

1-1 By: Shapiro S.B. No. 1091
1-2 (In the Senate - Filed March 11, 2003; March 17, 2003, read
1-3 first time and referred to Committee on State Affairs;
1-4 April 7, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0; April 7, 2003,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1091 By: Harris

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the composition of the Recycling Market Development
1-11 Board and the termination of certain duties of the General Land
1-12 Office relating to the board and the recycling awareness campaign.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subsection (e), Section 361.422, Health and
1-15 Safety Code, is amended to read as follows:

1-16 (e) Before January 1, 1994, the commission shall determine
1-17 whether the goal established in Subsection (a) is being achieved.
1-18 If the commission finds that the goal is not being achieved, it
1-19 shall convene an advisory task force consisting of representatives
1-20 of the commission, [~~the General Land Office,~~] local governments,
1-21 the Municipal Solid Waste Management and Resource Recovery Advisory
1-22 Council, and the commercial solid waste disposal industry and may
1-23 recommend to the legislature a phased-in ban on the disposal of yard
1-24 waste in a landfill. The task force may recommend a plan to the
1-25 legislature for implementing the ban after considering how the ban
1-26 will:

- 1-27 (1) affect the state's disposal capacity;
1-28 (2) affect the economy of the state;
1-29 (3) affect local governments; and
1-30 (4) be accepted and adhered to by the citizens of the
1-31 state.

1-32 SECTION 2. Subsection (a), Section 361.423, Health and
1-33 Safety Code, is amended to read as follows:

1-34 (a) The Recycling Market Development Board consists of
1-35 [~~commissioner of the General Land Office,~~] the chairman of the
1-36 commission and[~~]~~ the executive director of the Texas Building and
1-37 Procurement [~~General Services~~] Commission[~~, and the executive~~
1-38 director of the Texas Department of Commerce shall constitute the
1-39 Recycling Market Development Board]. The [~~commissioner of the~~
1-40 General Land Office serves as presiding officer of the Recycling
1-41 Market Development Board for the first year, and after that year
1-42 the] members of the Recycling Market Development Board shall, in
1-43 the order listed in this subsection, rotate as the presiding
1-44 officer for terms of one year. The Recycling Market Development
1-45 Board may designate chief executives of additional agencies as
1-46 members of the board if it identifies the agencies as agencies
1-47 needed to assist the board in performing its duties as outlined in
1-48 Subsection (b). The Recycling Market Development Board shall
1-49 provide support to and coordinate the recycling activities of
1-50 member agencies and shall pursue an economic development strategy
1-51 that focuses on the state's waste management priorities established
1-52 by Section 361.022 and that includes development of recycling
1-53 industries and markets as an integrated component.

1-54 SECTION 3. Subsection (d), Section 361.423, and Section
1-55 361.424, Health and Safety Code, are repealed.

1-56 SECTION 4. (a) If the commissioner of the General Land
1-57 Office or the executive director of the Texas Department of
1-58 Economic Development is or is scheduled to become the presiding
1-59 officer of the Recycling Market Development Board on the effective
1-60 date of this Act, the chairman of the Texas Commission on
1-61 Environmental Quality shall assume the office of presiding officer
1-62 on that date and shall serve in that capacity until the next
1-63 regularly scheduled rotation of service in that office under

2-1 Subsection (a), Section 361.423, Health and Safety Code, as amended
2-2 by this Act.
2-3 (b) This Act takes effect September 1, 2003.

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