

1-1 By: Ellis S.B. No. 1081
1-2 (In the Senate - Filed March 8, 2005; March 21, 2005, read
1-3 first time and referred to Committee on Government Organization;
1-4 April 20, 2005, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 20, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to recycling market development.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subsection (a), Section 2155.448, Government
1-11 Code, is amended to read as follows:

1-12 (a) Each state fiscal year, the commission~~[, in~~
1-13 ~~coordination with the Recycling Market Development Board,~~] by rule
1-14 may identify recycled, remanufactured, or environmentally
1-15 sensitive commodities or services, as those terms are defined by
1-16 rule of the commission, and designate purchasing goals for the
1-17 procurement of those commodities and services by state agencies for
1-18 that fiscal year.

1-19 SECTION 2. Section 361.423, Health and Safety Code, is
1-20 amended to read as follows:

1-21 Sec. 361.423. RECYCLING MARKET DEVELOPMENT [~~BOARD AND~~
1-22 IMPLEMENTATION PROGRAM. (a) The commission, the Texas Building
1-23 and Procurement Commission, and other consenting state agencies as
1-24 appropriate [~~Recycling Market Development Board consists of the~~
1-25 ~~chairman of the commission and the executive director of the Texas~~
1-26 ~~Building and Procurement Commission. The members of the Recycling~~
1-27 ~~Market Development Board shall, in the order listed in this~~
1-28 ~~subsection, rotate as the presiding officer for terms of one year.~~
1-29 ~~The Recycling Market Development Board may designate chief~~
1-30 ~~executives of additional agencies as members of the board if it~~
1-31 ~~identifies the agencies as agencies needed to assist the board in~~
1-32 ~~performing its duties as outlined in Subsection (b). The Recycling~~
1-33 ~~Market Development Board] shall regularly [~~provide support to and~~
1-34 ~~coordinate the recycling activities of state~~ ~~member~~] agencies and
1-35 shall each pursue an economic development strategy that focuses on
1-36 the state's waste management priorities established by Section
1-37 361.022 and that includes development of recycling industries and
1-38 markets as an integrated component.~~

1-39 (b) The commission and the Texas Building and Procurement
1-40 Commission [~~Recycling Market Development Board~~], on an ongoing
1-41 basis, shall jointly:

1-42 (1) identify existing economic and regulatory
1-43 incentives and disincentives for creating an optimal market
1-44 development strategy;

1-45 (2) analyze or take into consideration the market
1-46 development implications of:

1-47 (A) the state's waste management policies and
1-48 regulations;

1-49 (B) existing and potential markets for plastic,
1-50 glass, paper, lead-acid batteries, tires, compost, scrap gypsum,
1-51 coal combustion by-products, and other recyclable materials; and

1-52 (C) the state's tax structure and overall
1-53 economic base;

1-54 (3) examine and make policy recommendations regarding
1-55 the need for changes in or the development of:

1-56 (A) economic policies that affect
1-57 transportation, such as those embodied in freight rate schedules;

1-58 (B) tax incentives and disincentives;

1-59 (C) the availability of financial capital
1-60 including grants, loans, and venture capital;

1-61 (D) enterprise zones;

1-62 (E) managerial and technical assistance;

1-63 (F) job-training programs;

1-64 (G) strategies for matching market supply and

2-1 market demand for recyclable materials, including intrastate and
2-2 interstate coordination;
2-3 (H) the state recycling goal;
2-4 (I) public-private partnerships;
2-5 (J) research and development;
2-6 (K) government procurement policies;
2-7 (L) educational programs for the public,
2-8 corporate and regulated communities, and government entities; and
2-9 (M) public health and safety regulatory
2-10 policies;
2-11 (4) establish a comprehensive statewide strategy to
2-12 expand markets for recycled products in Texas;
2-13 (5) provide information and technical assistance to
2-14 small and disadvantaged businesses, business development centers,
2-15 chambers of commerce, educational institutions, and nonprofit
2-16 associations on market opportunities in the area of recycling; and
2-17 (6) with the cooperation of the Office of
2-18 State-Federal Relations, assist communities and private entities
2-19 in identifying state and federal grants pertaining to recycling and
2-20 solid waste management.
2-21 (c) In carrying out this section, the commission and the
2-22 Texas Building and Procurement Commission [~~responsible agencies~~]
2-23 may obtain research and development and technical assistance from
2-24 the Hazardous Waste Research Center at Lamar University at Beaumont
2-25 or other similar institutions.
2-26 SECTION 3. (a) On the effective date of this Act, the
2-27 Recycling Market Development Board is dissolved.
2-28 (b) On the effective date of this Act, all functions and
2-29 activities of the Recycling Market Development Board are
2-30 transferred to the Texas Commission on Environmental Quality and
2-31 the Texas Building and Procurement Commission jointly, and those
2-32 agencies have all duties and rights of the Recycling Market
2-33 Development Board as provided by law immediately before that date.
2-34 (c) The validity of an action taken by the Recycling Market
2-35 Development Board before the effective date of this Act is not
2-36 affected by the dissolution of the board by this Act.
2-37 SECTION 4. This Act takes effect September 1, 2005.

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