

By: Shapiro

S.B. No. 1091

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the composition of the Recycling Market Development
3 Board and the termination of certain duties of the General Land
4 Office relating to the board and the recycling awareness campaign.

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

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

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

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

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

1 Safety Code, is amended to read as follows:

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

22 SECTION 3. Subsection (d), Section 361.423, and Section
23 361.424, Health and Safety Code, are repealed.

24 SECTION 4. (a) If the commissioner of the General Land
25 Office or the executive director of the Texas Department of
26 Economic Development is or is scheduled to become the presiding
27 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.