

Amend CSHB 10 as follows:

(1) Strike SECTION 17 of the bill (Senate committee printing, page 3, lines 38 through 54) and substitute the following:

SECTION 17. APPROPRIATION FOR ~~HIGHER EDUCATION FUND~~; CONTINGENCY APPROPRIATION FOR HOUSE BILL 1765 (EMERGING TECHNOLOGY FUND). (a) The appropriation made by this subsection is contingent on the enactment by the 79th Legislature, Regular Session, 2005, of H.B. No. 1765 or similar legislation that becomes law for funding emerging technology industries through a Texas Emerging Technology Fund administered as a trustee program within the office of the governor. If the actual amounts transferred to the Economic Stabilization Fund during the state fiscal biennium beginning September 1, 2005, exceed the amount that the comptroller estimated would be transferred to the Economic Stabilization Fund during that biennium:

(1) the first \$100,000,000 by which the amounts transferred to the Economic Stabilization Fund during the state fiscal biennium exceed the amount of the comptroller's estimate is appropriated out of the Economic Stabilization Fund during the state fiscal biennium beginning September 1, 2005, to the trustee program within the office of the governor for deposit into the Texas Emerging Technology Fund in accordance with the legislation creating the technology fund and is appropriated for the biennium for expenditure for the purposes and under the procedures prescribed by the legislation creating the technology fund;

(2) the next \$100,000,000 by which the amounts transferred to the Economic Stabilization Fund during the state fiscal biennium exceed the amount of the comptroller's estimate is appropriated out of the Economic Stabilization Fund during the state fiscal biennium beginning September 1, 2005, for deposit into the Higher Education Fund for use in accordance with Section 17(i), Article VII, Texas Constitution; and

(3) the next \$25,000,000 by which the amounts transferred to the Economic Stabilization Fund during the state fiscal biennium exceed the amount of the comptroller's estimate is appropriated out of the Economic Stabilization Fund during the

state fiscal year beginning September 1, 2006, for equitable allocation to the agencies and institutions eligible to receive a portion of the annual appropriation made under Section 17(a), Article VII, Texas Constitution, to be used by those agencies and institutions for any purpose described by Section 17(a), Article VII, Texas Constitution.

(b) If the 79th Legislature, Regular Session, 2005, does not enact H.B. No. 1765 or similar legislation that becomes law for funding emerging technology industries through a Texas Emerging Technology Fund administered as a trustee program within the office of the governor, and if the actual amounts transferred to the Economic Stabilization Fund during the state fiscal biennium beginning September 1, 2005, exceed the amount that the comptroller estimated would be transferred to the Economic Stabilization Fund during that biennium:

(1) the first \$100,000,000 by which the amounts transferred to the Economic Stabilization Fund during the state fiscal biennium exceed the amount of the comptroller's estimate is appropriated out of the Economic Stabilization Fund during the state fiscal biennium beginning September 1, 2005, for deposit into the Higher Education Fund for use in accordance with Section 17(i), Article VII, Texas Constitution; and

(2) the next \$25,000,000 by which the amounts transferred to the Economic Stabilization Fund during the state fiscal biennium exceed the amount of the comptroller's estimate is appropriated out of the Economic Stabilization Fund during the state fiscal year beginning September 1, 2006, for equitable allocation to the agencies and institutions eligible to receive a portion of the annual appropriation made under Section 17(a), Article VII, Texas Constitution, to be used by those agencies and institutions for any purpose described by Section 17(a), Article VII, Texas Constitution.

(c) The Texas Higher Education Coordinating Board shall equitably allocate among the eligible agencies and institutions the amounts appropriated under Subsection (a)(3) or (b)(2) of this section as the coordinating board considers appropriate to address the needs of each institution or agency for additional resources to

acquire, construct, improve, repair, rehabilitate, and equip the buildings, facilities, or other permanent improvements of the institution or agency to the extent of their use for educational and general activities, considering the amount that the agencies and institutions will receive during the state fiscal biennium beginning September 1, 2005, or in a subsequent biennium under the formula established under Section 17(d), Article VII, Texas Constitution.

(d) The comptroller's estimate described by this section is the estimate made by the comptroller under Subsection (h), Section 49-g, Article III, Texas Constitution.

(2) Add the following appropriately numbered SECTIONS to the bill and renumber the subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER: IRMA RANGEL SCHOOL OF PHARMACY. The amount of \$10,000,000 is appropriated out of the general revenue fund to Texas A&M University System Health Science Center for the state fiscal biennium beginning September 1, 2005, to pay start-up costs and operational, instructional, and infrastructure support costs related to the Irma Rangel School of Pharmacy.

SECTION \_\_\_\_\_. TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER: MEDICAL SCHOOL IN EL PASO. The amount of \$37,000,000 is appropriated out of the general revenue fund to the Texas Tech University Health Sciences Center for the state fiscal biennium beginning September 1, 2005, to pay start-up costs and operational, instructional, and infrastructure support costs related to a four-year medical school in El Paso.