Agency Code:	Agency Name:	Prepared By:	Date:	Request Level:
551	Texas Department of Agriculture	Heather Griffith Peterson	8/20/08	Base

Current Rider Number	Page Number in 2006-07 GAA	Proposed Rider Language
1	VI-3	**Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Agriculture. 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 Agriculture. In order to achieve the objectives and service standards established by this Act, the Department of Agriculture shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	~~2008~~ 2010	~~2009~~ 2011
A. Goal: MARKETS & PUBLIC HEALTH		
Outcome (Results/Impact):		
The Percent Increase ~~from the Previous Biennium~~ in the Number of Sales Facilitated ~~Marketing Opportunities for Individuals Enrolled in TDA Marketing Programs~~	~~5~~ 2.5%	~~5~~ 2.5%
Percent of Agricultural Pesticide Inspections ~~Texas Farmers, Ranchers and Agribusinesses Inspected Found to Be~~ in ~~Full~~ Compliance with Pesticide Laws and Regulation	~~97~~ 92%	~~97~~ 92%
Percent of ~~Total Technical Assists to~~ Rural Communities Assisted	~~55~~ 40%	~~55~~ 40%
A.1.1. Strategy: GENERATE MARKETING OPPORTUNITIES		
Output (Volume):		
Number of Acres Inspected for Seed Certification	~~200000~~ 182,000	~~200000~~ 182,000
Number of Rural Communities Projects in which TDA provided Assistance ~~Assisted~~	~~600~~ 652	~~600~~ 652
Rural Development Activities and Events in which TDA Participated ~~Held~~	~~120~~ 175	~~120~~ 175
Businesses Assisted with ~~Developed as~~ Expansion, ~~and~~ Recruitment Prospects in Rural Texas	~~975~~ 1020	~~975~~ 1020
A.1.2. Strategy: REGULATE PESTICIDE USE		
Output (Volume):		
Number of Ag Pesticide Complaint Investigations Conducted	225	225
A.1.3. Strategy: INTEGRATED PEST MANAGEMENT		
Output (Volume):		
Hours Spent ~~Informing Producers and Surveying Cotton~~ for Compliance with Cotton Stalk Destruction Deadlines	11,500	11,500
Number of Compliance Inspections ~~to Verify Compliance~~ for Organic or Other Crop ~~Production~~ Certification ~~Programs~~	~~378~~ 400	~~378~~ 400
A.1.4. Strategy: CERTIFY PRODUCE		
Output (Volume):		

		Number of Pounds of Fruits, Vegetables, Peanuts and Nuts Inspected (In Billions)	2.5	2.5
		B. Goal: ENFORCE STANDARDS		
		Outcome (Results/Impact):		
		Percentage of Inspected Seed Samples Found ~~to Be~~ in Full Compliance with ~~State and Federal~~ Standards	~~97~~ 94%	~~97~~ 94%
		Percent of Licenses, Individuals and Businesses Who Renew Online	22%	22%
		Percent of New Individual and Business Licenses Applied for Online	10%	10%
		The Percent of Complaints Resolved within Six Months	75%	75%
		The Percent of Independent School Districts Inspected during the Reporting Period found to be in Compliance	~~20%~~ 92%	~~20%~~ 92%
		B.1.1. Strategy: NURSERY/FLORAL REGULATION		
		Output (Volume):		
		Number of Nursery and Floral Establishment Inspections Conducted	~~9,500~~ 9,500	~~9,500~~ 9,500
		Number of hours spent at Inspections of plant shipments and other Regulated articles	~~6,690~~ 9,100	~~9,100~~ 9,100
		B.1.2. Strategy: VERIFY SEED QUALITY		
		Output (Volume):		
		Number of Official Seed Inspection Samples drawn and submitted for Analysis~~ed~~	~~20,500~~ 5,000	~~20,500~~ 5,000
		B.1.3. Strategy: AGRICULTURAL COMMODITY REGULATION		
		Output (Volume):		
		Number of Egg ~~Packer, Dealer, Wholesaler, and Retailer~~ Inspections Conducted	~~2,100~~ 2,100	~~2,100~~ 2,100
		Number of Grain Warehouse Inspections, Re-inspections and Audits Conducted	275	275
		B.1.3 Strategy: STRUCTURAL PEST CONTROL		
		Output (Volume):		
		Number of New Individual and Business Licenses Issued	6,038	6,038
		Number of Licenses Renewed (Individual and Business)	14,258	14,258
		Number of Complaints Resolved	~~1,605~~ 210	~~1,605~~ 210
		Number of Structural Business License Inspections Conducted	~~1,900~~ 950	~~1,900~~ 950
		Number of School Inspections	200	200
		Efficiencies:		
		Average Licensing cost per Individual and Business license Issued	10	10
		C. Goal: ENSURE PROPER MEASUREMENT		
		Outcome (Results/Impact):		
		Percent of Total Weights and Measures device Inspections ~~Conducted That Are Found to Be~~ in ~~Full~~ Compliance with ~~State and Federal~~ Standards	96%	96%

		Percent of vehicles transporting regulated articles	94%	94%
		C.1.1. Strategy: INSPECT MEASURING DEVICES		
		Output (Volume):		
		Number of Weights and Measures Inspections Conducted	~~85,000~~ 100,000	~~85,000~~ 100,000
		D. Goal: FOOD AND NUTRITION		
		Outcome (Results/Impact):		
		Percent of School Districts in Compliance with Nutrition Regulations	~~85~~ 87%	~~85~~ 87%
		Percent Eligible centers & homes providing CACFP	58.69	58.69
		D.1.1. Strategy: SUPPORT NUTRITION PROGRAMS		
		Output (Volume):		
		Number of School District Staff Trained	~~10,000~~ 20,000	~~10,000~~ 20,000
		D.2.1. Strategy: Nutrition Assistance		
		Output (Volume):		
		Average Number of Children and Adults Served though CACFP	~~267,941~~ 287,178	~~281,547~~ 292,921
		E. Goal: FOOD AND FIBERS COMMISSION		
		E.1.1. Strategy: RESEARCH AND DEVELOPMENT		
		Output (Volume):		
		Number of Research and Development Projects	38	38
		Number of Formal Published Research Reports	~~150~~ 152	~~150~~ 152
		Efficiencies:		
		Cumulative Accrual of Supporting Research Funds	~~3,210,095~~ 3,079,400	~~3,210,095~~ 3,079,400
		Changes made to update performance measures.		

2	VI-5	**Capital Budget.** Funds appropriated above may be expended for capital budget items as listed below. The amounts identified for each item may be adjusted or expended on other capital expenditures, subject to the aggregate dollar restrictions on capital budget expenditures provided in the General Provisions of this Act. ~~2008~~-2010 ~~2009~~-2011 Out of the General Revenue Fund: a. Acquisition of Information Resource Technologies (1) Information Systems Development ~~$ 316,608~~ $405,071 ~~$232,733~~ $165,000 (2) Data Center Consolidation ~~$601,462~~ $694,467 ~~$521,922~~ $694,467 b. Transportation Items (1) Fleet Vehicles $ ~~1,199,509~~ $690,753 ~~$ 327,484~~ $469,753 c. Acquisition of Capital Equipment and Items (1) Octane Analyzers $ 40,000 $ 40,000 d. Other Lease Payments to the Master Lease Purchase Program (MLPP) (1) Lease Payments - Metrology Laboratory $ ~~148,666~~ $147,978 ~~$148,329~~ $147,606 Total, Capital Budget ~~$2,306,245~~ $1,978,269 ~~$1,270,468~~ $1,516,826 *Changes made to update dates, amounts, and the new amortized amount for lease payments per schedule.*
3	VI-5	**Fee Increase Authority and Limitation.** The Texas Department of Agriculture shall collect fee amounts which offset, when feasible, the direct and indirect costs of administering its regulatory activities. The department is hereby authorized to and shall increase fees by a percentage sufficient to offset costs associated with its regulatory activities. It is the intent of the Legislature that the cost offset percentage shall be 100 percent for regulatory activities in the following strategies:A.1.1, Generate Marketing Opportunities; A.1.2, Regulate Pesticide Use; A.1.3, Integrated Pest Management; B.1.1, Surveillance/Biosecurity Efforts; B.1.3, Agricultural Commodity Regulation; B.1.4 Structural Pest Control and C.1.1, Inspect Measuring Devices. The following activities are exempt from this requirement: Seed Testing; Quarantine Enforcement/Education; Piece Rate Crop Survey; Pest Management Program; Agriculture Hazard Communication Act; Boll Weevil Control Act; and, Predatory Management Program. *This rider has been updated to add Structural Pest Control fees.*

4	VI-5	**Appropriation: Land Donations.** The Texas Department of Agriculture is hereby authorized to lease and/or accept the donation of land or the use of land from either governmental agencies, private firms, corporations, or individuals to be used in connection with the performance of its various responsibilities and programs.
5	VI-5	**Pay for Regular Compensatory Time: Livestock Export Pen Operations.** It is expressly provided the Texas Department of Agriculture, to the extent permitted by law, may pay Fair Labor Standards Act (FLSA) nonexempt employees in classified positions who are stationed at Texas Department of Agriculture livestock export pens for compensatory time hours on a straight-time basis when the taking of compensatory time off would be disruptive to normal working activities and other critical functions relating to livestock export pen operations.
6	VI-5	**Transfer Authority.** Notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the Texas Department of Agriculture is hereby authorized to direct agency resources, and transfer such amounts appropriated above between strategy line items.
7	VI-6	**Appropriation: Young Farmer Loan Guarantee Program.** Out of the Young Farmer Loan Guarantee Account No. 5002, the Texas Agricultural Finance Authority is hereby appropriated for fiscal years ~~2008~~ 2010 and ~~2009~~ 2011, all necessary amounts required to cover any defaults on loans referenced under § 58.055, Texas Agriculture Code, or for payments for the purpose of providing reduced interest rates on loans guaranteed to borrowers as authorized by § 58.052(e), Texas Agriculture Code. *This rider has been updated to reflect the years for this appropriation request.*
8	VI-6	**Unexpended Balances Within the Biennium.** Any unexpended balances as of August 31, ~~2008~~ 2010, in the appropriations made herein to the Texas Department of Agriculture are hereby appropriated for the same purpose for the fiscal year beginning September 1, ~~2008~~ 2010. *This rider has been updated to reflect the years for this appropriation request*

9	VI-6	**Appropriations Limited to Revenue Collections: Octane Testing.** Included in amounts appropriated above to the Texas Department of Agriculture in Strategy C.1.1, Inspect Measuring Devices, the amount of $355,137 from the General Revenue Fund (Revenue Object Code 3015) in each fiscal year of the biennium is contingent on the collection of fees, in accordance with Article 8614, § 9, Vernon's Texas Civil Statutes, to be used solely for the purpose of administering an octane testing program.
10	VI-6	**Appropriations: License Plate Receipts.** Included in the amounts appropriated above in Strategy A.1.1, Generate Marketing Opportunities, are all balances and revenue collected on or after September 1, ~~2007~~ 2009 (estimated to be $4,000 in GO TEXAN Partner Program Account No. 5051 in each fiscal year) from the sale of license plates as provided by Texas Transportation Code § 504.625. Any unexpended balances as of August 31, ~~2008~~ 2010, out of the appropriations made herein are appropriated to the Texas Department of Agriculture for the fiscal year beginning September 1, ~~2008~~ 2010. *This rider has been updated to reflect the years for this appropriation request.*
11	VI-6	**Interagency Contract: Oyster Promotions and Education.** Contingent upon sufficient funds in the Oyster Sales Account No. 5022, the Texas Department of Agriculture shall enter into an interagency contract with the Texas Department of State Health Services for oyster industry advertising and promotion efforts and to provide information, education and/or training to wholesalers, retailers, and consumers on the safe and proper handling of oysters, in accordance with Texas Agriculture Code, Chapter 47, Subchapter A..
12	VI-6	**Master Lease Purchase Program (MLPP) Payments for the Metrology Laboratory.** Included in the amounts appropriated above to the Texas Department of Agriculture in Strategy C.1.1, Inspect Measuring Devices, out of the General Revenue Fund, are amounts required in fiscal years ~~2008~~ 2010 and ~~2009~~ 2011 to make lease payments to the Texas Public Finance Authority for the revenue bonds issued to finance construction of the metrology laboratory. The amount of the required lease payments are estimated to be $~~148,666~~ 147,978 in fiscal year ~~2008~~ 2010 and $~~148,329~~ 147,606 in fiscal year ~~2009~~ 2011. The Texas Department of Agriculture shall set fees for the metrology program to recover an amount equal to the amount of the appropriations made herein for lease payments, and maintain the fee rate in such an amount during the term of any revenue obligations authorized herein. *Changes made to update dates and the lease payment amount for this appropriation request.*

13	VI-6	**Appropriation: GO TEXAN Partner Program.** Included in amounts appropriated above to the Texas Department of Agriculture in Strategy A.1.1, Generate Marketing Opportunities, is $1,000,000 out of the GO TEXAN Partner Program Account No. 5051 in fiscal year ~~2008~~ 2010, for the purpose of promoting Texas agricultural products. This amount consists of $1,000,000 out of the General Revenue Fund to be transferred to the GO TEXAN Partner Program Account No. 5051. Also included in amounts appropriated above in Strategy A.1.1, Generate Marketing Opportunities, is $1,000,000 in Appropriated Receipts received as matching funds from program participants including gifts. All appropriations shall be transferred to the GO TEXAN Partner Program Account No. 5051 and are appropriated for the purpose of administering the program. *This rider has been updated to reflect the years for this appropriation request.*
14	VI-6	**Contingency to Increase the Full-Time-Equivalents (FTE) Cap for New Initiatives.** Contingent upon the receipt of federal funds above those appropriated herein for programs related to surveying, controlling or eradicating invasive pests or disease, the Texas Department of Agriculture is hereby authorized to increase its number of FTEs to the extent that federal funds are allocated for salary costs. These FTEs shall not be counted in the agency's "Number of Full-Time-Equivalents (FTE)" cap. The Texas Department of Agriculture shall report all additional FTEs authorized by this provision to the Comptroller of Public Accounts, Legislative Budget Board and the Governor prior to filling such positions.
15	VI-7	**Appropriations Limited to Revenue Collections: Prescribed Burn Manager Certification Program.** In addition to amounts appropriated above, the Texas Department of Agriculture is hereby appropriated fees collected (estimated to be $0) in accordance with § 153.048, Natural Resources Code, to be used solely for the purpose of administering a prescribed burn manager certification program in Strategy A.1.2, Regulate Pesticide Use.
16	VI-7	**Agricultural Sustainability Programs.** Out of funds appropriated above, the Texas Department of Agriculture may study, develop, and implement, creative technology and innovative solutions to mitigate agricultural non-point source pollution in the state from confined animal feeding operations and improve total resource management of agricultural and wildlife resources in the state.

17	VI-7	**Appropriation of Receipts: Yardage Fees.** Included in the amounts appropriated above pursuant to Agriculture Code § 146.021 and included above in Strategy A.1.1, Generate Marketing Opportunities, and identified above in the method of finance as General Revenue in an amount not to exceed $200,000 for each fiscal year is yardage fee revenue collected by the Texas Department of Agriculture for maintenance and operating expenses for livestock export pens. In addition to the amounts appropriated, above the Texas Department of Agriculture is hereby appropriated an additional $150,000 per fiscal year in fees collected for overtime, maintenance and operating expenses for livestock export pens. The total amount appropriated is not to exceed $350,000 or the amount collected, whichever is less, for each fiscal year. *The update to this rider is an exceptional item to increase the yardage fees appropriated to the Texas Department of Agriculture. This additional appropriation is necessary to offset the increased cost of operating and maintaining aging export facilities and to accommodate increased facilities use as a result of reopening the Texas-Mexico border to exporting Texas breed cattle into Mexico after a four-year ban.*
18	VI-7	**Texas Capital Fund.** All grants awarded by the Texas Department of Agriculture under the federal Community Development Block Grant Program for infrastructure ~~development~~ and real estate development, Downtown Revitalization and Main Street program awards, ~~under the federal Community Development Block Grant Program~~ shall be delivered to rural non-entitlement communities to promote community development and job growth. All regions of the state will be encouraged to participate. ~~distributed with a priority on assisting manufacturers and value-added processors. To the greatest extent practicable, these funds are to be distributed equitably to all regions of this state.~~ *This rider has been updated for clarification purposes to be more descriptive of the purpose of the fund.*
19	VI-7	~~**Child**~~ **Food and Nutrition Programs.** Included in the amounts appropriated above to the Texas Department of Agriculture for the ~~2008-09~~ 2010-11 biennium is $~~21,400,000~~47,999,772 out of Federal Funds and $398,248 out of the General Revenue Fund in Strategy D.1.1, Support Nutrition Programs, to administer the ~~Child~~ Food and Nutrition Programs. In Strategy D.2.1, Nutrition Assistance, $669,944,222 out of Federal Funds and $110,958 out of General Revenue Funds are used to administer the Child and Adult Care Food Program audit funds, the Summer Food Service Program, and The Emergency Food Assistance Program, as well as make payments to providers participating in the Child and Adult Care Food Program, the

		Commodity Distribution Programs, the Summer Food Service Program, the Fresh Fruit and Vegetable Program and private and nonprofit institutions participating in the Special Milk Program, National School Lunch and School Breakfast Programs. The Child Nutrition Program (CNP) payments to independent school districts shall be budgeted at the Texas Education Agency and the CNP shall be administered by the Texas Department of Agriculture pursuant to a waiver from the United States Department of Agriculture (USDA). Included in the amounts appropriated elsewhere in this Act to the Texas Education Agency for the ~~2008-09~~ 2010-11 biennium is ~~$2,707,368,183~~2,938,564,501 out of Federal Funds and ~~$28,800,000~~29,277,927 out of the General Revenue Fund to provide reimbursement for the National School Lunch Program, which also include the After School Care Program, the Seamless Summer Option and the School Breakfast Program. ~~, the After School Snack Program, and the Seamless Summer Program~~ *This rider has been updated to reflect the years, amounts and the transfer of the Special Nutrition Programs from the Health and Human Services Commission to the Texas Department of Agriculture in strategy D.2.1, Nutrition Assistance for this appropriation request.*
20	VI-7	**Texas Wine Marketing Assistance Program.** Included in the amounts appropriated above out of the General Revenue Fund is $250,000 each fiscal year in Strategy A.1.1, Generate Marketing Opportunities, from fee revenue transferred from the Texas Alcoholic Beverage Commission pursuant to Texas Alcoholic Beverage Code § 5.56 for the purpose of administering the Texas Wine Marketing program.
21	VI-7	**Texas Shrimp Marketing Assistance Program.** Included in the amounts appropriated above out of the General Revenue Fund in Strategy A.1.1, Generate Marketing Opportunities, is $25,000 each fiscal year from fees collected pursuant to Agriculture Code § 134.014(b) and $250,000 each fiscal year from fee revenue transferred from the Texas Parks and Wildlife Department pursuant to Parks and Wildlife Code § 77.002(c) for the purpose of administering the Texas Shrimp Marketing program.
22	VI-7	**Appropriation: ~~Texas Yes!~~GO TEXAN Rural Community Program.** Included in amounts appropriated above to the Texas Department of Agriculture in Strategy A.1.1, Generate Marketing Opportunities, is $1,000,000 out of the General Revenue Fund in fiscal year ~~2008~~ 2010 for the ~~Texas Yes!~~GO TEXAN Rural Community program. *This rider has been updated to reflect the Program name change and the years for this appropriation request.*

23	VI-8	**Appropriation: Feral Hog Abatement Program.** Included in the amounts appropriated above out of the General Revenue Fund in Strategy A.1.1, Generate Marketing Opportunities, is $1,000,000 in fiscal year ~~2008~~ 2010 to be used to implement feral hog abatement technologies. ~~Any unexpended balances as of August 31, 2008 out of appropriations made herein are appropriated to the Texas Department of Agriculture for the same purpose for the fiscal year beginning September 1, 2008 .~~ *This rider has been updated to reflect the years for this appropriation request and to reduce duplication of language found in rider 8.* In addition to the amounts appropriated above in General Revenue Fund in Strategy A.1.1, Generate Marketing Opportunities, is $2,800,000 in fiscal year 2010 to be used to expand the program's statewide impact. The Texas Department of Agriculture shall submit a report to the Legislative Budget Board and the Governor no later than September 1, ~~2008~~ 2010 providing information on the number of feral hogs abated and the cost per abatement using certain technologies. *Due to the rapid population growth and the increasing number of landowners impacted by the destruction caused by feral hogs, additional funding is requested to increase abatement efforts.*
24	VI-8	**Appropriation: Surplus Agriculture Product Grant Program.** Included in the amounts appropriated above out of the General Revenue Fund in Strategy A.1.1, Generate marketing Opportunities, is $1,500,000 in fiscal year 2008 to be used to fund the Surplus Agricultural Product Grant Program to offset the costs of harvesting, gleaning and transporting surplus agricultural products to Texas food banks. ~~Any unexpended balances as of August 31, 2008 out of appropriations made herein are appropriated to the Texas Department of Agriculture for the same purpose for the fiscal year beginning September 1, 2008 .~~ *This rider has been updated to reflect the years for this appropriation request and to reduce duplication of language found in rider 8.*

25	VI-8	**Appropriation:** ~~**Inspection Stations.** Included in the amounts appropriated above out of the General Revenue Fund in Strategy B.1.1, Surveillance/Biosecurity Efforts is $767,297 in fiscal year 2008 and $573,155 in fiscal year 2009 for additional road station inspections.~~ ~~The Number of Full-Time Equivalents (FTE) for the Department of Agriculture includes 12.0 FTEs associated with additional inspections in each fiscal year of the 2008-09 biennium.~~ *This rider is deleted, as this funding and associated FTEs are included in the above appropriations.*
26	VI-8	~~**Appropriation: Nutrition Assistance Program Funding and Employees.**~~ ~~(a) Included in the amounts appropriated above to the Department of Agriculture for the purpose of administering a nutrition assistance program are:~~ ~~(1) for the state fiscal year beginning September 1, 2007, the amount of $859,937 in general revenue and the amount of $265,884,777 in federal funds; and~~ ~~(2) for the state fiscal year beginning September 1, 2008, the amount of $859,937 in general revenue and the amount of $265,884,770 in federal funds.~~ ~~(b) The number of authorized full-time equivalent employees (FTEs) for the Department of Agriculture includes 100.0 FTEs for each fiscal year of the biennium to administer the department's nutrition assistance program.~~ ~~(c) If the 80th Legislature, Regular Session, 2007, does not enact legislation that becomes law and that transfers the responsibility for administering the nutrition assistance program from the Health and Human Services Commission to the Department of Agriculture:~~ ~~(1) the appropriations made by Subsection (a) above do not take effect and the same amounts from the same sources are appropriated for the same purpose and the same state fiscal years to the Health and Human Services Commission; and~~ ~~(2) the increase in the department's authorized full-time equivalent employees (FTEs) as provided by Subsection (b) above does not take effect and the number of authorized FTEs for the Health and Human Services Commission~~

26 cont'd		~~is increased by 100.0 FTEs for each fiscal year of the biennium to administer the commission's nutrition assistance program.~~ *This rider is deleted as the legislation to transfer the responsibility for administering the nutrition assistance program from the Health and Human Services Commission to the Department of Agriculture was implemented in the 2008-09 biennium. These programs are included in the above appropriations.*
27	VI-8	**Zebra Chip Research.** Out of the funds appropriated above in Strategy A.1.1, Generate Marketing Opportunities, $1,600,000 shall be used to fund research on the pathogens that cause Zebra Chip disease affecting potatoes in Texas. The Texas Department of Agriculture and the Texas Agricultural Experiment Station shall enter into an interagency contract for the funds appropriated above to be used for the same purpose.
28	VI-9	**Appropriations Limited to Revenue Collections: Structural Pest Control.** It is the intent of the Legislature that fees, fines, and other miscellaneous revenues as authorized and generated by the Department of Agriculture cover, at a minimum, the cost of the appropriations made above for strategy item B.1.4, Structural Pest Control, as well as the "Other direct and indirect costs" associated with this strategy, appropriated elsewhere in this Act. "Other direct and indirect costs" for Strategy B.1.4, Structural Pest Control, are estimated to be $490,107 for fiscal year ~~2008~~<u>2010</u> and $495,250 for fiscal year ~~2009~~<u>2011</u>. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available. *This rider has been updated to reflect the years for this appropriation request.*
29	VI-9	**Texas Online Authority Appropriation.** The Texas Department of Agriculture (TDA) is authorized in accordance with § 2054.252 of the Government Code to increase the occupational license, permit, and registration fees imposed on licensees by an amount sufficient to cover the cost of the subscription fee charged by the Texas Online Authority. Amounts appropriated above to TDA include $103,150 in each fiscal year in fee revenue in Strategy B.1.4, Structural Pest Control, for the purpose of paying Texas Online Authority subscription fees.

701	VI	**Salary Equity.** Notwithstanding other appropriations made by this Act to salary related increases, in addition to the amounts appropriated above the Texas Department of Agriculture, is hereby appropriated $2,000,000 in fiscal year 2010 and $2,000,000 in fiscal year 2011 out of the General Revenue Fund for the purpose of making recurring salary increases for all agency positions and additional targeted increases to select job categories. *TDA's average salary falls below the average salary of all other mid-sized Texas state agencies by more than 20%. The $2 million exceptional item request would not eliminate this average salary difference, but it would reduce it significantly.*
702	VI	**Consumer Protection.** In addition to the amounts appropriated above out of the General Revenue Fund in Strategy C.1.1., Inspect Weighing and Measuring Devices, is $816,087 in fiscal year 2010 and $599,687 in fiscal year 2011 to enhance consumer protection initiatives. The number of Full-Time Equivalents (FTE) for the Department of Agriculture is increased by 9.0 FTEs to administer these programs. *The objective of the Weights and Measures program is to ensure that consumer goods are properly measured, weighed, labeled, and priced. Inspection activities in the program include weights and measures devices (fuel pumps, scales, bulk meters and truck scales), octane testing, price verification and random and standard package inspections. The August 2008 investigation (Operation Spotlight) conducted by TDA revealed likely consumer fraud and deceptive trade practices by a regulated entity. As a result of the operation, TDA has uncovered needed changes in the program and has developed a revised approach to providing consumer protection. This exceptional item involves the implementation of a three tiered approach to regulation by conducting routine inspections/audits using risk assessed data, conducting inspections based upon consumer complaints, and conducting blitz operations (such as Operation Spotlight) based upon trend analysis. TDA revised the weights and measures penalty matrix in 2007 and increased fines in this program significantly. The penalties will be evaluated and increased further as necessary, to ensure an adequate deterent for noncompliance. Enhanced resources, revisions to the regulatory framework, and increased penalties will provide TDA with the tools necessary to strengthen the enforcement of weight and measure standards and conduct inspection activities in a cost effective manner that will minimize fraud and provide the highest level of consumer protection. Furthermore, TDA will increase enforcement activities in a parallel chain beginning with the calibration performed by a licensed service company through the delivery of the final product by the retail location.*

703	VI	**Nutrition Education** In addition to the amounts appropriated above out of the General Revenue Fund in Strategy D.1.1, Support Nutrition Programs is $25,000,000 for each fiscal year for the purpose of administering nutrition initiatives designed to impact Texas' current childhood obesity rates. The number of Full-Time Equivalents (FTE) for the Department of Agriculture will be increased by 4.0 FTEs to administer these programs. *School districts have continued to work under constrained budgets to meet the mandates of the Texas Public School Nutrition Policy. Although school districts and the Texas Department of Agriculture have made great strides in improving the nutrition environment of schools, it will require a more comprehensive effort to decrease the rates of childhood obesity and improve the overall nutritional health of school children. Grants and educational initiatives targeted to a variety of programs both inside and outside the traditional school day will assist in furthering the overall health of Texas children.*
704	VI	**Texas Rural Investment Fund** In addition to the amounts appropriated above, the Texas Department of Agriculture is hereby appropriated for FY 2010 $5,000,000 and FY 2011 $5,000,000 out of General Revenue Funds in Strategy A.1.1. Generate Marketing Opportunities. Funds are to be used to administer the Texas Rural Investment Fund Grant Program for rural communities to promote economic development and job growth, workforce recruitment, education, training, rural entrepreneurship and rural internship programs. The number of Full -Time Equivalents (FTE) for the Department of Agriculture will be increased by 2.0 FTEs to administer these programs. *This rider provides a means by which rural communities can have a similar competitive advantage as do urban communities in access to government assistance with projects that contribute to the retention and creation of higher paying jobs.*
705	VI	**Biosecurity – Inspection Stations** In addition to the amounts appropriated above out of the General Revenue Fund in Strategy B.1.1, Surveillance/Biosecurity Efforts, is $887,696 in fiscal year 2010 and $708,496 in fiscal year 2011 to be used to increase statewide biosecurity efforts. The number of Full-Time Equivalents (FTE) for the Department of Agriculture will be increased by 10.0 FTEs to implement enhanced biosecurity activities. *This rider increases the number of road station inspections, expands the number of market blitz inspections, and enables TDA to conduct pathway analysis and risk assessments to enhance quarantine enforcement activities. Additional FTEs, equipment and capital expenditures will be required to accomplish an expansion of program activities.*

706	VI	**GO TEXAN Certified Retirement Community Program.** In addition to the amounts appropriated above, any fees collected in accordance with Section 12.040 of the Agriculture Code in FY 2010 and FY 2011, (estimated to be $150,000 per year) are hereby appropriated from the General Revenue Fund to Strategy A.1.1, Generate Marketing Opportunities. Fees totaling $240,312 which were collected by this program in FY 2006-09 are additionally appropriated to Strategy A.1.1, Generate Marketing Opportunities for the purpose of marketing those communities enrolled in the program during this period. All fees for this program are to be deposited into a dedicated account with all unspent revenue remaining in that account. *This rider corrects an oversight from when the program was created and allows the agency to utilize program receipts to administer the GO TEXAN Certified Retirement Community Program pursuant to Agriculture Code Section 12.040.*
707	VI	**Fee Recovered Improvement to Commodity Programs.** In addition to the amounts appropriated above to the Texas Department of Agriculture in Strategy A.1.3, Integrated Pest Management, the amount of $137,500 from the General Revenue Fund in each fiscal year of the biennium, in accordance with Agriculture Code, § 18.006, to be used solely for the purpose of administering the organic certification program. Also in addition to the amounts appropriated above to the Texas Department of Agriculture in Strategy B.1.3, Agriculture Commodity Regulation, the amount of $60,000 from the General Revenue Fund in each fiscal year of the biennium, in accordance with the Agriculture Code § 14.023, to be used solely for the purpose of administering a grain warehouse program. Furthermore, the Texas Department of Agriculture is authorized to increase its number of FTEs by 3.0. Fee increases will allow the department to meet cost recovery mandate and these industries' growing needs. *This rider allows for the Texas Department of Agriculture to keep up with increasing requests for organic certification and grain warehouse licensing contingent upon fee collection for each prospective program. These industries are growing, therefore the need for the services provided by these programs continues to rise. TDA shall use the fees on a cost recovery basis to administer these programs.*

708	VI	**Boll Weevil Eradication:** In addition to the amounts appropriated out of General Revenue Funds in Strategy A.1.3, Integrated Pest Management, \$20,000,000 in fiscal year 2010 and \$20,000,000 in fiscal year 2011 for boll weevil eradication targeted program assistance. *This rider is an exceptional item that provides targeted assistance for specific boll weevil eradication zones due to unexpected re-infestation that has created increased eradication program costs.*
709	VI	**Data Center Consolidation:** In addition to the amount appropriated out of General Revenue Funds are \$101,525 in FY 2010 and \$101,525 in FY 2011 for data center services. *This rider is an exceptional item that provides funding for the difference between FY2008-09 budget and the FY 2010-11 estimated cost of data center services as provided by the Department of Information Resources.*