

BILL ANALYSIS

Senate Research Center
80R7501 MSE-D

S.B. 822
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S/C on Flooding & Evacuations
4/16/2007
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This state has not yet established an atmosphere modification research program. Farmers in this state are often affected by severe droughts due to the arid Texas climate and, as a result, lose money and valuable crops. Furthermore, hail and flooding also jeopardize and destroy man-made structures and crops. Establishing a weather modification program in the form of a competitive research grant program would allow scientists to observe and increase their understanding of precipitation and the effects of weather.

As proposed, S.B. 822 requires the Texas Department of Agriculture to establish an atmosphere modification research program to increase understanding of precipitation and the ability to control precipitation to decrease the damaging effects of drought, hail, and flooding on the environment and man-made structures.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Agriculture in SECTION 1 (Section 50C.003, Agriculture Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 3, Agriculture Code, by adding Chapter 50C, as follows:

CHAPTER 50C. ATMOSPHERE MODIFICATION RESEARCH

SUBCHAPTER A. ATMOSPHERE MODIFICATION RESEARCH PROGRAM

Sec. 50C.001. PURPOSE. Establishes the atmosphere modification research program (program) to increase understanding of precipitation and the ability to control precipitation to decrease the damaging effects of drought, hail, and flooding on the environment and man-made structures.

Sec. 50C.002. PARTICIPATION. Provides that the program is a competitive research grant program for faculty researchers at Texas public and private institutions of higher education with expertise in weather modification or an atmospheric science.

Sec. 50C.003. ADMINISTRATION OF PROGRAM. Requires the Texas Department of Agriculture (TDA) to administer the program, administer grants for research under the program, select research proposals submitted for participation in the program by a peer review process, give preference to multi-institutional and multidisciplinary proposals and proposals with federal or private matching funds, and adopt rules for the implementation and administration of the program.

Sec. 50C.004. DURATION OF GRANT. Requires a grant made by TDA under this chapter to be for a period of five years and, subject to TDA review, authorizes it to be extended for a period of not more than two years.

Sec. 50C.005. REPORT. Requires a participant in the program to file with TDA an annual report, not later than October 31 of each year, detailing the progress of the participant's project.

Sec. 50C.006. EVALUATION OF PROGRAM. Requires TDA to cause an independent evaluation of the program to be conducted by a team of experts not associated with the program or TDA during the second year after the program is created and every two years thereafter.

[Reserves Sections 50C.007-50C.050 for expansion.]

SUBCHAPTER B. ATMOSPHERE MODIFICATION RESEARCH CENTER

Sec. 50C.051. PURPOSE. Requires TDA to establish an atmosphere modification research center (center) at Texas Tech University (university) to conduct basic and applied research designed to increase understanding of precipitation and the ability to control precipitation to decrease the damaging effects of drought, hail, and flooding on the environment and man-made structures.

Sec. 50C.052. PUBLIC FORUM. Requires the center to provide a public forum to disseminate research findings and recommendations and to obtain comments from state and local government agencies, business entities, and citizens.

Sec. 50C.053. ATMOSPHERE MODIFICATION RESEARCH CENTER FUND. Creates the atmosphere modification research center fund (fund) as a trust fund with the comptroller of public accounts and requires the fund be administered by TDA as a trustee on behalf of the center. Details sources of the fund. Authorizes money in the fund to be used only to finance the atmosphere modification research of the center.

Sec. 50C.054. DIRECTOR; STAFF. Requires TDA to select a director for the center from among the faculty at the university. Requires the center to be staffed by university faculty members, research professionals, students, and other personnel as determined by TDA.

Sec. 50C.055. SCIENTIFIC ADVISORY BOARD. Requires TDA to establish a scientific advisory board (board) to advise the center on research priorities, guidelines, and procedures. Requires the board to establish and review metrics to assess the effectiveness of the center's research projects.

Sec. 50C.056. REPORT. Requires the center to file annually with TDA and the legislature a report detailing the center's activities, findings, and recommendations.

SECTION 2. Effective date: September 1, 2007.