

1-1 By: Swinford (Senate Sponsor - Ellis) H.B. No. 2466  
1-2 (In the Senate - Received from the House May 2, 2005;  
1-3 May 3, 2005, read first time and referred to Committee on  
1-4 Government Organization; May 11, 2005, reported adversely, with  
1-5 favorable Committee Substitute by the following vote: Yeas 6,  
1-6 Nays 0; May 11, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 2466 By: Eltife

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

1-10 relating to recycling market development.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 2155.448(a), Government Code, is amended  
1-13 to read as follows:

1-14 (a) Each state fiscal year, the commission~~[, in~~  
1-15 ~~coordination with the Recycling Market Development Board,~~] by rule  
1-16 may identify recycled, remanufactured, or environmentally  
1-17 sensitive commodities or services, as those terms are defined by  
1-18 rule of the commission, and designate purchasing goals for the  
1-19 procurement of those commodities and services by state agencies for  
1-20 that fiscal year.

1-21 SECTION 2. Section 361.423, Health and Safety Code, is  
1-22 amended to read as follows:

1-23 Sec. 361.423. RECYCLING MARKET DEVELOPMENT ~~[BOARD AND]~~  
1-24 IMPLEMENTATION PROGRAM. (a) ~~The commission, the Texas Building~~  
1-25 ~~and Procurement Commission, and other consenting state agencies as~~  
1-26 ~~appropriate [Recycling Market Development Board consists of the~~  
1-27 ~~chairman of the commission and the executive director of the Texas~~  
1-28 ~~Building and Procurement Commission. The members of the Recycling~~  
1-29 ~~Market Development Board shall, in the order listed in this~~  
1-30 ~~subsection, rotate as the presiding officer for terms of one year.~~  
1-31 ~~The Recycling Market Development Board may designate chief~~  
1-32 ~~executives of additional agencies as members of the board if it~~  
1-33 ~~identifies the agencies as agencies needed to assist the board in~~  
1-34 ~~performing its duties as outlined in Subsection (b). The Recycling~~  
1-35 ~~Market Development Board] shall regularly [provide support to and]~~  
1-36 coordinate the recycling activities of state ~~[member]~~ agencies and  
1-37 shall each pursue an economic development strategy that focuses on  
1-38 the state's waste management priorities established by Section  
1-39 361.022 and that includes development of recycling industries and  
1-40 markets as an integrated component.

1-41 (b) ~~The commission and the Texas Building and Procurement~~  
1-42 ~~Commission [Recycling Market Development Board], on an ongoing~~  
1-43 ~~basis, shall jointly:~~

1-44 (1) identify existing economic and regulatory  
1-45 incentives and disincentives for creating an optimal market  
1-46 development strategy;

1-47 (2) analyze or take into consideration the market  
1-48 development implications of:

1-49 (A) the state's waste management policies and  
1-50 regulations;

1-51 (B) existing and potential markets for plastic,  
1-52 glass, paper, lead-acid batteries, tires, compost, scrap gypsum,  
1-53 coal combustion by-products, and other recyclable materials; and

1-54 (C) the state's tax structure and overall  
1-55 economic base;

1-56 (3) examine and make policy recommendations regarding  
1-57 the need for changes in or the development of:

1-58 (A) economic policies that affect  
1-59 transportation, such as those embodied in freight rate schedules;

1-60 (B) tax incentives and disincentives;

1-61 (C) the availability of financial capital  
1-62 including grants, loans, and venture capital;

1-63 (D) enterprise zones;

2-1 (E) managerial and technical assistance;  
 2-2 (F) job-training programs;  
 2-3 (G) strategies for matching market supply and  
 2-4 market demand for recyclable materials, including intrastate and  
 2-5 interstate coordination;  
 2-6 (H) the state recycling goal;  
 2-7 (I) public-private partnerships;  
 2-8 (J) research and development;  
 2-9 (K) government procurement policies;  
 2-10 (L) educational programs for the public,  
 2-11 corporate and regulated communities, and government entities; and  
 2-12 (M) public health and safety regulatory  
 2-13 policies;

2-14 (4) establish a comprehensive statewide strategy to  
 2-15 expand markets for recycled products in Texas;

2-16 (5) provide information and technical assistance to  
 2-17 small and disadvantaged businesses, business development centers,  
 2-18 chambers of commerce, educational institutions, and nonprofit  
 2-19 associations on market opportunities in the area of recycling; and

2-20 (6) with the cooperation of the Office of  
 2-21 State-Federal Relations, assist communities and private entities  
 2-22 in identifying state and federal grants pertaining to recycling and  
 2-23 solid waste management.

2-24 (c) In carrying out this section, the commission and the  
 2-25 Texas Building and Procurement Commission [~~responsible agencies~~]  
 2-26 may obtain research and development and technical assistance from  
 2-27 the Hazardous Waste Research Center at Lamar University at Beaumont  
 2-28 or other similar institutions.

2-29 (d) In carrying out this section, the commission and the  
 2-30 Texas Building and Procurement Commission shall utilize the  
 2-31 Pollution Prevention Advisory Committee as set out in Section  
 2-32 361.0215 of the Health and Safety Code.

2-33 SECTION 3. (a) On the effective date of this Act, the  
 2-34 Recycling Market Development Board is dissolved.

2-35 (b) On the effective date of this Act, all functions and  
 2-36 activities of the Recycling Market Development Board are  
 2-37 transferred to the Texas Commission on Environmental Quality and  
 2-38 the Texas Building and Procurement Commission jointly, and those  
 2-39 agencies have all duties and rights of the Recycling Market  
 2-40 Development Board as provided by law immediately before that date.

2-41 (c) The validity of an action taken by the Recycling Market  
 2-42 Development Board before the effective date of this Act is not  
 2-43 affected by the dissolution of the board by this Act.

2-44 SECTION 4. This Act takes effect September 1, 2005.

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