

**March 28, 2011**

**Panel suggests using highway-fund dollars to help pay for public safety**

About \$450 million in funding would be restored to a spare budget proposal for public safety agencies, including prisons and state law enforcement, under a recommendation by a Senate Finance subcommittee.

The recommendation includes transferring \$100 million from the state highway fund to the Texas Department of Public Safety. It also includes use of about \$50 million in prison bond proceeds for the Texas Department of Criminal Justice and more than \$6 million from TABC fees, according to staff.

The source of the remaining funds would simply be general revenue, with no additional revenue booster yet identified. Another Senate panel is looking for non-tax revenue as the state faces a general-revenue shortfall estimated at more than \$27 billion through the next two years to continue the current level of services to a growing population.

So-called diversions from the highway fund long have been under scrutiny, particularly since transportation also is strapped for cash.

Senate Finance Committee Chairman Steve Ogden, R-Bryan, has resisted the idea that using money on road safety counts as a diversion, saying state constitutional guidelines allow its use for traffic and safety.

The funding recommendation by Finance's public safety subcommittee -- a panel headed by Senate Criminal Justice Committee Chairman John Whitmire, D-Houston -- will go to the full committee for consideration.

It would restore funding to TDCJ programs, including substance abuse treatment, probation and parole for the next two-year budget period, compared with a starting-point, bare-bones draft. As reported here, it would hold off on recommending the closure of the Central Unit in Sugar Land.

At DPS, it would restore money for items including troopers, equipment and a uniform cleaning allowance.

Asked about where the additional revenue would come from, Whitmire noted the work of the non-tax-revenue subcommittee. He added that Ogden has said he wants budget-writers to focus on education, human services including Medicaid and public safety before writing the rest of the spending plan.

"We get the first run at available revenue and all those other important agencies will just have to get in line -- and that will be Parks and Wildlife, TxDOT (Texas Department of Transportation), regulatory agencies. So, you know, not a pretty picture," Whitmire said.

Even with the additional funds recommended by the subcommittee, Whitmire said, public safety agencies still would be cut by about \$1 billion compared to the current two-year budget period.