

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 865
By: Swinford (Hegar)
Agriculture & Rural Affairs
5/1/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Invasive species are likely to cause economic harm, environmental harm, or harm to human health. The Texas Invasive Species Coordinating Committee (committee) would control and manage invasive species and the effects such species have on the economy, the environment, and people's health.

C.S.H.B. 865 establishes the committee to serve as a catalyst for cooperation between state agencies in the area of invasive species control and facilitate governmental efforts to prevent and manage invasive species.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 7, Government Code, by adding Chapter 776, as follows:

CHAPTER 776. TEXAS INVASIVE SPECIES COORDINATING COMMITTEE

Sec. 776.001. DEFINITIONS. Defines "committee" and "invasive species."

Sec. 776.002. MEMBER AGENCIES. (a) Provides that the member agencies of the Texas Invasive Species Coordinating Committee (committee) are the Department of Agriculture, the Parks and Wildlife Department, the State Soil and Water Conservation Board, the Texas AgriLife Extension Service, the Texas Forest Service, the Texas Water Development Board, and any other state agency added to the committee under Subsection (b).

(b) Authorizes the member agencies listed in Subsections (a)(1)-(6), on the request of a state agency that has an interest in controlling invasive species, to by unanimous agreement add the agency to the committee.

Sec. 776.003. REPRESENTATIVES. (a) Provides that the committee is composed of one representative of each member agency. Requires the agency's alternate representative, if an agency's representative is unable to attend a committee meeting or otherwise perform the representative's duties, to serve in the representative's place.

(b) Requires the administrative head of each member agency to designate one individual to serve as the agency's representative on the committee and one individual to serve as alternate representative; authorizes the administrative head to change the designated representative or alternate representative at will; and requires the administrative head to promptly notify the committee in writing of the name and position of the new representative or alternate representative after designating or changing the representative or alternate representative.

(c) Provides that service on the committee by a state officer or employee is an additional duty of the representative's office or employment.

Sec. 776.004. DUTIES. (a) Requires the committee to:

- (1) serve as a catalyst for cooperation between state agencies in the area of invasive species control;
- (2) facilitate governmental efforts, including efforts of local governments and special districts, to prevent and manage invasive species;
- (3) make recommendations to state agencies regarding research, technology transfer, and management actions related to invasive species control;
- (4) facilitate the exchange of information so that each member agency is informed of committee plans, recommendations, and proposals for research, education, and implementation of activities to prevent, detect, assess, monitor, contain, and control or eradicate invasive species, and reduce environmental and economic threats and threats to human health from invasive species;
- (5) provide a forum for developing coordinated interagency strategies and policies for invasive species control;
- (6) provide technical information and input to regional and national invasive species control coordination efforts, including the National Invasive Species Management Plan;
- (7) facilitate the review of committee technical decisions and work product by specialists and interested persons; and
- (8) report as needed to the governor, lieutenant governor, and speaker of the house of representatives on committee plans, work product, and accomplishments.

(b) Requires each member agency of the committee to coordinate the agency's invasive species control activities with the committee and relevant coordinating bodies, including the National Invasive Species Council, share with the committee the agency's technical expertise related to invasive species, advise the committee of known invasive species threats to natural and agricultural resources, and cooperate, to the extent allowed by law, in initiatives to obtain appropriations and grants for invasive species control.

Sec. 776.005. BYLAWS. (a) Requires the committee to adopt bylaws governing the committee's operations.

(b) Provides that the bylaws are required to provide a procedure to periodically elect one representative as committee chair, are required to provide a procedure to call committee meetings, are required to require the committee to meet at least annually, and are authorized to provide for the creation of subcommittees and advisory committees.

Sec. 776.006. STAFF; ATTACHMENT. (a) Provides that the committee is administratively attached to the State Soil and Water Conservation Board (SWCB).

(b) Requires SWCB to provide one full-time equivalent employee to serve as committee coordinator.

Sec. 776.007. SUNSET PROVISION. (a) Provides that the committee is subject to Chapter 325 (Texas Sunset Act). Provides that unless continued in existence as provided by that chapter, the committee is abolished and this chapter expires September 1, 2013.

(b) Requires SWCB, to the extent that Chapter 325 (Texas Sunset Act) places a duty on a state agency subject to review under that chapter, to perform the duty as it relates to the committee.

SECTION 2. Requires the administrative head of each member agency of the committee, not later than November 1, 2009, to designate the agency's initial representative and alternate representative as provided by Section 776.003, Government Code, as added by this Act.

SECTION 3. Requires the committee, not later than February 1, 2010, to hold its first meeting and adopt bylaws as required by Section 776.005, Government Code, as added by this Act.

SECTION 4. Effective date: September 1, 2009.