

HB

347

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 4/14/94

FURTHER:

DATE TURNED INTO OFFICE: 4-27-94

The Finance Committee considered CS FOR HOUSE BILL NO. 347(FIN)

"An Act relating to long-term plans of certain state agencies and recommendations regarding elimination of duplication in state agency functions."

and recommends:

- replace with _____ CS _____ (FINANCE)
- or adopt previous 3 CS CS HB 347 (STA)
- attaches amendment(s)

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal
HFC/GOV.	3/22/94		50.0

Appropriation No Fiscal Note

DO PASS:

Twin Kelly
Ken Nasty

OTHER RECOMMENDATIONS:

Steve Rin. No Recommendation
[Signature]

1. [Signature] Do Pass
 Co-Chair: Signature/Recommendation

2. [Signature] Do Pass
 Co-Chair: Signature/Recommendation

FISCAL NOTE

REQUEST:

Revision Date: _____ Dept. Affected: Office of the Governor
 Title: An Act relating to long-term plans BRU: All Agencies
 Sponsor: Parnell Components:
 Requestor: House Finance Committee

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	50.0	50.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants, Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	50.0	50.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES						
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FUNDING: (THOUSANDS OF DOLLARS)

1002 Federal Receipts	0.0	0.0	(1.0)	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	50.0	50.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	50.0	50.0	0.0	0.0	0.0	0.0

ESTIMATE OF ANY CURRENT YEAR (FY 94) COST \$

POSITIONS:

Full-Time	0	0	0
Part-Time	0	0	0
Temporary	0	0	0

Changes in Sen CS HB347 (STA) reflect NO FISCAL CHANGE from the original fiscal note. This fiscal note is appropriate.
 4-13-94 date [Signature] Comte Aide (initial)

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Rep. Ron Larson, Co-Chair R. Larson 465-3878
 Rep. Eileen MacLean, Co-Chair EAM Phone: 465-4833
 Division: House Finance Committee Date: 3/22/93
 Approved By: _____ Date: _____
 Agency: _____

COMMITTEE COPY

Back-up

Alaska State Legislature

REPRESENTATIVE
SEAN R. PARNELL



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ANCHORAGE, ALASKA 99501
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While in Juneau
STATE CAPITOL
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HOUSE OF REPRESENTATIVES

SPONSOR STATEMENT

HOUSE BILL 347

"An Act relating to long-term plans of certain state agencies"

With declining state revenues, the governor and the legislature need a more rational, objective mechanism for establishing funding priorities. Those funding priorities should reflect a long-term focus on performance and accountability for expenditures.

House Bill 347 requires state government to engage in long-range planning. Second, it provides for the establishment of performance measures by which the Governor and Legislature can evaluate an agency's achievement of its goals and objectives under the long-range plan, assisting the Governor and Legislature to make better informed fiscal decisions. Third, the bill provides for reporting to the public of the long-range plans and agencies' performance measures and results.

The Office of Management and Budget (OMB) will spearhead the administrative oversight function for the agencies' long-range planning effort. In the first year, three agencies will be chosen by OMB to participate in the new planning process, and the following year the rest of the agencies will come on line.

The development of long-term plans would follow this five point timeline.

(1) At the beginning of the calendar year, the Governor will develop statewide goals for strategic planning purposes. These goals will be used in developing agency goals.

(2) By May 1 of each year, the Governor issues state goals for long-term planning and the Office of Management and Budget (OMB) will provide economic and population data and forecasts to all departments.

(3) By July 1 of each year, OMB will review and approve the agencies' goals. OMB will develop forms and instructions for developing the long term plans and work with the agencies to develop measures of workload and results.

(4) By October 1 of each year, each agency will issue their long-term plan. The plan will cover six years from date of issue and include: a statement of goals; an analysis of workload and results of agency programs; an identification of the people served by the agency, their needs and how each will change; an analysis and projection of agency resources and how they are used; an explanation of expected changes in the agency due to new state or federal laws; the strategy for achieving the goals of the agency and improving program functions; and other information necessary for the long-term plan.

The Legislative Budget & Audit (LB&A) and OMB will review each plan, hold hearings and request additional agency information if necessary, in order to determine how each agency can best serve its consumer group.

(5) By December 15 of each year, OMB shall compile a comprehensive six year state long-range plan of the agencies. Any duplication of services or inefficiencies of service could then be examined and proposed to the legislature for elimination or improvement.

By requiring long-range agency plans consisting of goals, performance measures, and reporting of results, and utilizing them yearly in the budget process, we can better prioritize our use of state funds and reshape government so it is more mission driven and customer oriented (i.e. citizen oriented). I urge your support of HB 347.

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

MAR 28 1994

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 28, 1994

SUBJECT: Long-term plans of state agencies (CSHB 347(FIN))

TO: Representative Sean Parnell

FROM: Tamara Brandt Cook
Director *TBC*

Here is the sectional summary you requested.

Sec. 1. Requires each principal department of the executive branch, the court system, and the University of Alaska to develop a long-range plan by October 1 of each year. The plan covers a six year period and addresses items specifically listed. The director of OMB is required to develop forms for use in preparing the plans. Agencies are required to work with OMB to develop goals and measures of workload and results for use in the plans. The goals for the executive branch are subject to approval by OMB. By May 1 of each year OMB must provide information about the state's economy and population with forecasted changes. The governor is to provide an explanation of statewide goals the governor supports.

The Legislative Budget and Audit Committee and OMB must review each plan. After the review OMB must compile a single long-term plan for the judicial and executive branches of state government. The compiled plan is due for delivery by December 15 of each year. The governor and the legislature are directed to consider the plan when developing the state budget. The legislative auditor is directed to consider the degree to which an agency conforms to the plan in performance audits. The LBA Committee and OMB are directed to evaluate laws that require state agencies to perform functions, provide services, or compile planning information. Recommendations for legislation needed to eliminate duplication must be submitted to the legislature by December 15 of each year.

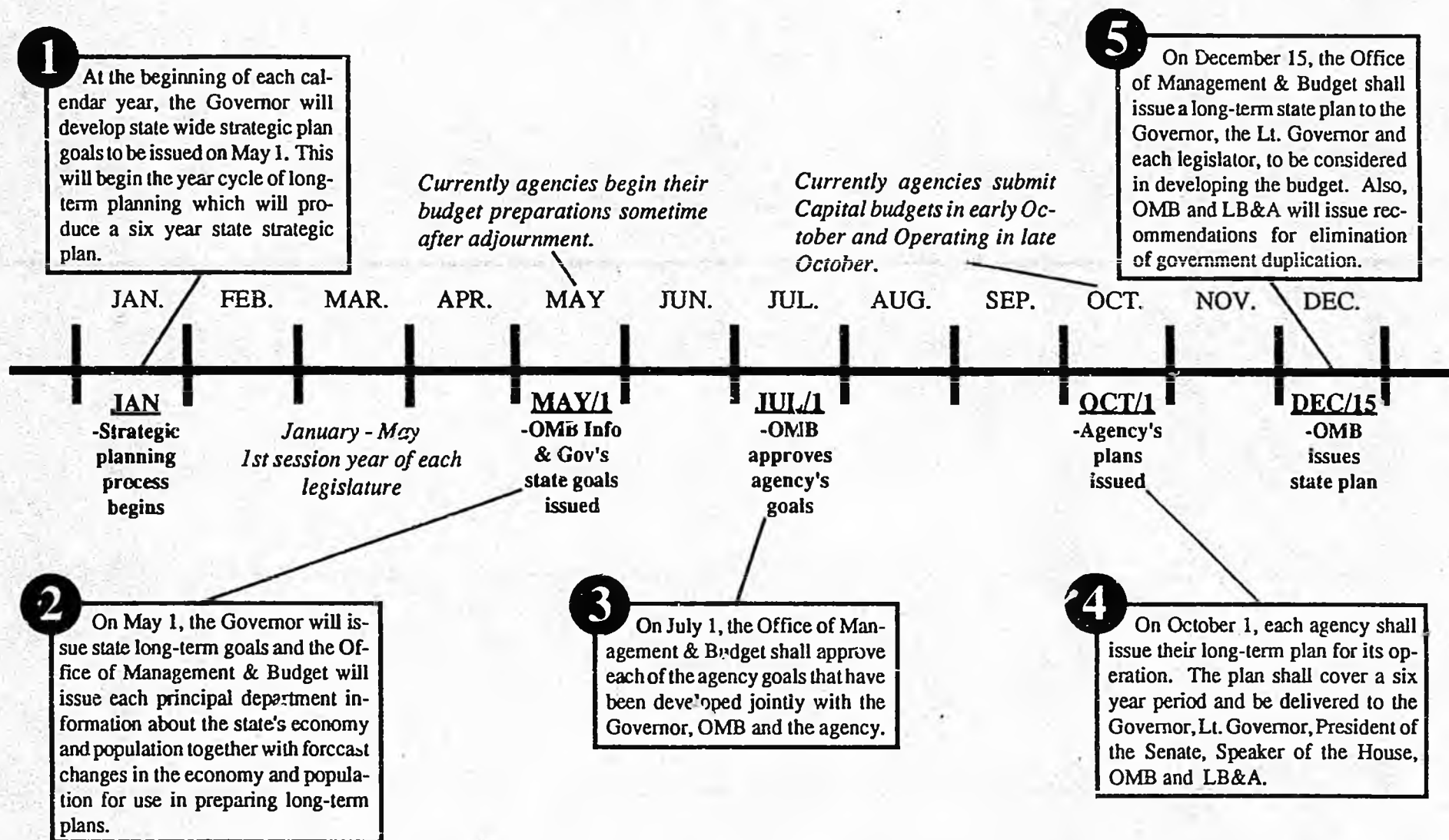
Sec. 2. The provision of this Act apply only in 1995 and thereafter. In 1995 only three principal departments shall issue long-term plans.

TBC:gc
94-222.glc

HB 347 LONG-TERM PLANNING TIME LINE

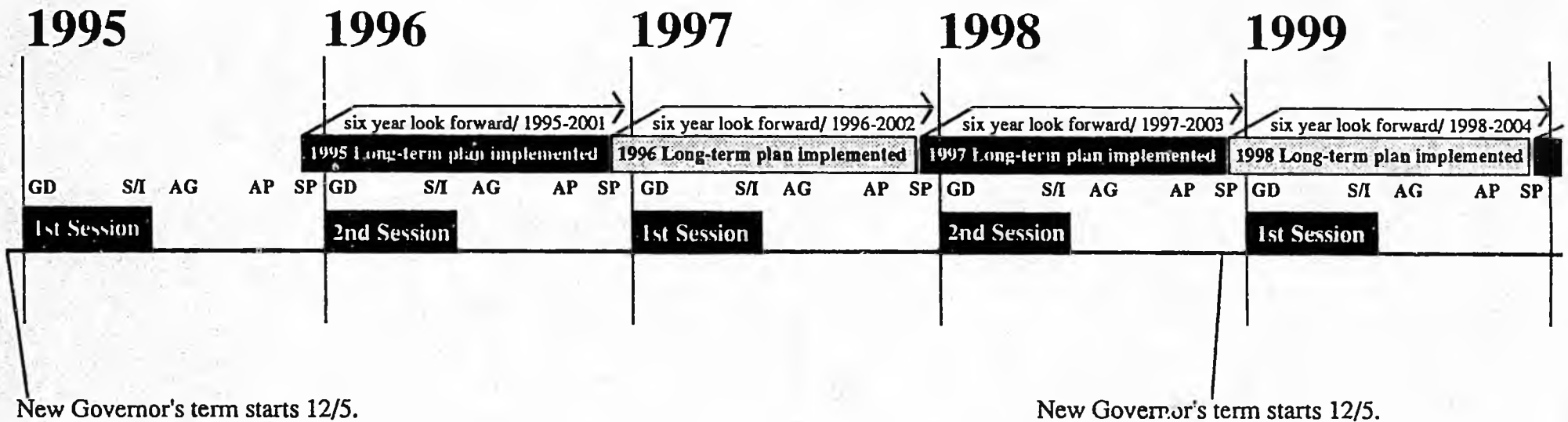
(1 year formation process)

During each year the following long-term planning procedures will be implemented to develop a six year strategic plan. The plans will be used in each year's budget preparation process. In the first year, only three agencies will participate and the remainder will come on line the second year.



HB 347 LONG-TERM PLANNING TIME LINE

(5 YEAR WINDOW)

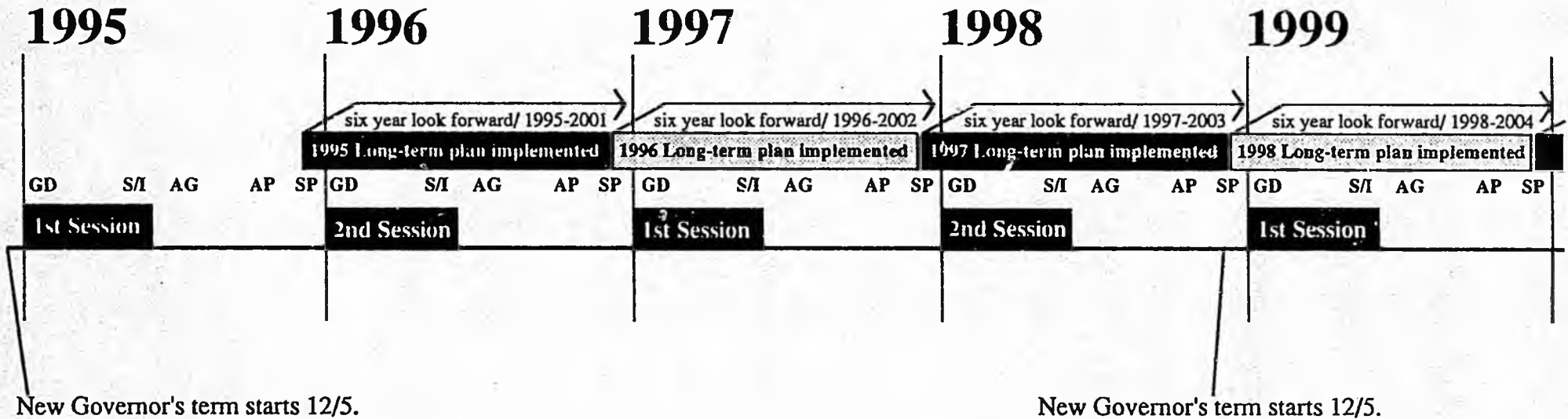


LEGEND

GD = 1/1 Governor begins developing state wide goals
 S/I = 5/1- Governor's state plan & OMB info issued
 AG = 7/1- Agency goals approved by OMB
 AP = 10/1- Agency plans issued
 SP = 12/15- State plan issued by OMB

HB 347 LONG-TERM PLANNING TIME LINE

(5 YEAR WINDOW)



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GENERAL APPROPRIATIONS ACT, 1993
STATE OF TEXAS

EXCERPT FROM TEXAS DEPARTMENT OF PUBLIC SAFETY

TEXAS RIVER COMPACT COMMISSIONERS
(Continued)

C.1.1. Strategy: ANNUAL ACCOUNTING		
Develop and implement an annual accounting system of water deliveries to each compacting state.	\$ 33,662	\$ 33,662
Outputs:		
Number of Users of Texas' Water Apportioned by the Red River Compact	250	250
D. Goal: RIO GRANDE RIVER COMPACT		
The Rio Grande River Compact Commission will ensure delivery of Texas' equitable share of quality water from the Rio Grande River and its tributaries as apportioned by the Rio Grande Compact.		
D.1. Objective:		
Ensure delivery of Texas' share of water from the Rio Grande River		
Outcomes:		
Percent of Texas' equitable share of quality water received annually as apportioned by the Rio Grande Compact	95%	95%
D.1.1. Strategy: ANNUAL ACCOUNTING		
Prepare and resolve the annual accounting of water deliveries to Texas by New Mexico and Colorado as apportioned by the Rio Grande Compact.	\$ 162,911	\$ 164,211
Outputs:		
Number of Acre-Feet of Quality Water Received by Texas as Apportioned by the Rio Grande Compact	750,500	750,500
E. Goal: SABINE RIVER COMPACT		
The Sabine River Compact Commission will ensure delivery of Texas' equitable share of quality water from the Sabine River and its tributaries as apportioned by the Sabine River Compact.		
E.1. Objective:		
Ensure delivery of Texas' share of water from the Sabine River		
Outcomes:		
Percent of Texas' equitable share of quality water received annually as apportioned by the Sabine River Compact.	100%	100%
E.1.1. Strategy: ANNUAL ACCOUNTING		
Prepare and resolve the annual accounting of water deliveries and diversions by Texas and Louisiana as apportioned by the Sabine River Compact.	\$ 54,534	\$ 54,534
Outputs:		
Number of Acre-Feet of Quality Water Available to Texas as Apportioned by the Sabine River Company	1,037,300	1,037,300
F. Goal: SEC 146, 1993 SALARY INC		
Section 146, 1993 Salary Increase	\$ 5,688	\$
Grand Total, TEXAS RIVER COMPACT COMMISSIONERS		
	\$ 393,157	\$ 393,769
Schedule of Exempt Positions		
Red River Compact Commissioner	\$24,225	\$24,225
Rio Grande Compact Commissioner	41,195	41,195
Sabine River Compact Commissioner	(2) 8,488	(2) 8,488
Canadian River Compact Commissioner	10,767	10,767
Pecos River Compact Commissioner	20,247	20,247

TEXAS RIVER COMPACT COMMISSIONERS
(Continued)

Administrative and Support Cost as a Percent of Expenditures:

Canadian River Compact	5.1%	5.1%
Pecos River Compact	2.6%	2.6%
Red River Compact	8.0%	8.0%
Rio Grande River Compact	1.2%	1.3%
Sabine River Compact	4.5%	4.5%

I. Article V Exemption, Leave Provisions. It is specifically provided that the Red River Compact, Sabine River Compact, Canadian River Compact and Pecos River Compact Commissioners are exempt from Article V, provisions concerning, Employees Working Hours and Holidays, and, Employees Vacation and Leave, provisions of this Act.

DEPARTMENT OF PUBLIC SAFETY

	For the Years Ending	
	August 31, 1994	August 31, 1995
A. Goal: PROMOTE TRAFFIC SAFETY		
To promote traffic safety.		
A.1. Objective:		
Reduce death, injury & economic loss by containing traffic death rate		
Outcomes:		
Annual Texas Rural Traffic Death Rate	2.2	2.2
A.1.1. Strategy: HIGHWAY PATROL		
Supervision of traffic on rural highways by uniformed officers.		
	\$ 84,001,551	\$ 83,823,203
Outputs:		
Traffic Law Violator Contacts	2,070,355	2,121,925
Rural Traffic Accidents Investigated	48,498	48,498
Efficiencies:		
Average Cost of Patrolling a Mile of Rural Highway	417	416
A.1.2. Strategy: PATROL COMMERCIAL TRAFFIC		
Supervision of commercial and "for hire" traffic on rural highways by uniformed officers.		
	\$ 15,310,665	\$ 15,055,355
Outputs:		
Traffic Law Violator Contacts	394,937	394,937
Commercial Vehicles Placed Out of Service	29,983	29,983
A.1.3. Strategy: DRIVER LICENSE & RECORDS		
Ensure the competency of Texas drivers through testing of new drivers, determining the eligibility of renewal applicants, and through the improvement or delicensing of problem drivers.		
	\$ 59,501,480	\$ 54,094,959
Outputs:		
Number of Examinations Administered	5,704,377	5,704,377
Number of Drivers Licenses Issued	4,337,826	4,381,203
Number of Driver Records Established and Maintained	13,366,100	13,499,761

DEPARTMENT OF PUBLIC SAFETY
(Continued)

A.1.4. Strategy: BREATH & BLOOD TESTING

Operate a scientific breath alcohol and blood testing program statewide. Supervise and maintain this program, train operators, and testify to its validity in court.

Outputs: \$ 1,620,257 \$ 1,592,527

Number of Breath Alcohol Tests Supervised 45,000 45,000
Number of Blood Alcohol and Toxicology Cases Completed 5,225 5,225

A.1.5. Strategy: VEHICLE INSPECTION

Administer the state's vehicle inspection program. \$ 8,244,413 \$ 7,686,483

Outputs:
Number of Inspection Stations Supervised 9,598 9,796
Number of Inspectors Supervised 30,498 31,107
Number of Inspector Certifications Suspended/Revoked 295 295

A.1.6. Strategy: TRAFFIC ACCIDENT RECORDS

Administer the traffic accident records system for the State of Texas. \$ 2,296,812 \$ 2,282,702

Outputs:
Number of Accident Reports Processed 450,000 450,000
Number of Reports and Summaries Prepared 110,000 110,000
Efficiencies:
Average Cost per Accident Report Processed 5.11 5.11

A.1.7. Strategy: EDUCATION & TRAINING

Provide appropriate alcohol, drug, traffic safety, and crime prevention educational programs for the citizens of Texas and provide operational and technical training for law enforcement, emergency management, and support personnel in the state.

Outputs: \$ 3,956,094 \$ 3,914,394

Number of Alcohol, Drug, Traffic Safety, and Crime Prevention Programs Conducted 7,374 7,374
Number of Personnel Instructed 8,500 8,500
Number of Traffic Safety Literature Items Produced 131,060 131,060

Total, Objective A.1: Reduce death, injury & economic loss by containing traffic death rate \$ 174,931,272 \$ 168,449,623

Total, Goal A: PROMOTE TRAFFIC SAFETY \$ 174,931,272 \$ 168,449,623

B. Goal: PREVENT & DETECT CRIMES

To promote the preservation of the peace and the prevention and detection of crime.

B.1. Objective:

Reduce death, injury, & economic loss by working to reduce crime

Outcomes:

Annual Texas Crime Index Rate 7,806 7,798

B.1.1. Strategy: NARCOTICS ENFORCEMENT

Administer the Narcotics enforcement program. \$ 23,182,099 \$ 24,568,320

Outputs:
Number of Criminal Investigations of Narcotics Violations Conducted 4,529 5,049
Number of Arrests for Narcotics Violations 1,657 1,777
Efficiencies:
Average Cost of Criminal Investigation 4,933 4,933

DEPARTMENT OF PUBLIC SAFETY
(Continued)

B.1.2. Strategy: VEHICLE THEFT ENFORCEMENT

Administer the Motor Vehicle Theft enforcement program. \$ 4,432,833 \$ 4,829,822

Outputs:
Number of Criminal Investigations for Motor Vehicle Theft Conducted 4,224 4,437
Number of Arrests for Motor Vehicle Theft 614 646

Efficiencies:
Average Cost of Criminal Investigation 1,165 1,175

B.1.3. Strategy: CRIMINAL INTELLIGENCE

Administer the Criminal Intelligence enforcement program. \$ 6,507,237 \$ 6,483,758

Outputs:
Number of Criminal Investigations in Criminal Intelligence Conducted 3,205 3,205
Number of Criminal Intelligence Arrests 284 284

B.1.4. Strategy: TEXAS RANGERS

Administer the Texas Rangers enforcement program. \$ 6,123,476 \$ 6,243,321

Outputs:
Number of Criminal Investigations 4,878 4,878
Number of Traffic Actions 323 323

B.1.5. Strategy: PUBLIC SECURITY/PARKING

Provide appropriate security for public officials and property during the period 1992 through 1998. \$ 9,396,878 \$ 9,303,855

Outputs:
Number of Parking Transactions 50,256 50,256
Hours of Security Provided 372,233 381,184

B.1.6. Strategy: TECHNICAL ASSISTANCE

Provide high quality and timely technical assistance programs to requesting criminal justice agencies in Texas during the period 1992 through 1998. \$ 6,764,814 \$ 6,160,638

Outputs:
Number of Drug Cases Examined 24,400 24,500
Number of Criminalistics Cases Worked 4,500 4,500

B.1.7. Strategy: OPERATIONAL ASSISTANCE

Provide high quality and timely operational assistance programs to requesting criminal justice and other authorized agencies and entities during the period 1992 through 1998. \$ 11,361,688 \$ 11,554,658

Outputs:
Number of Law Enforcement or Emergency Aircraft Hours Flown 4,164 4,164
Number of Criminal History Inquiries From Authorized Agencies/Entities Processed 1,171,800 1,230,300
Number of Fingerprint Cards Processed Through Automated and Manual Systems 645,000 645,000

Total, Objective B.1: Reduce death, injury, & economic loss by working to reduce crime \$ 67,821,025 \$ 69,144,372

Total, Goal B: PREVENT & DETECT CRIMES \$ 67,821,025 \$ 69,144,372

C. Goal: DISASTER RESPONSE

To respond in a timely fashion to emergencies and disasters and administer a comprehensive emergency-management program.

DEPARTMENT OF PUBLIC SAFETY
(Continued)

C.1. Objective:

Reduce death, injury & economic loss through emergency management

Outcomes:

Percentage of Jurisdictions Receiving Planning Guidance and Assistance in Emergency Preparedness	39%	39%
Percentage of Jurisdictions Receiving Recovery and Mitigation Assistance	57%	57%

C.1.1. Strategy: PLANNING ASSISTANCE

Provide emergency management planning assistance and guidance to state agencies and local governments in Texas.

Outputs:

Number of Planning Documents Processed	2,139	2,139
Number of Student Hours of Emergency Management Instruction Provided	17,400	17,400

C.1.2. Strategy: RECOVERY & MITIGATION

Process and monitor all requests and applications for recovery and mitigation assistance based upon requirements and procedures.

Outputs:

Number of Jurisdictions Assisted	767	767
Average Cost per Assistance Request Processed	1,989	1,989

C.1.3. Strategy: RESPONSE COORDINATION

Review and coordinate emergency and disaster response operations.

Outputs:

Number of Emergency Incidents Coordinated	745	745
Number of Local Governments Assisted	521	521

Total, Objective C.1: Reduce death, injury & economic loss through emergency management

\$ 4,063,838 \$ 4,055,538

Total, Goal C: DISASTER RESPONSE

\$ 4,063,838 \$ 4,055,538

D. Goal: SEC 146, 1993 SALARY INC
Section 146, 1993 Salary Increase

\$ 4,742,024 \$

Grand Total, DEPARTMENT OF PUBLIC SAFETY

\$ 251,558,159 \$ 241,649,533

Method of Financing:

State Highway Fund No. 006	\$ 213,632,378	\$ 205,768,333
Operators and Chauffeurs License Fund No. 099	12,500,000	11,043,996
State Parking Fund No. 125	295,000	295,000
Motor Vehicle Inspection Fund No. 274	12,000,000	11,423,680
Criminal Justice Planning Fund No. 421	4,813,177	4,813,177
Motorcycle Education Fund No. 501	850,034	844,528
Federal Funds	6,066,671	6,066,671
All-Terrain Vehicle Safety Fund No. 598	4,000	4,000

DEPARTMENT OF PUBLIC SAFETY
(Continued)

Appropriated Receipts
Interagency Contracts
Earned Federal Funds

58,927	58,927
1,137,972	1,137,972
<u>200,000</u>	<u>193,249</u>

Total, Method of Financing

\$ 251,558,159 \$ 241,649,533

Schedule of Exempt Positions

Director \$84,660 \$84,660

Bond Debt Service \$ 436,918 \$ 438,510

Administrative and Support Cost as a Percent of Expenditures 9.0% 9.0%

1. 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 Equipment Lease Purchase Program" or for items with an "(MELPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to V.T.C.S., Art. 601(d), Sec. 9A.

	1994	1995
a. Acquisition or Lease-Purchase of Land and other Real Property	\$ 300,000	\$ 460,000
b. Construction of Buildings and Facilities	7,300,000	3,090,000
c. Repairs or Rehabilitation	1,000,000	1,000,000
d. Acquisition or Lease-Purchase of Information Resource Technologies	9,838,915	\$ 5,403,000
e. Transportation Items	6,308,522	5,948,522
f. Purchase or Lease-Purchase of Capital Equipment and Items	2,374,800	2,120,800
g. Capitol Security Equipment	248,398	U.B.
Total, Capital Budget	<u>\$ 27,370,635</u>	<u>\$ 18,022,322</u>

Method of Financing (Capital Budget):

State Highway Fund No. 006	\$ 25,345,635	\$ 16,181,322
Criminal Justice Planning Fund No. 421	1,350,000	1,390,000
Operators and Chauffeurs License Fund No. 099	<u>675,000</u>	<u>451,000</u>

Total, Method of Financing(Capital Budget) \$ 27,370,635 \$ 18,022,322

2. Sale of Vehicles. Funds derived from the sale of passenger vehicles and aircraft operated by the Department of Public Safety are hereby reappropriated to the Department of Public Safety and are to be deposited in appropriations where like purchases can be made as per Article 601b, V.A.C.S.

3. Abandoned Vehicles. Funds accruing to the department under the provisions of Article 4477-9a, Section 5.01 et. seq. are hereby appropriated to the department to assist in the administration of the Act.

DEPARTMENT OF PUBLIC SAFETY
(Continued)

4. **Unexpended Vehicle Appropriations.** Any unexpended balance in funds appropriated for automobile purchases in the various strategies and identified in capital budget, for the 1994 fiscal year are hereby reappropriated for the 1995 fiscal year.
5. **Controlled Substances.** All amounts received under Chapter 481, Health and Safety Code and deposited to the credit of the Controlled Substance Fund No. 098 are hereby appropriated to the Department of Public Safety to be used for law enforcement purposes. Any funds unexpended at the close of each fiscal year are reappropriated for the following year.
6. **Academy Costs.** The Department of Public Safety may charge employees and students of the DPS Academy for tuition, lodging, and meals at such prices as may be set by the department. Such funds as received are hereby appropriated to cover the expenses entailed in providing such students and employees their lodging, meals, incidental expenses, and to pay visiting instructors.
7. **Clothing Allowance.** All commissioned officers holding an exempt position and other required uniform personnel are to receive a clothing and cleaning allowance of \$500 per year. Those commissioned officers who are not provided a uniform shall receive a clothing and cleaning allowance of \$1,200 per year.
8. **Witness Fees.** From the appropriations made herein the Department of Public Safety may pay the witness fees and travel expenses of out-of-state witnesses, subject to the advance, written approval of the District Attorney for the county having venue over the law violation under investigation.
9. **Medical and Funeral Costs.** Monies appropriated above may be expended for drugs, medical, hospital, laboratory and funeral costs of law enforcement employees or other employees performing duties involving unusual risk when injury or death occurs in the performance of such duties. It is the intent of the Legislature that monies appropriated above shall not be expended for drugs, medical, hospital, laboratory or funeral costs of employees who are not actively engaged in the performance of law enforcement or other hazardous duties or of law enforcement employees when injury or death occurs in the performance of clerical or office duties as distinguished from law enforcement or other duties involving unusual risk. Monies appropriated above may also be expended for physical examinations and testing when such examinations and tests are a condition of employment or exposure to infectious diseases or hazardous materials occurs in the line of duty.
10. **Aircraft Authority.** The Department of Public Safety is authorized to own, maintain and operate helicopters in performance of its responsibilities. In addition to authority to own, maintain and operate aircraft under the provisions of Section 411.013 of the Government Code, and Article V, Section 20 of this Act, the department is authorized to own, maintain and operate any aircraft seized pursuant to authority contained in Chapter 481, Health and Safety Code or under any other statute authorizing the Department to own, maintain, or operate seized aircraft. The department is directed to submit, as part of its Annual Report, details on the acquisition and disposition of seized aircraft.
11. **Purchase of Evidence.** From the amounts appropriated for the support and maintenance of the Department of Public Safety, an amount not to exceed One Million Dollars (\$1,000,000) each year of the biennium, exclusive of amounts forfeited to the Department of Public Safety by any court of competent jurisdiction and amounts received from the United States government derived from the forfeiture of monies and property, is hereby designated for the purchase of evidence and/or information and surveillance expenses deemed necessary by the Department of Public Safety; and accountability for expenditures as set forth above shall be governed by such rules and regulations as the Director of the Department of Public Safety

DEPARTMENT OF PUBLIC SAFETY
(Continued)

- may recommend, subject to review and approval by the State Auditor. Such amounts may be maintained in cash to facilitate the purchase of evidence, information and/or surveillance expense.
12. **Driver License Facilities.** It is the intent of the Legislature that the driver license facilities and personnel provided for in this Act be dispersed over the entire State in both rural and urban areas, and that driver license service to counties with populations equal to or less than 50,000 shall not be reduced below the service levels currently provided by the Department of Public Safety.
13. **Marked Vehicles.** None of the funds appropriated hereinabove may be expended for the salaries of personnel operating motor vehicles used to stop and actually arrest offenders of highway speed laws unless such vehicles are patrol vehicles of the standard black-and-white color, plainly marked with the Department's insignia.
14. **Aviator Reimbursement.** From the amounts appropriated above, an amount not to exceed \$10,000 each year of the biennium may be used only for aviator search, rescue or disaster-related functions, limited to reimbursements for actual costs of aircraft operation to include fuel, oil and routine maintenance costs incurred by trained and certified private volunteer aviators using privately-owned aircraft in state-authorized flight operations. The reimbursement shall not exceed the rate of \$60.00 per flying hour, when such aircraft costs are not reimbursable by other governmental agencies in accordance with Chapter 418, Government Code.
15. **Gasoline Contingency.** In addition to funds appropriated above and contingent upon certification by the Comptroller of Public Accounts, the Department of Public Safety is hereby appropriated up to \$40,000 annualized per year from State Highway Fund No. 006 for each cent increase in the average gasoline cost per gallon to the department above \$.90 per gallon.
16. **Disaster Relief Funds.** In addition to the appropriations otherwise provided in this Act, there is hereby appropriated to the Department of Public Safety any federal funds, including those authorized under the Disaster Relief Act of 1974, received by the department either directly or as agent of the Governor. Such funds may be used for any purpose for which the federal grant, allocation, aid, or payment was made or for any purpose for which the funds they replace were appropriated, and funds otherwise appropriated to the department may be used in carrying out the department's duties.
17. **Texas Rangers.** It is the intent of the Legislature that the Texas Rangers shall be a separate division of the Department of Public Safety and the Senior Captain of the Texas Rangers shall report directly to the Director of the Department of Public Safety.
18. **Appropriations of Receipts - Parking Violation Revenues.** The Texas Department of Public Safety shall collect a \$10.00 (Ten Dollars) fine for all parking violations on state-owned property in the Capitol Complex. All revenue received from parking violations shall be deposited to the General Revenue Fund and is hereby appropriated for use by the Department of Public Safety for Capitol Police Security and parking for the 1994-95 biennium.
19. **Appropriation of Parking Fees.** All parking fees collected by the Texas Department of Public Safety pursuant to Art. 601b, Sec. 4.12(c), V.T.C.S., shall be deposited by the department into the State Parking Fund No. 125 to be used by the department, according to general law, for the operation, maintenance and improvement of state parking facilities, temporary or permanent. The department may expend these funds only to the extent

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identified in Article I of this act. This fund shall serve as a method of finance for parking operations in the Capitol Complex. The Texas Department of Public Safety shall deposit all funds to the State Treasury, except for a \$500 petty cash account for payment of refunds. This account shall be administered in accordance with approved procedures established by the Comptroller of Public Accounts. Any unobligated balances shall remain in the fund, available for appropriation by the Legislature in subsequent years for the same purpose and subject to the same restrictions.

20. Security - Aircraft Pooling Board. The Texas Department of Public Safety shall be responsible for the security of state owned real property and facilities acquired for use by the Aircraft Pooling Board and shall recover costs through fees charged to the Aircraft Pooling Board.
21. Seized Assets Report. The Department of Public Safety shall file with the Governor and the Legislative Budget Board, no later than October 1 of each year, a report detailing the acquisition and use of seized assets. The report shall contain, at a minimum, the following information: the court in which the case was adjudicated, the nature of the assets, the value of the assets, and the actual or intended use of the assets.
22. Disposition of Seized Funds. The Department of Public Safety is hereby directed to deposit all funds currently held, or obtained in the future pursuant to seizure actions or judicial forfeiture according to rules and procedures developed by the State Treasurer. DPS shall cooperate with the State Treasurer in developing agreements and procedures for the deposit of seized state funds in accounts with the State Treasurer.
23. Promotion Examination. It is the intent of the Legislature that the Department of Public Safety obtain the services of a qualified and appropriate consultant, within the first year of the biennium, for the purposes of updating and validating the Department's written promotion exam. The Department shall report the findings of the consultant to the Governor, Lieutenant Governor, and the Speaker of the House of Representatives.
24. Salary Provision - H.B. 9 Transfer of Personnel. It is the intent of the Legislature that any commissioned peace officer transferred from the Driver's License Service or the Motor Vehicle Inspection Service to another Service within the Department, in compliance with H.B. 9, 72nd Legislature, First Called Session, shall not receive a decrease in salary as a result of the transfer. It is further the intent of the Legislature that applicable salary levels be reinstated in cases where such transfers have resulted in a reduction in salary.
25. Polygraph Examinations. None of the funds appropriated herein above may be expended for polygraph testing of commissioned law enforcement officers of the Department of Public Safety, unless requested by the officer.
26. Sunset Contingency. Funds appropriated above for fiscal year 1995 for the Department of Public Safety are made contingent on the continuation of the Department of Public Safety by the Legislature. In the event the agency is not continued, the funds appropriated for fiscal year 1994 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.
27. Encumbered Balances - AFIS. Any encumbered balances remaining as of August 31, 1993, not to exceed \$6,336,254, in the appropriation made out of the State Highway Fund No. 006 to the Department of Public Safety in Article VII of S.B. 222, Seventy-first Legislature, Regular Session, and identified in rider provision 3 on page I-269 of that Act, are hereby reappropriated to the Department of Public Safety for the fiscal year beginning September 1, 1993. Funds appropriated pursuant to this provision may be expended only for

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the completion of the contract for the Automated Fingerprint Identification System (AFIS) consistent with the provisions of Rider 3, page I-269, S.B. 222.

28. Contingency Appropriation Senate Bill 1. Contingent upon the enactment of Senate Bill 1, Seventy-third Legislature, Regular Session, or similar legislation relating to administrative license revocation, there is hereby appropriated to the Department of Public Safety \$2,202,590 for fiscal year 1994 and \$3,506,853 for fiscal year 1995. Appropriations are made out of the Operator's and Chauffeur's License Fund No. 099 from reinstatement fees collected pursuant to the Act, and from the State Highway Fund No. 006, for the purpose of implementing the provisions of the Act. Appropriations made from State Highway Fund No. 006 shall be expended only to the extent necessary, in the absence of sufficient reinstatement fee revenue in the Operator's and Chauffeur's License Fund No. 099. The Department of Public Safety is hereby authorized to transfer the appropriations made pursuant to this provision to the appropriate strategies.
29. Contingency Appropriation for Senate Bill 510. Contingent upon the enactment of Senate Bill 510, Seventy-third Legislature, Regular Session, or similar legislation, The Department of Public Safety is hereby appropriated \$574,519 out of the State Highway Fund No. 006 and \$56,942 out of the Operator's and Chauffeur's License Fund No. 099 for fiscal year 1994; and \$537,592 out of the State Highway Fund No. 006 and \$45,751 out of the Operator's and Chauffeur's License Fund No. 099 for fiscal year 1995 for the purpose of implementing the provisions of this Act. The Department of Public Safety is hereby authorized to transfer the appropriations made pursuant to this provision to the appropriate strategies listed above.
30. Contingency Appropriation for Senate Bill 536. Contingent upon the enactment of Senate Bill 536, Seventy-third Legislature, Regular Session, or similar legislation, the Department of Public Safety is hereby appropriated the additional fee revenue collected pursuant to the provisions of that Act in an amount not to exceed \$146,794 for fiscal year 1994 and \$135,124 for fiscal year 1995 for the purpose of implementing the provisions of that Act. The Department of Public Safety is hereby authorized to transfer the appropriations made pursuant to this provision to the appropriate strategies listed above.
31. Contingency Appropriation for House Bill 945. Contingent upon the enactment of House Bill 945, Seventy-third Legislature, Regular Session, or similar legislation, the Department of Public Safety is hereby appropriated the additional revenue collected pursuant to the provisions of that Act in an amount not to exceed \$774,192 out of the Motor Vehicle Inspection Fund No. 274 for fiscal year 1994 and \$729,404 out of the Motor Vehicle Inspection Fund No. 274 for fiscal year 1995 for the purpose of implementing the provisions of that Act. The Department of Public Safety is hereby authorized to transfer the appropriations made pursuant to this provision to the appropriate strategies listed above.
32. Contingency Appropriation for House Bill 1776. Contingent upon the enactment of House Bill 1776, Seventy-third Legislature, Regular Session, or similar legislation, the Department of Public Safety is hereby appropriated the fee revenue collected pursuant to the provisions of that Act in an amount not to exceed \$5,017,390 out of the Handgun License Account in the General Revenue Fund No. 001 for fiscal year 1994 and \$2,938,942 out of the Handgun License Account in the General Revenue Fund No. 001 for fiscal year 1995 for the purpose of implementing the provisions of that Act. The Department of Public Safety is hereby authorized to transfer the appropriations made pursuant to this provision to the appropriate strategies listed above.

* See Veto Proclamation.