

1-1 By: Hunter (Senate Sponsor - Kolckhorst) H.B. No. 3600  
 1-2 (In the Senate - Received from the House April 21, 2021;  
 1-3 May 6, 2021, read first time and referred to Committee on Water,  
 1-4 Agriculture & Rural Affairs; May 19, 2021, reported adversely,  
 1-5 with favorable Committee Substitute by the following vote: Yeas 9,  
 1-6 Nays 0; May 19, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3600 By: Kolckhorst

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the establishment of the commercial oyster mariculture  
 1-22 advisory board.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 75, Parks and Wildlife Code, is amended  
 1-25 by adding Section 75.0108 to read as follows:

1-26 Sec. 75.0108. COMMERCIAL OYSTER MARICULTURE ADVISORY  
 1-27 BOARD. (a) In this section, "advisory board" means the commercial  
 1-28 oyster mariculture advisory board established under this section.

1-29 (b) The commercial oyster mariculture advisory board is  
 1-30 established within the department to advise all state agencies with  
 1-31 regulatory authority over the commercial oyster mariculture  
 1-32 industry.

1-33 (c) The advisory board consists of seven members appointed  
 1-34 by the governor as follows:

1-35 (1) four members must:

1-36 (A) represent the commercial oyster mariculture  
 1-37 industry, seafood industry, or related industries; and

1-38 (B) have a documented interest in the promotion  
 1-39 of entrepreneurship, free enterprise, and the increased use,  
 1-40 consumption, marketing, and sale of native oysters in this state;  
 1-41 and

1-42 (2) three members must:

1-43 (A) represent the scientific and conservation  
 1-44 community in this state; and

1-45 (B) have a documented interest in the  
 1-46 sustainability of the natural coastal environment of this state.

1-47 (d) At least one advisory board member must be a member of  
 1-48 the department's oyster advisory workgroup.

1-49 (e) Advisory board members serve staggered five-year terms,  
 1-50 with the terms of one or two members expiring February 1 of each  
 1-51 year.

1-52 (f) If a vacancy occurs on the advisory board, the governor  
 1-53 shall appoint a replacement who meets the qualifications for the  
 1-54 vacant position to serve for the remainder of the term.

1-55 (g) The governor shall designate an advisory board member  
 1-56 described by Subsection (c)(1) to serve as the advisory board's  
 1-57 presiding officer for a one-year term. The presiding officer may  
 1-58 vote on any matter before the advisory board.

1-59 (h) Advisory board members serve without compensation but  
 1-60 are entitled to reimbursement for actual and necessary expenses

2-1 incurred in performing official duties authorized by the office of  
2-2 the governor.

2-3 (i) The advisory board shall make recommendations to the  
2-4 governor and all relevant agencies concerning the commercial oyster  
2-5 mariculture industry, including recommendations regarding:

2-6 (1) promoting the use, consumption, marketing, and  
2-7 sale of maricultured oysters;

2-8 (2) promoting sustainable commercial oyster  
2-9 mariculture; and

2-10 (3) commercial oyster mariculture permits and  
2-11 regulations.

2-12 (j) In performing the advisory board's duties under this  
2-13 section, the advisory board may consult with agencies of this state  
2-14 and the United States, including the:

2-15 (1) Parks and Wildlife Department;

2-16 (2) General Land Office;

2-17 (3) seafood and aquatic life unit of the Department of  
2-18 State Health Services;

2-19 (4) Department of State Health Services;

2-20 (5) National Marine Fisheries Service;

2-21 (6) United States Army Corps of Engineers; and

2-22 (7) United States Coast Guard.

2-23 (k) Chapter 2110, Government Code, does not apply to the  
2-24 advisory board.

2-25 SECTION 2. Not later than December 31, 2021, the governor  
2-26 shall appoint the initial members of the commercial oyster  
2-27 mariculture advisory board under Section 75.0108, Parks and  
2-28 Wildlife Code, as added by this Act. Notwithstanding Section  
2-29 75.0108(e), Parks and Wildlife Code, as added by this Act, in making  
2-30 the initial appointments, the governor shall designate one member  
2-31 to a term expiring February 1, 2022, one member to a term expiring  
2-32 February 1, 2023, two members to terms expiring February 1, 2024,  
2-33 two members to terms expiring February 1, 2025, and one member to a  
2-34 term expiring February 1, 2026.

2-35 SECTION 3. This Act takes effect immediately if it receives  
2-36 a vote of two-thirds of all the members elected to each house, as  
2-37 provided by Section 39, Article III, Texas Constitution. If this  
2-38 Act does not receive the vote necessary for immediate effect, this  
2-39 Act takes effect September 1, 2021.

2-40 \* \* \* \* \*