>
</tr>
<tr>
<td>Subtotal, Employee Benefits</td>
</tr>
<tr>
<td>Lease Payments</td>
</tr>
<tr>
<td>Subtotal, Debt Service</td>
</tr>
<tr>
<td>Less Intergency Contracts</td>
</tr>
<tr>
<td>TOTAL, ARTICLE VIII - REGULATORY</td>
</tr>
</tbody>
</table>

Number of Full-Time-Equivalents (FTE)                                      | 3,959.0                  | 3,960.0