

AN ACT

relating to the composition of the Recycling Market Development Board and the termination of certain duties of the General Land Office relating to the board and the recycling awareness campaign.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (e), Section 361.422, Health and Safety Code, is amended to read as follows:

(e) Before January 1, 1994, the commission shall determine whether the goal established in Subsection (a) is being achieved. If the commission finds that the goal is not being achieved, it shall convene an advisory task force consisting of representatives of the commission, ~~[the General Land Office,~~ local governments, the Municipal Solid Waste Management and Resource Recovery Advisory Council, and the commercial solid waste disposal industry and may recommend to the legislature a phased-in ban on the disposal of yard waste in a landfill. The task force may recommend a plan to the legislature for implementing the ban after considering how the ban will:

- (1) affect the state's disposal capacity;
- (2) affect the economy of the state;
- (3) affect local governments; and
- (4) be accepted and adhered to by the citizens of the state.

SECTION 2. Subsection (a), Section 361.423, Health and

Safety Code, is amended to read as follows:

(a) The Recycling Market Development Board consists of ~~[commissioner of the General Land Office,]~~ the chairman of the commission and~~[,]~~ the executive director of the Texas Building and Procurement ~~[General Services]~~ Commission~~[, and the executive director of the Texas Department of Commerce shall constitute the Recycling Market Development Board]~~. The ~~[commissioner of the General Land Office serves as presiding officer of the Recycling Market Development Board for the first year, and after that year~~ ~~the]~~ members of the Recycling Market Development Board shall, in the order listed in this subsection, rotate as the presiding officer for terms of one year. The Recycling Market Development Board may designate chief executives of additional agencies as members of the board if it identifies the agencies as agencies needed to assist the board in performing its duties as outlined in Subsection (b). The Recycling Market Development Board shall provide support to and coordinate the recycling activities of member agencies and shall pursue an economic development strategy that focuses on the state's waste management priorities established by Section 361.022 and that includes development of recycling industries and markets as an integrated component.

SECTION 3. Subsection (d), Section 361.423, and Section 361.424, Health and Safety Code, are repealed.

SECTION 4. (a) If the commissioner of the General Land Office or the executive director of the Texas Department of Economic Development is or is scheduled to become the presiding officer of the Recycling Market Development Board on the effective

1 date of this Act, the chairman of the Texas Commission on  
2 Environmental Quality shall assume the office of presiding officer  
3 on that date and shall serve in that capacity until the next  
4 regularly scheduled rotation of service in that office under  
5 Subsection (a), Section 361.423, Health and Safety Code, as amended  
6 by this Act.

7 (b) This Act takes effect September 1, 2003.

S.B. No. 1091

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1091 passed the Senate on April 16, 2003, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1091 passed the House on May 5, 2003, by a non-record vote.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor