

By: Ellis

S.B. No. 1081

A BILL TO BE ENTITLED

AN ACT

relating to recycling market development.

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

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

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

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

Sec. 361.423. RECYCLING MARKET DEVELOPMENT ~~[BOARD AND]~~ IMPLEMENTATION PROGRAM. (a) The commission, the Texas Building and Procurement Commission, and other consenting state agencies as appropriate ~~[Recycling Market Development Board consists of the chairman of the commission and the executive director of the Texas Building and Procurement Commission. 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~~

1 ~~identifies the agencies as agencies needed to assist the board in~~
2 ~~performing its duties as outlined in Subsection (b). The Recycling~~
3 ~~Market Development Board] shall regularly [~~provide support to and~~~~
4 coordinate the recycling activities of state [~~member~~] agencies and
5 shall each pursue an economic development strategy that focuses on
6 the state's waste management priorities established by Section
7 361.022 and that includes development of recycling industries and
8 markets as an integrated component.

9 (b) The commission and the Texas Building and Procurement
10 Commission [~~Recycling Market Development Board~~], on an ongoing
11 basis, shall jointly:

12 (1) identify existing economic and regulatory
13 incentives and disincentives for creating an optimal market
14 development strategy;

15 (2) analyze or take into consideration the market
16 development implications of:

17 (A) the state's waste management policies and
18 regulations;

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

22 (C) the state's tax structure and overall
23 economic base;

24 (3) examine and make policy recommendations regarding
25 the need for changes in or the development of:

26 (A) economic policies that affect
27 transportation, such as those embodied in freight rate schedules;

1 (B) tax incentives and disincentives;

2 (C) the availability of financial capital
3 including grants, loans, and venture capital;

4 (D) enterprise zones;

5 (E) managerial and technical assistance;

6 (F) job-training programs;

7 (G) strategies for matching market supply and
8 market demand for recyclable materials, including intrastate and
9 interstate coordination;

10 (H) the state recycling goal;

11 (I) public-private partnerships;

12 (J) research and development;

13 (K) government procurement policies;

14 (L) educational programs for the public,
15 corporate and regulated communities, and government entities; and

16 (M) public health and safety regulatory
17 policies;

18 (4) establish a comprehensive statewide strategy to
19 expand markets for recycled products in Texas;

20 (5) provide information and technical assistance to
21 small and disadvantaged businesses, business development centers,
22 chambers of commerce, educational institutions, and nonprofit
23 associations on market opportunities in the area of recycling; and

24 (6) with the cooperation of the Office of
25 State-Federal Relations, assist communities and private entities
26 in identifying state and federal grants pertaining to recycling and
27 solid waste management.

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

6 SECTION 3. (a) On the effective date of this Act, the
7 Recycling Market Development Board is dissolved.

8 (b) On the effective date of this Act, all functions and
9 activities of the Recycling Market Development Board are
10 transferred to the Texas Commission on Environmental Quality and
11 the Texas Building and Procurement Commission jointly, and those
12 agencies have all duties and rights of the Recycling Market
13 Development Board as provided by law immediately before that date.

14 (c) The validity of an action taken by the Recycling Market
15 Development Board before the effective date of this Act is not
16 affected by the dissolution of the board by this Act.

17 SECTION 4. This Act takes effect September 1, 2005.